



*Legal Counsel.*

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July 18, 2022

**Via Electronic Filing**

Linda C. Bridwell  
Executive Director  
Public Service Commission  
211 Sower Boulevard  
P.O. Box 615  
Frankfort, Kentucky 40601

**Re: Electronic Investigation of the Proposed Pole Attachment Tariffs of the Rural Local Exchange Carriers, Case No. 2022-00107**

Dear Executive Director Bridwell:

On July 11, 2022, Ballard Rural Telephone Cooperative Corporation; Brandenburg Telephone Company; Duo County Telephone Cooperative Corporation, Inc.; Foothills Rural Telephone Cooperative Corporation, Inc.; Gearheart Communications Company, Inc.; Highland Telephone Cooperative, Inc.; Logan Telephone Cooperative, Inc. dba LTC Connect; Mountain Rural Telephone Cooperative Corporation; North Central Telephone Cooperative, Inc.; Peoples Rural Telephone Cooperative Corporation, Inc.; South Central Rural Telecommunications Cooperative, Inc.; Thacker-Grigsby Telephone Company, Incorporated; and West Kentucky Rural Telephone Cooperative Corporation, Inc. (collectively, the “RLECs”) timely filed their rebuttal testimony in accordance with the procedural schedule attached as an Appendix to the March 30, 2022 order of the Public Service Commission of the Commonwealth of Kentucky (the “Commission”). The procedural schedule directed that any request for a hearing or a request that the case be submitted for decision based on the record be filed by July 18, 2022.

In its June 3, 2022 order in this matter, the Commission further directed that – no later than July 18, 2022 – the “[p]arties shall jointly or separately state their positions, if any, regarding briefing, including the order and timing of briefing.” There are no further items remaining on the procedural schedule in this matter.

Having conferred among themselves and with the sole intervenor in this matter, the Kentucky Broadband and Cable Association (“KBCA”), and in accordance with the Commission’s March 30 and June 3 orders, the RLECs state as follows.

- **The RLECs request that the case be submitted for decision based on the record.** KBCA has indicated to the RECCs that it, likewise, does not believe a hearing is necessary. Public comment and discussion regarding the regulation has been ongoing since at least February of 2020, and it appears that the record is replete with facts upon which the Commission may now determine whether the tariffs proposed by the RLECs are fair, just, and reasonable. Consequently, and as a matter of administrative efficiency, the RLECs request that the case be submitted for decision based on the record.
- **The RLECs do not believe that briefing is necessary.** For the same reasons as identified above, the RLECs do not believe that briefing is necessary. If, however, the Commission believes that briefing would nevertheless be beneficial to its consideration of this matter, the RLECs respectfully request that the Commission: (i) specify which limited issues it believes should be addressed; and (ii) limit briefing to simultaneous briefs (without reply) to be filed twenty-one (21) days after the date of any such order.

The RLECs are electronically filing this letter today. This letter constitutes the Read 1st file required by 807 KAR 5:001 Section 8(5). The Commission has excused no parties to this proceeding from its electronic filing procedures.

Thank you, and please call with any questions

Sincerely Yours,

DINSMORE & SHOHL LLP

/s/ Edward T. Depp

Edward T. Depp

cc: R. Brooks Herrick, Esq.  
M. Evan Buckley, Esq.

July 18, 2022

Page 3

**Certification**

I hereby certify that a copy of this Read 1st Letter 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/ Edward T. Depp  
Edward T. Depp

ETD/kwi

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