

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC INVESTIGATION OF THE)
PROPOSED POLE ATTACHMENT TARIFFS OF) Case No. 2022-00105
INVESTOR-OWNED ELECTRIC UTILITIES)

AT&T KENTUCKY'S ("AT&T's") RESPONSE TO
LOUISVILLE GAS AND ELECTRIC COMPANY AND KENTUCKY UTILITIES COMPANY'S
FIRST REQUEST FOR INFORMATION

FILED: July 7, 2022

AT&T Responses to Louisville Gas and Electric Company (“LG&E”) and Kentucky Utilities Company (“KU”) Requests for Information

Responding Witnesses: Daniel Rhinehart, Mark Peters

General Objections:

AT&T Kentucky objects to each request to the extent it seeks information protected by the attorney-client privilege and/or work product doctrine. AT&T Kentucky objects to each request to the extent it purports to require the release of information that is confidential and/or proprietary or is otherwise protected by any other discovery privilege recognized under applicable law. AT&T Kentucky objects to any request for creating, compiling information, or producing documents not maintained in the ordinary course of business. AT&T Kentucky additionally objects to any request to the extent it requires AT&T Kentucky to provide information that Louisville Gas and Electric Company and Kentucky Utilities may obtain from another source that is publicly available, more convenient, less expensive, and/or less burdensome. AT&T Kentucky further objects to each request to the extent that it is overly broad, unduly burdensome, oppressive, and/or impossible to answer fully. AT&T Kentucky objects to each request to the extent that it seeks information that is not relevant to the subject matter involved in the pending action and is not reasonably calculated to lead to the discovery of admissible information. AT&T Kentucky further objects to each request to the extent it attempts to impose greater obligations than the Kentucky Rules of Civil Procedure and the Kentucky Administrative Regulations rules promulgated by the Commission with respect to both formal and informal proceedings before the Commission.

Subject to and without waiving these objections, AT&T responds to the individually enumerated requests as follows:

- 1. Please identify the number of AT&T attachments to LGE-KU poles that would be governed by LGE-KU’s proposed tariffs.**

AT&T Response: AT&T Kentucky objects to this request to the extent it seeks information protected by the attorney-client privilege and/or work product doctrine. AT&T Kentucky also objects to this request to the extent the information requests AT&T’s Kentucky’s confidential and/or proprietary information. AT&T Kentucky further objects to this request to the extent that it is overly broad, unduly burdensome, oppressive, and/or impossible to answer fully. Notwithstanding and without waiving its objections, AT&T Kentucky states that in the LG&E and KU Response to Objections filed on April 14, 2022, LG&E and KU state, at pages 2 and 3, that AT&T has 163,323 attachments, 3,459 of which would fall under the pole attachment tariffs. At this time, AT&T cannot admit or deny these asserted numbers, nor say whether the counts are current.

- 2. Please identify the number of attachments referenced above that do not currently conform to the tagging requirement in LGE-KU’s proposed tariffs, ¶ 9.c., Sheet No. 40.13.**

AT&T Response: AT&T Kentucky objects to this request to the extent that it is overly broad, unduly burdensome, oppressive, vague and ambiguous, not reasonably calculated to lead to relevant evidence related to the subject matter of this proceeding, and/or is impossible to answer fully. Notwithstanding and without waiving AT&T Kentucky's objections, AT&T Kentucky states that the definition of "attachment" as set forth in the LG&E and KU tariffs is overly broad and ambiguous and, therefore, AT&T does not know how many of its "attachment" allegedly do not currently conform to the tagging requirement.

- 3. For the period 7/1/2017 through present, and for attachments subject to the terms and conditions of LGE-KU's Rate PSA, provide the number of new attachments that AT&T has made to LGE-KU poles.**

AT&T Response: AT&T Kentucky objects to this request to the extent that it is overly broad, unduly burdensome, oppressive, vague and ambiguous, not reasonably calculated to lead to relevant evidence related to the subject matter of this proceeding, and/or is impossible to answer fully. Notwithstanding and without waiving its objections, AT&T Kentucky states that the definition of "attachment" as set forth in the LG&E and KU tariffs is overly broad and ambiguous and, therefore, AT&T cannot definitively state how many new "attachments" it placed from July 1, 2017 through the present.

- 4. With respect to attachments to LGE-KU's poles that were both in existence as of 7/1/2017 and subject to the terms and conditions of LGE-KU's Rate PSA, provide the number of such attachments upon which AT&T has performed work since 7/1/2017.**

AT&T Response: AT&T Kentucky objects to this request to the extent that it is overly broad, unduly burdensome, oppressive, vague and ambiguous, not reasonably calculated to lead to relevant evidence related to the subject matter of this proceeding, and/or is impossible to answer fully. Notwithstanding and without waiving its objections, AT&T Kentucky states that it does not know the number of attachments upon which it has performed work since July 1, 2017.

- 5. Please describe AT&T's inspection cycle for the attachments referenced above. Stated otherwise, with what frequency does AT&T inspect or perform regular maintenance on such attachments (i.e., annually, every 3 years, every 5 years, etc.)?**

AT&T Response: See Response to Commission Staff Second Information request No. 5.d. in Docket 2022-00108.