

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. 2022-00108

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

1. Refer to Windstream East's response to Commission Staff's First Request for Information (Staff's First Request) Item 1, regarding Windstream East's current pole attachment tariff. Explain when Windstream East plans to revise its tariff to reflect the revised rules.

**Windstream Response:** Windstream had planned to complete the exchange of information and requests and update its tariff to reflect the items it agreed to in each of the filings. If this is not acceptable for Staff, Windstream can file at any time.

2. Refer to Windstream East's response to Staff's First Request, item 2(a), regarding the 1.5 percent interest per month to be charged to unpaid balances. Explain how charging an interest charge is a more efficient method for collecting late payments than charging a late payment fee.

**Windstream Response:** Charging a late fee as a percentage of the unpaid balance is a more equitable approach, ensuring that the late fee coincides with the past due amount. In addition, higher penalties typically result in higher engagement from the account holder; thus charging a late fee becomes a more effective method of collecting past due amounts. This methodology is consistent with the way that many commercial entities calculate the fee for unpaid balances, and therefore, customers are familiar with this method.

3. Refer to Windstream East's response to Staff's First Request, items 4 (a) through (d), regarding the One-Time Agreement, Application for Pole License Fee, Pole Removal Verification Fee, and Additional or Engineering Fee. Provide detailed cost support for these four fees.

**Windstream Response:** The information requested is confidential and proprietary and is being provided under seal pursuant to a petition for confidential protection. Parties will be requested to execute a non-disclosure agreement with respect to this confidential and proprietary information.

4. Refer to Windstream East's response to Staff's First Request, Items 6 (a) through 8 (b). Explain when Windstream East plans to file the confidential supplements discussed in

Windstream East's responses.

Windstream Response: Windstream will file this information on or before June 10<sup>th</sup>.

5. Refer to Windstream East's response to Staff's First Request, Item 10.

- a. Describe any defects that would cause a pole to be identified for replacement.

Windstream's Response: The following defects would cause a pole to be identified for replacement: visibly broken parts of the pole, signs of rotting/deterioration, and any other structural or detectable defect of the pole.

- b. If a pole has a defect that requires replacement but does not present a safety issue requiring its replacement to be escalated, explain the process for replacing the pole and the typical timeline of each step from the time the defect is identified until the pole is replaced.

Windstream's Response: In this instance, Windstream assigns an engineer to complete an in the field examination of the pole. If this examination determines the pole needs to be replaced (as it has one of the above listed defects) but, is not causing an immediate safety issue, a work order is created and is assigned. The average completion time for this situation is no more than ninety (90) days.

- c. Explain the process and any documentation if an issue with a pole is identified but it is later determined that the pole does not need to be replaced, including whether the pole is scheduled for a follow-up inspection.

Windstream's Response: This does not routinely occur, however, in the event this would happen, a note would be added to the review for request including the Engineer's field notes and any photos.

- d. State whether Windstream East performs any systematic, periodic inspections of its poles beyond inspecting poles when a technician is on sight for another reason. If so, explain that inspection process in detail. If not, explain why Windstream East does perform such inspections.

Windstream's Response: Windstream does not currently perform systematic inspections beyond inspecting poles when a technician completes an inspection for another reason including visual inspections while in the area. Windstream has not undertaken a systematic periodic inspection review because, Windstream believes the volume of technicians and engineering teams in the field performing visual inspections have been sufficient. Windstream's technicians and engineering teams communicate with one another frequently and are routinely in the field to perform their duties and therefore there are routine visual inspections.

- e. Explain whether and, if so, how Windstream East tracks the age and conditions of its poles and makes determinations regarding when poles need to be replaced.

**Windstream's Response:** Windstream currently tracks its poles in a CAD system. This program keeps record of the size of the pole and the year pole was placed.

6. Refer to Windstream East's response to objections filed on April 20, 2022, in which Windstream East stated that it is willing to amend its proposed tariff in response to some objections and that it did not respond to objections in circumstances in which it was willing to amend its tariff. Provide a copy of Windstream East's proposed tariff with red line edits addressing such objections.

**Windstream Response:** As reflected in Windstream's response to item #1, Windstream had planned to hold all edits until the end of this process.

7. Refer to 807 KAR 5:001, Section 12(d)(2), which requires, *inter alia*, that responses to requests for information shall "include the name of the witness responsible for responding to the questions related to the information provided" and shall be answered under oath or accompanied by a, "signed certification of the preparer or person supervising the preparation of the response on behalf of the person that the response is true and accurate to the best of that person's knowledge, information, and belief formed after a reasonable inquiry." Windstream East lists no witness responsible for the responses to Item 1 through 9. Windstream East, after the response to item 10, lists Amanda Brown as a responding witness; however, it is unclear whether Ms. Brown is the witness responsible for responding to all items in the request or only item 10.

- a. Clarify which witnesses are responsible for responding to each item in Staff's First Request

**Windstream's Response:** Ms. Brown is the witness responsible for responding to each of the requests.

- b. Provide the oath of verification page required by 807 KAR 5:001, Section 12(d)(2).

**Windstream's Response:** See the oath of verification filed on May 20, 2022.

8. Identify the total number of poles Windstream East has replaced in Kentucky in each of the last ten years.

**Windstream's Response:** Windstream does not have this information readily available it has shared how many poles it has placed in the last 10 years in its previous response as to isolate how many of those were replacements versus new poles will take additional research.

9. Provide an estimate of the average cost to perform a make-ready pole replacement and explain each basis for your response.

**Windstream's Response:** Each make-ready pole replacement average costs are determined on a case-by-case basis depending on the specific pole conditions such as: the size, number of attachments, terrain, and complexity.

10. Other than identifying specific defective poles through inspections that require replacement, state whether you have a policy or practice of replacing poles in a circuit on a periodic basis or as they reach the end of their useful lives and, if so, describe that policy or practice in detail, including how and when (e.g., how far in advance) such replacements are identified or included in your projected capital spending budget.

**Windstream's Response:** Windstream does not have a policy or practice of routinely replacing poles that do not require replacement.

11. Describe your recent efforts, if any, to reduce the number of above ground lines, and identify the number of poles that have been eliminated in your systems in each of the last ten years because the lines previously attached to those poles were placed underground.

**Windstream's Response:** Windstream like others in the industry is utilizing fiber to the premises solutions for its services. And where possible when not inhibited by the terrain and access to the right of way, Windstream is placing its fiber underground. It has not tracked the number of poles eliminated due to this change in deployment.

12. Provide any current joint agreements.

**Windstream's Response:** Please see Exhibit B for a list of agreements.

**Responding Witness: Amanda Brown**

**CERTIFICATE OF SERVICE**

I hereby certify that on June 3, 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  
OATH AND VERIFICATION

VERIFICATION

STATE OF Arkansas )  
COUNTY OF Pulaski )

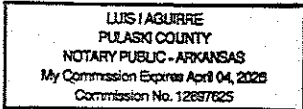
The undersigned, Amanda Brown being duly sworn, deposes and says that he/she is a Director - Wholesale Operations that he/she has personal knowledge of the matters set forth in the foregoing responses and exhibits, and that the answers contained therein are true and correct to the best of his/her information,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

Amanda Brown

Subscribed and sworn to before me this 1<sup>st</sup> day of June, 2022, by Amanda Brown

My commission expires: 04/04/2026

Luis Aguirre  
NOTARY PUBLIC



**EXHIBIT B**  
**WINDSTREAM'S JOINT USE AGREEMENTS**

1. Blue Grass Energy
2. City of Bardwell
3. Cumberland Valley Electric
4. Electric Plant Board - City of Vanceburg
5. Farmers Rural Electric
6. Fleming-Mason Rural Electric Cooperative Corporation
7. Glasgow Electric Plant Board
8. Grayson Rural Electric
9. Inter-County Energy
10. Jackson Energy Cooperative
11. Jackson Purchase Energy
12. Kentucky Power (AEP)
13. Meade County
14. Nolin Rural Electric Cooperative Corporation
15. North Central Rural Telephone
16. Salt River Elec Cooperative Corporation
17. South Kentucky RECC
18. Taylor County Rural Electric Cooperative Corp.
19. Tri-County Electric
20. Warren RECC
21. West Kentucky Rural Electric