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 |) | |
| BUSINESSES OF THE COMMONWEALTH |) | |

THE KENTUCKY BROADBAND & CABLE ASSOCIATION RESPONSE TO COMMISSION STAFF'S REQUEST FOR INFORMATION

Kentucky Broadband & Cable Association ("KBCA") responds to Commission Staff's request for information as follows:

1. Refer to the Direct Testimony of Jason Keller, pages 4–5. Provide documentation that KBCA member, Charter, offers, in the census blocks that overlay Kenergy Corp.'s service area, upload and download speeds at or above the upload and download speeds used to define underserved areas and unserved areas in KRS 278.5464(2)(b).

RESPONSE: Please see the attached Exhibits.

Exhibit 1 consists of an extract from Charter's September 2021 Form 477 submission to the FCC containing speed and deployment data from January 1, 2021 through June 30, 2021. This submission shows a list of the census blocks in which Charter offers broadband services, including

the maximum broadband speeds offered and the technology used. Publicly available information regarding Charter's service territories as reported to the FCC are available on the FCC's website at https://opendata.fcc.gov/Wireline/Fixed-Broadband-Deployment-Data-December-2020/hicn-aujz. The publicly available data represents Charter's available service offering as of December 31, 2020; the information in Exhibit 1, which has not yet been published by the FCC and is being provided confidentially, is more current.

Exhibit 2 consists of screenshots showing the availability of Charter's broadband services at select locations within counties where Charter provides service that overlays Kenergy's service area. To generate Exhibit 2, Charter personnel identified a sample address within each pertinent county in Charter's service area, and then entered that address into the serviceability tool on Charter's website to confirm Charter's offerings at that location. While it would be impractical to generate such screenshots for an address in each of the nearly 7,000 census blocks identified in Exhibit 1, KBCA will supplement this response if Staff identifies certain census blocks for which it would like additional information. Exhibit 2 is provided as confidential, with a public version that has the addresses redacted due to privacy concerns.

Exhibit 3 consists of commercially available data from Ookla, a provider that offers user-initiated speed testing, showing the median and top 10% of speeds measured for Charter services in the counties in which Exhibit 1 indicates that Charter offers broadband. This data is identified as confidential because it is proprietary and competitively sensitive information available only by subscription. KBCA notes that Ookla tests broadband speeds at the end-user's device as opposed to testing the speeds provisioned by providers to the modem. For that reason, it understates the speeds provisioned to the customer. Speeds tested at the customer device level are impacted by factors outside the control of the provider, including but not limited to the customer's WiFi router, WiFi

spectrum band utilized, distance from router, obstructions, CPU and memory on the customer's device, and any background processes that may be running. These factors reduce the reported speeds by Ookla relative to the speeds a provider delivers to a customer's modem. The Ookla result is also impacted by the tier of service the customer has purchased (for example if a customer purchased a tier with 30/4 speed, that is the maximum result you will see through Ookla) so Ookla data does not show the highest speed provided by Charter in that area. Ookla is customer driven (e.g. customer clicks a button to generate a speed test), which limits the number of customers that are tested at any given time in an area. Notwithstanding these limitations, the Ookla test results provided in Exhibit 3 show median end-user speeds of at least 141 mbps download and 11 mbps upload. Exhibit 3 provides third-party confirmation that Charter is providing broadband speeds well in excess of the upload and download speeds used to define underserved areas and unserved areas in

WITNESS: Jason Keller

KRS 278.5464(2)(b) to customers in the relevant parts of Kentucky.

RESPECTFULLY SUBMITTED,

STURGILL, TURNER, BARKER & MOLONEY, PLLC

James W. Gardner M. Todd Osterloh

M. Jan Ola

333 West Vine Street, Suite 1500

Lexington, KY 40507 Phone: (859) 255-8581

E-mail: jgardner@sturgillturner.com E-mail: tosterloh@sturgillturner.com

Counsel for KBCA

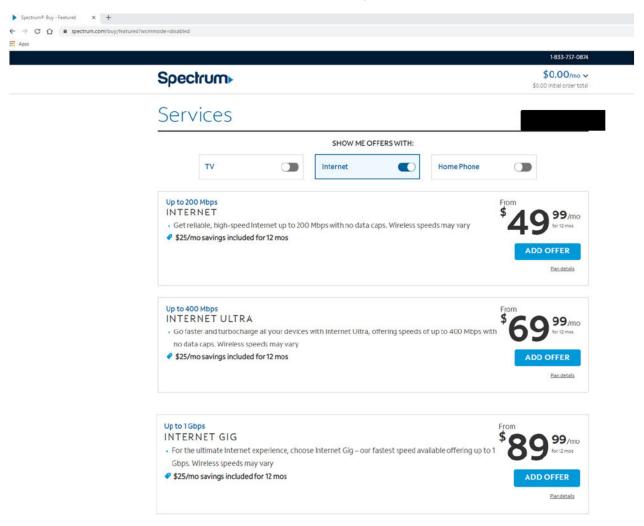
Exhibit 1

(Filed confidentially)

Exhibit 2

(Public version)

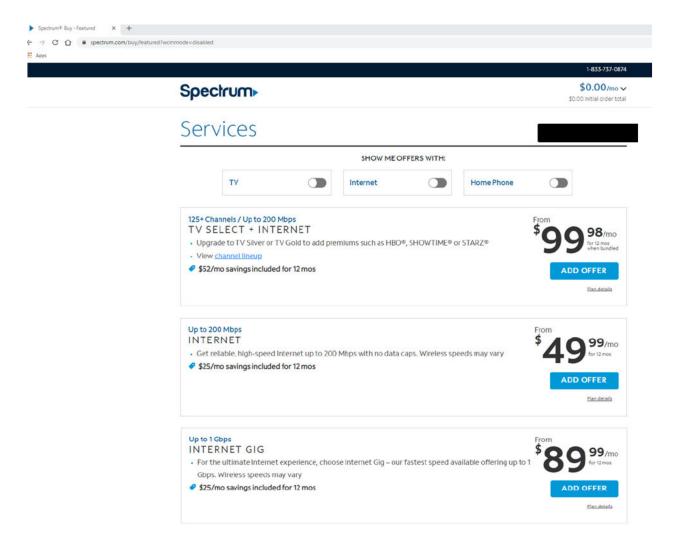
DAVIESS COUNTY, KY



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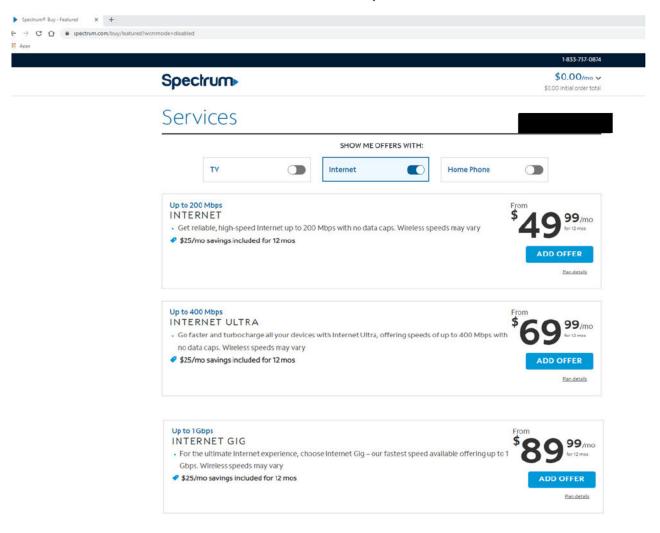
HENDERSON COUNTY, KY



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HOPKINNS COUNTY, KY



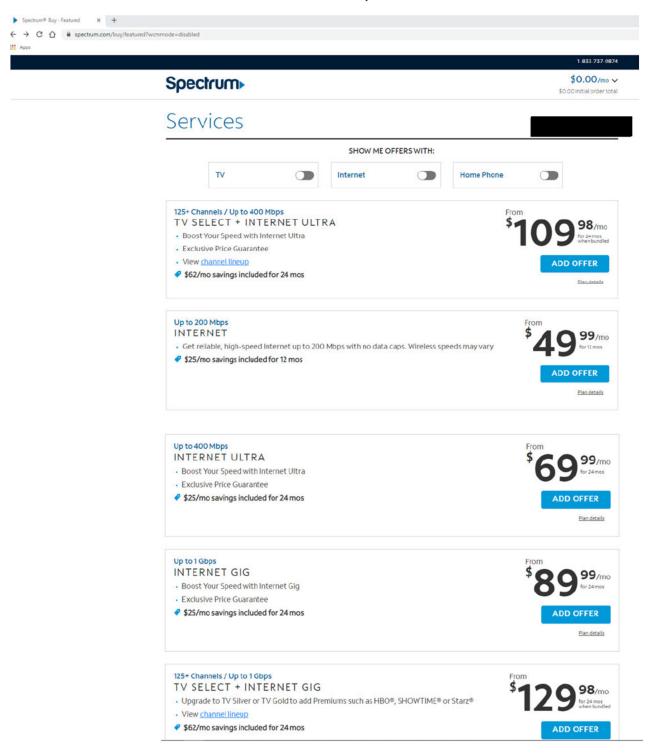
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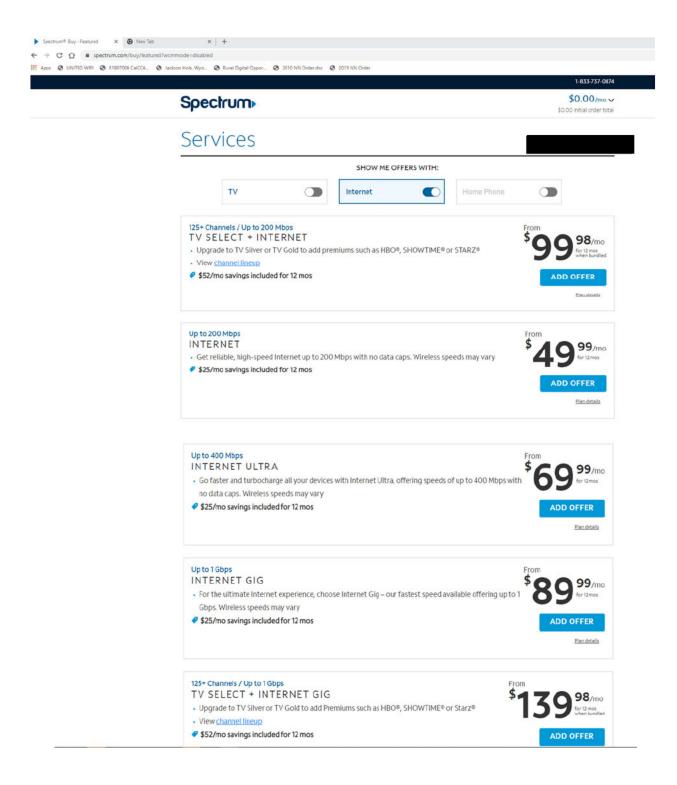
Not all products, pricing and services are available in all areas. Pricing and actual speeds may vary, Internet speeds based on wired connection, Restrictions apply.

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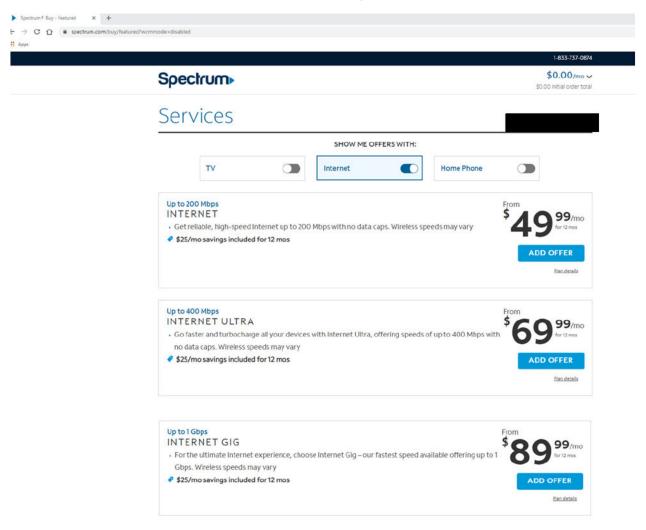
MCLEAN COUNTY, KY



OHIO COUNTY, KY



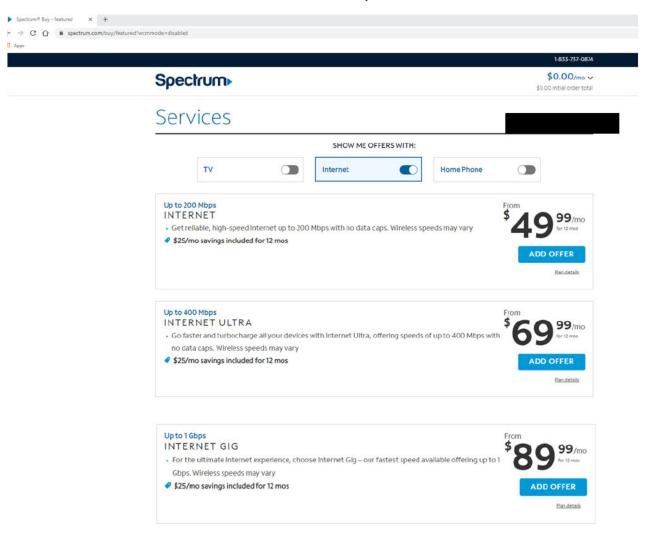
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Not all products, pricing and services are available in all areas. Pricing and actual speeds may vary. Internet speeds based on wired connection, Restrictions apply.

Exhibit 3

(Filed confidentially)