

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

IN THE MATTER OF:

ELECTRONIC INVESTIGATION OF THE PROPOSED
POLE ATTACHMENT TARIFFS OF INCUMBENT
LOCAL EXCHANGE CARRIERS

CASE NO. 2022-108

**Windstream Kentucky East, LLC's ("Windstream")
Responses to the Commission Staff's
First Request for Information**

1. **Refer to Windstream East's current tariff on file with the Commission, P.S.C. KY No. 11, Original Page 1 through Original Page 15. Explain why no changes were proposed to these pages given that they currently only appear to apply to cable television service.**

Windstream Response: As reflected in the docket, due to an administrative oversight, Windstream was not aware of the required tariff filing until after the date to file had passed. In order to comply as promptly as possible Windstream updated its existing cable television pole attachment tariff to address the new requirements. Windstream has intended to revise the tariff as needed to make it reflect the revised rules, including making this change.

2. **Refer to Windstream East's proposed tariff, P.S.C. KY No. 11, Original Page 20, 7. Payment, Security Bond and Lien.**

- 2.a **Explain the reasoning and justification for charging interest at 1.5 percent per month instead of establishing a late payment charge.**

Windstream Response: Charging a 1.5% interest charge per month provides Windstream's collection department with a more efficient method for collecting late payments. Interest charges allow Windstream to collect a proportionate amount of past due balances for services provided versus a standard late payment charge.

- 2.b. **Explain whether the interest charges on any balance that remains unpaid would be simple or compound interest.**

Windstream Response: A simple interest rate is applied to all unpaid remaining balances.

- 2.c. **Explain why 807 KAR 5:006, Section 9(3)(h), which states that a late**

payment charge may be assessed only once on a bill for rendered services, would not apply to the interest charge.

Windstream Response: 807 KAR 5:006 § 9(3)(h) relating to interest charges applies to Customers. 807 KAR 5:006 § 1(4) defines a Customer as someone receiving service from a utility. Windstream does not believe it is providing a service in this instance and therefore the late payment rules in 807 KAR 5:006 § 9(3)(h) would not apply.

- 3. Refer to Windstream East’s proposed tariff, P.S.C. KY No. 11, Original Page 22, B. Application for Pole License and Engineering Survey. Explain why Windstream East’s proposed tariff does not include a per pole estimate of survey costs as Windstream East appears to require prepayment of survey costs.**

Windstream Response: Windstream is not able to provide an estimate in its tariffs because these rates vary based on a number of details, including the location of the surveys, third parties that may have to be engaged, etc. Windstream will provide the amount to the attacher prior to completing the work. If the attacher has questions or concerns with the invoice it has an opportunity to present those to Windstream before any expenses are incurred.

- 4. Refer to Windstream East’s proposed tariff, P.S.C. KY No. 11, Original Page 55, Exhibit D, Schedule of Rates, Fees and Charges. Provide support for the following:**

- 4.a. \$400 One Time Agreement Fee;**

Windstream Response: The “\$400.00 One Time Agreement Fee” is based on the average time and material costs incurred to evaluate new attachers and negotiate any particular needs.

- 4.b. \$125 (per application) Application for Pole License Fee;**

Windstream Response: The “\$125.00 Application Fee” for each pole license fee is calculated based on the average time and material costs necessary for the joint-use team to process each application.

- 4.c. \$15 per pole Removal Verification Fee; and**

Windstream Response: The “\$15.00 Removal Verification Fee” per pole is based on the average time and cost of necessary materials in examining whether it is appropriate for a particular pole to require removal.

4.d. \$75 per hour Additional Field or Engineering Fee.

Windstream Response: The “\$75.00 per hour Field or Engineering Fee” is calculated based on the average time and material costs incurred for engineering field review and work.

5. Refer to Windstream East’s proposed tariff, P.S.C. KY No. 11, Original Page 59, Exhibit G, Simple Make-Ready Specifications. Explain why the actual specifications were not included in the proposed tariff.

Windstream Response: Attached please find Exhibit A which contains a copy of the specifications which will be incorporated into Windstream’s planned tariff revisions.

6.a. Identify each account and subaccount in which the costs of utility poles in service are recorded.

Windstream Response: Windstream will file a confidential supplement with this information.

6.b. Provide a narrative description of the costs that are recorded in each such account, including a description of the type and vintage of poles for which costs are recorded in the account (e.g., wood poles placed in service in 2005) and a description other plant, if any, for which costs are recorded in the account.

Windstream Response: Windstream will file a confidential supplement with this information.

6.c. Provide an Excel spreadsheet with all formulas, rows, and columns unprotected and fully accessible showing the plant in service balance of each such account at the end of each of the last five fiscal years.

Windstream Response: Windstream will file a confidential supplement with this information.

7.a. Identify each account and subaccount in which accumulated depreciation for poles in service is recorded.

Windstream Response: Windstream will file a confidential supplement with this information.

- 7.b. **Provide a narrative description of how the accumulated depreciation in each such account is calculated.**

Windstream Response: Windstream will file a confidential supplement with this information.

- 7.c. **Identify the corresponding plant account or accounts for each account in which accumulated depreciation for poles is recorded.**

Windstream Response: Windstream will file a confidential supplement with this information.

- 7.d. **Provide an Excel spreadsheet with all formulas, rows, and columns unprotected and fully accessible showing the balance of each such account at the end of each of the last five fiscal years.**

Windstream Response: Windstream will file a confidential supplement with this information.

- 8.a. **Identify the depreciation rates currently used to calculate depreciation expense for each account containing utility pole costs.**

Windstream Response: Windstream will file a confidential supplement with this information.

- 8.b. **Identify the useful lives of the poles used to calculate each such depreciation rate.**

Windstream Response: Windstream will file a confidential supplement with this information.

9. **Identify the total number of poles owned or controlled by Windstream East, and provide a breakdown of those poles based on the year they were placed in service.**

Windstream Response: Windstream combined controlled poles in the Commonwealth of Kentucky is 186,932. Please see Exhibit B for the breakdown of the number of poles constructed.

10. **Describe in detail the current plan or policy regarding the inspection and replacement of aging or damaged poles owned or controlled by Windstream East, and provide a copy of any such plan or policy that has been memorialized in writing.**

Windstream Response: Windstream trains its technicians to visually inspect poles as they conduct their daily duties and report any issues via the processes described further below.

In addition to visual inspections, technicians are trained and required to complete testing before climbing any poles, like with visual inspections, if an issue is found they are reported.

If a non-safety issue is identified, such as a pole that is beginning to deteriorate is identified, the technician will complete an internal maintenance request form (MRF). This form is then sent to Windstream's engineering department for review, prioritization, and action. If the pole is in a shape that it is causing a safety issue, for example a broken pole, there is an escalation process in which the technician directly contacts engineering to have the issue addressed immediately.

In addition to its ongoing inspections, Windstream accepts reports from its customers and community members. These reports are submitted to Windstream's engineering team as well for review, prioritization and action. Similar to when technicians report an issue, if the report received from the community is a public safety issue, the pole issue is escalated to be addressed immediately

Responding Witness: Amanda Brown

VERIFICATION

STATE OF _____)
)
COUNTY OF _____)

The undersigned, _____, being duly sworn, deposes and says that he/she is a
_____, that he/she has personal knowledge of the matters set
forth in the foregoing responses and exhibits, and that the answers contained therein are true and
correct to the best of his/her information, knowledge and belief.

Subscribed and sworn to before me this ___ day of May, 2022, by _____.

My commission expires: _____

NOTARY PUBLIC

Dated: May 5, 2022

Respectfully submitted,

/s/ Robert C. Moore

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COUNSEL FOR THE WINDSTREAM
KENTUCKY EAST, LLC, AND WINDSTREAM
KENTUCKY WEST, LLC

CERTIFICATE OF SERVICE

I hereby certify that on May 5, 2022, I electronically filed the foregoing document using the Kentucky Public Service Commission's electronic system for filing, which sent notice of filing to counsel of record.

/s/ Robert C. Moore

Robert C. Moore

EXHIBIT A
CONSTRUCTION SPECIFICATIONS

EXHIBIT B
CONSTRUCTED POLE HISTORY

| Year Constructed | Number of Poles |
|-------------------------|------------------------|
| 1915 | 2 |
| 1919 | 1 |
| 1920 | 1 |
| 1922 | 7 |
| 1924 | 4 |
| 1925 | 29 |
| 1926 | 29 |
| 1927 | 12 |
| 1928 | 61 |
| 1929 | 42 |
| 1930 | 115 |
| 1931 | 77 |
| 1932 | 98 |
| 1933 | 22 |
| 1934 | 50 |
| 1935 | 51 |
| 1936 | 134 |
| 1937 | 151 |
| 1938 | 167 |
| 1939 | 170 |
| 1940 | 203 |
| 1941 | 303 |
| 1942 | 166 |
| 1943 | 157 |
| 1944 | 135 |
| 1945 | 195 |
| 1946 | 406 |
| 1947 | 400 |
| 1948 | 420 |
| 1949 | 266 |
| 1950 | 257 |
| 1951 | 299 |
| 1952 | 332 |
| 1953 | 392 |
| 1954 | 425 |

| Year Constructed | Number of Poles |
|-------------------------|------------------------|
| 1955 | 516 |
| 1956 | 473 |
| 1957 | 675 |
| 1958 | 802 |
| 1959 | 935 |
| 1960 | 763 |
| 1961 | 470 |
| 1962 | 906 |
| 1963 | 695 |
| 1964 | 1,453 |
| 1965 | 1,388 |
| 1966 | 1,264 |
| 1967 | 1,417 |
| 1968 | 1,158 |
| 1969 | 1,517 |
| 1970 | 1,662 |
| 1971 | 1,953 |
| 1972 | 1,613 |
| 1973 | 1,433 |
| 1974 | 1,747 |
| 1975 | 1,098 |
| 1976 | 1,701 |
| 1977 | 1,920 |
| 1978 | 2,370 |
| 1979 | 4,763 |
| 1980 | 2,768 |
| 1981 | 1,898 |
| 1982 | 3,607 |
| 1983 | 4,450 |
| 1984 | 6,231 |
| 1985 | 5,633 |
| 1986 | 7,088 |
| 1987 | 5,761 |
| 1988 | 5,989 |
| 1989 | 5,187 |

| Year Constructed | Number of Poles |
|-------------------------|------------------------|
| 1990 | 4,577 |
| 1991 | 4,414 |
| 1992 | 3,697 |
| 1993 | 3,578 |
| 1994 | 3,606 |
| 1995 | 3,649 |
| 1996 | 2,912 |
| 1997 | 2,860 |
| 1998 | 2,624 |
| 1999 | 2,450 |
| 2000 | 6,865 |
| 2001 | 2,806 |
| 2002 | 1,854 |
| 2003 | 2,592 |
| 2004 | 2,886 |
| 2005 | 2,488 |
| 2006 | 2,585 |
| 2007 | 2,248 |

| Year Constructed | Number of Poles |
|-------------------------|------------------------|
| 2008 | 2,309 |
| 2009 | 2,476 |
| 2010 | 1,805 |
| 2011 | 2,242 |
| 2012 | 3,020 |
| 2013 | 2,071 |
| 2014 | 1,887 |
| 2015 | 2,791 |
| 2016 | 3,080 |
| 2017 | 2,905 |
| 2018 | 2,583 |
| 2019 | 2,770 |
| 2020 | 2,141 |
| 2021 | 948 |
| Uncertain | 6,330 |
| Grand Total | 186,932 |