

**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 POSITION STATEMENT**  
**REGARDING HEARING AND BRIEFING**

BellSouth Telecommunications, LLC d/b/a AT&T Kentucky (“AT&T”), having conferred with other parties, hereby submits its Statement of Position regarding briefing and hearing in the above-styled matter, consistent with the Commission’s Orders entered herein on March 30, 2022,<sup>3</sup> and June 3, 2022.<sup>4</sup>

**AT&T requests that the case be submitted for decision based on the record.** AT&T does not believe that a hearing is necessary. Public comment and discussion regarding the regulation has been ongoing since at least February 2020, and the record is replete with facts upon which the Commission may now determine whether the tariffs proposed by the parties are fair, just, and reasonable. Consequently, and as a matter of administrative efficiency, AT&T requests that this case be submitted for decision based on the record.

**AT&T does not believe that briefing is necessary.** For the reasons set forth above, AT&T does not believe that briefing is necessary. If, however, the Commission determines that briefing is necessary, AT&T respectfully requests that the Commission: (i) specify which limited

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<sup>3</sup> The Commission’s March 30<sup>th</sup> Order established the procedural schedule for this matter and directed that “[a]ny party or any Intervenor shall request either a hearing or that the case be submitted for decision based on the record no later than...July 18, 2022.” *See* Order, at Appendix A (Ky. P.S.C. March 30, 2022).

<sup>4</sup> The Commission’s June 3<sup>rd</sup> Order denied the KBCA’s motion for clarification filed May 12, 2022, and directed that “[p]arties shall jointly or separately state their positions, if any, regarding briefing, including the order and timing of briefing, on or before July 18, 2022.” *See* Order, at ordering paragraph 2 (Ky. P.S.C. June 3, 2022).

issues are to be addressed in briefs; and (ii), order that initial briefs be filed within fourteen (14) days after the date of any such order; and that reply briefs be due fourteen (14) days after the deadline for filing initial briefs.

Respectfully submitted,

/s/ John T. Tyler  
John T. Tyler  
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**Certification**

I hereby certify that a copy of this Statement of Position has been served electronically on all parties of record through the use of the Commission's electronic filing system, and there are currently no parties that the Commission has excused from participation by electronic means. Pursuant to the Commission's July 22, 2021 Order in Case No. 2020-00085, a paper copy of this filing has not been transmitted to the Commission.

/s/ John T. Tyler  
*Counsel to AT&T*