



ELECTRONIC INVESTIGATION OF THE PROPOSED POLE ATTACHMENT TARIFFS OF  
RURAL ELECTRIC COOPERATIVE CORPORATIONS  
CASE NO. 2022-00106

TAYLOR COUNTY RURAL ELECTRIC COOPERATIVE CORPORATION'S  
RESPONSE TO THE KBCA'S SUPPLEMENTAL REQUESTS FOR INFORMATION

**REQUEST NO. 2-1:** Explain how a new attacher would determine whether a pole was “[d]esignated for replacement within two (2) years of the date of its actual replacement for any reason unrelated to a new attacher’s request for attachment,” as stated in 807 KAR 5:015 Section 1(10)(b), if the pole was not visibly marked with a colored tag or other indication of replacement.

**RESPONSE:** Attachers should be submitting requests to attach with a pole loading analysis (PLA) for each of the requested poles. In reviewing the PLA, the Cooperative looks at both the existing load on the pole and the impact of the requested attachments. For any pole that passes pole loading with the existing equipment and fails after adding the new attachment, the party requesting the attachment is responsible for the make-ready costs (pole replacement or other power make ready). If the pole fails before the requested attachment is added in the software, that corrective work should have been addressed already, and the Cooperative is responsible for that cost.

**Witness:      Mike Skaggs, E&O Manager**

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**REQUEST NO. 2-2:** State whether You will visibly mark "Red-tagged poles," as that term is defined in 807 KAR 5:015, with colored tags or in some other manner. If You will mark the poles with colored tags, state which colors You will use, and what those colors signify.

**RESPONSE:** "Red-tagged poles" are marked with white survey tape or an orange TCRECC plastic pole tag. Otherwise, this will be identified during the course of the application process, during which the attacher is welcome to identify poles that it suspects may be structurally unsound in their present, pre-attachment state.

**Witness:      Mike Skaggs, E&O Manager**

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**REQUEST NO. 2-3:** Identify the average amount of time You spend per pole on a pre-construction survey.

**RESPONSE:** Office work – 2 hours per a request  
Travel Time – .75 per a request  
Field Time – .10 hours per a pole  
*This time is solely for the preconstruction survey.*

**Witness:      Mike Skaggs, E&O Manager**

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**REQUEST NO. 2-4:** Confirm You will not charge an annual rental rate for overlashed facilities.

**RESPONSE:** Confirmed, for facilities that are overlashed consistent with applicable law and the proposed tariff.

**Witness:     Mike Skaggs, E&O Manager**

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**REQUEST NO. 2-5:** Provide any data related to Your contention that “demand for overloading/additional load on poles will be much greater over the next 5-10 years than ever before,” including any projections of any increase in overloading for the area You serve. See Response to KBCA RFI 1-2.

**RESPONSE:** Given overall demand for broadband, coupled with the significant amount of federal funding available, it is certainly reasonable to project an aggressive propagation of new cables on existing pole infrastructure. As a consequence of the Commission's regulation allowing certain overloading at no additional charge, we anticipate that attachers will attempt to pursue this course vigorously. We have already received more permit requests for more poles with new attachments this year than in any years in the near past.

**Witness:     Mike Skaggs, E&O Manager**

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**REQUEST NO. 2-6:** Identify the specific costs, in dollars, incurred by You in connection with overloading that You claim are not recovered from the overloading attacher. See Response to KBCA RFI 1-5.

**RESPONSE:** As long as the attacher follows the requirements in the proposed tariff to supply or cover the cost of initial engineering analysis to ensure the overloading does not compromise the safety and reliability of the pole, the Cooperative is not presently seeking to recover any additional costs from the overloading attacher.

**Witness:      Mike Skaggs, E&O Manager**

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**REQUEST NO. 2-7:** Identify the amount of money, in dollars, that electric cooperatives or their members have incurred each year for the past five years as a result of third party communications attachments that are not covered by non-recurring charges, such as pre-construction survey fees, make ready charges, or recurring annual rental payments from attachers.

**RESPONSE:** Please see the response to KBCA 2-6. The Cooperative does not have readily available data regarding the attacher's avoided costs for the past 5 years because the Cooperative was not set up to track these costs separately, and the historically small amount of permit requests submitted did not justify setting up a separate system. The only non-recurring costs passed along to the attacher were for necessary make-ready to allow for their proposed attachments.

**Witness:     Mike Skaggs, E&O Manager**



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RESPONSE TO THE KBCA'S SUPPLEMENTAL REQUESTS FOR INFORMATION

**REQUEST NO. 2-8:** To Meade County R.E.C.C. and Taylor County R.E.C.C. only: You did not respond to KBCA's RFI 1-9, which states, "Explain the basis for Your proposed requirement that an attacher pay the entire cost of replacing a pole that is not red-tagged, including all economic basis for this requirement." If You have any basis, please provide it.

**RESPONSE:** Taylor County believes this request seeks primarily legal argument. However, to the extent that the RECC's various comments and filings throughout this proceeding have not been clear to KBCA, Taylor County understands that the attacher is the one causing the non red-tagged pole to be replaced, and therefore it should pay for the cost of replacement.

The Cooperative operates on an annual budget to ensure costs are incurred and managed in a prudent way. When new attachers seek to attach to Cooperative poles, this is a request that occurs outside of the Cooperative's annual budgeting process. If a pole is replaced due to the new attacher's request, this replacement is an unforeseen, unbudgeted action taken to allow the attacher to comply with NESC requirements. It is not related to the useful life of the pole. If a pole is red-tagged, the Cooperative does not and would not request the new attacher to pay any portion of the cost to replace the pole, as this replacement is a budgeted maintenance cost based on the Cooperative's inspection of the pole.

The determination to continue using a pole or to "red-tag" a pole is a fact-specific determination that is not related to the age of the pole. If a Cooperative pole needs to be replaced based on inspection determinations to ensure the safety and reliability of the system, the Cooperative will incur that cost. Conversely, if a pole needs to be replaced due to the clearance requirements of a new attachment, this is a safety and reliability cost incurred by the attacher. The

Taylor County's Response to KBCA Request No. 2-8

Witness: Mike Skaggs

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Cooperative and its membership should not be forced to pay for new poles required solely by a requesting attacher, especially given the approximately \$1 billion dollars in new federal and state subsidies provided to encourage broadband deployment in rural communities historically neglected by the KBCA's largest members.

**Witness:     Mike Skaggs, E&O Manager**

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**REQUEST NO. 2-9:** To Taylor County R.E.C.C. only: You did not respond to KBCA's RFI 1-10, which states, "Explain whether You would require an attacher to replace a pole where there would be space for it to attach but for Your reservation of space for Your sole use." Please provide an answer now.

**RESPONSE:** Taylor County did, in fact, respond to KBCA Request No. 1-10. Please refer to that response, including subpart (b), specifically. For additional clarity, Taylor County would require an attacher to replace a pole if there were no additional space for third-party attachments on the subject pole. Taylor County may occasionally reserve space for its sole use in reasonably anticipated electric operations, and that space is outside of the telecommunications attachment space, in any event.

**Witness:     Mike Skaggs, E&O Manager**

