

**COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION**

In the Matter of:)	
)	
ELECTRONIC APPLICATION OF KENERGY)	
CORP. FOR A CERTIFICATE OF PUBLIC)	
CONVENIENCE AND NECESSITY FOR THE)	
CONSTRUCTION OF A HIGH-SPEED FIBER)	CASE NO.
NETWORK AND FOR APPROVAL OF THE)	2021-00365
LEASING OF THE NETWORK'S EXCESS)	
CAPACITY TO AN AFFILIATE TO BE)	
ENGAGED IN THE PROVISION OF)	
BROADBAND SERVICE TO UNSERVED AND)	
UNDERSERVED HOUSEHOLDS AND)	
<u>BUSINESSES OF THE COMMONWEALTH</u>)	

MOTION TO AMEND THE PROCEDURAL SCHEDULE

The Kentucky Broadband and Cable Association (“KBCA”), by counsel, moves for an order of this Commission amending the procedural schedule in this matter. In support of this Motion, KBCA state as follows:

By Order dated October 22, 2021, the Commission granted Kenergy’s motion to amend its application and issued a new procedural schedule, whereby initial requests for information to Kenergy were to be filed by November 17, 2021, and Kenergy’s responses to those requests were to be filed by December 3, 2021. Prior to that order, KBCA submitted a Motion to Intervene and initial requests for information on October 22, 2021. The Commission granted KBCA’s motion to intervene on December 9, 2021, after the deadline for responses to the initial requests for information.

Kenergy filed responses to KBCA’s initial request for information on December 20, 2021.¹ KBCA has not had sufficient time to review the responses, consider objections made by Kenergy, and draft any potential supplemental requests for information by the December 22, 2021, deadline

¹ Kenergy forwarded a courtesy copy of anticipated responses to KBCA on the evening of December 17, 2021.

set by the current procedural schedule. Accordingly, KBCA respectfully requests an extension to the procedural schedule in order to enable adequate time to review responses to the initial request for information and prepare supplemental requests. KBCA respectfully requests an extension to issue its supplemental requests for information through Friday, January 7, 2022. This extension is necessary in light of upcoming holiday work schedules for members of the KBCA team working on this case.

KBCA further states that it does not believe this extension will unduly harm any party or the Commission, as there is no statutory deadline by which the Commission must issue a decision. Counsel for KBCA has contacted counsel for Kenergy and the Attorney General's office, both of whom indicated they would have no objection to this motion.

Accordingly, KBCA respectfully requests this extension to the future dates in the procedural schedule, whereby supplemental requests for information to Kenergy shall be filed on or before January 7, 2022, and subsequent deadlines have corresponding adjustments.

RESPECTFULLY SUBMITTED,

STURGILL, TURNER, BARKER & MOLONEY, PLLC

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