

KENTUCKY PUBLIC SERVICE COMMISSION

In the Matter of:)
)
)
ELECTRONIC INVESTIGATION OF THE) CASE NO. 2022-00108
PROPOSED POLE ATTACHMENT)
TARIFFS OF INCUMBENT LOCAL)
EXCHANGE CARRIERS)
)
)

The Kentucky Broadband and Cable Association and its members¹ (“KBCA”), pursuant to the Commission’s March 30, 2022, Order, respectfully submits these initial Requests For Information (“RFI”) to BellSouth Telecommunications, LLC d/b/a AT&T Kentucky, in accordance with the following Definitions and Instructions.

DEFINITIONS

1. The terms “You,” “Your,” and “the Company” refer to BellSouth Telecommunications, LLC d/b/a AT&T Kentucky (AT&T).
2. The term “KBCA” refers to the Kentucky Broadband and Cable Association.
3. The term “Commission” refers to the Kentucky Public Service Commission.
4. The term “Poles” refers to utility poles in Your electric distribution network in Kentucky that You own or control.
5. The term “Proposed Tariff” refers to the tariff issued February 28, 2022, by Cyndi Gallagher, Director – External Affairs, in connection with this proceeding.

¹ The KBCA’s members are Access Cable, Armstrong, C&W Cable, Charter Communications, Comcast, Inter Mountain Cable, Lycom Communications, Mediacom, Suddenlink, and TVS Cable. Kentucky Broadband & Cable Association, Our Members, *available at* <https://www.kybroadband.org/members>.

6. The term “Response” means AT&T’s Response To Kentucky Broadband And Cable Association’s Objections To AT&T’s Proposed Pole Attachment Tariff, filed with the Commission on April 14, 2022.

7. All capitalized terms not defined herein shall have the meanings given to them under the Proposed Tariff.

INSTRUCTIONS

1. In answering these Requests for Information, please furnish all information that is known or available to You, regardless of whether the information is possessed directly by You or Your agents, employees, representatives, or investigators, or by Your attorneys or their agents, employees, representatives, or investigators.

2. Please identify at the end of Your response to each Request for Information the person or persons most knowledgeable about such response and the person or persons responsible for the preparation of such response.

3. If any information responsive to these Requests for Information is withheld, identify the Requests as to which such information is withheld and the reason(s) for withholding it.

4. For any information that You claim is unavailable, state why it is unavailable. If You cannot respond to the Request for Information precisely as it is stated, provide any information that is available and is responsive to the Request at a level of detail different from that specified herein.

5. KBCA requests that You produce all documents referenced in any response or that you referenced, reviewed, or relied upon to respond to any Request for Information.

REQUESTS FOR INFORMATION

1-1. Explain the cost basis for Your \$100 penalty for unauthorized attachments when a party with unauthorized attachments declines to participate in an inventory survey.

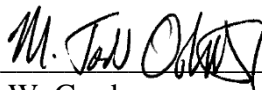
- a. Explain and provide data concerning all costs you incur as a result of unauthorized attachments.
- b. Explain how those costs are not recovered in the unauthorized attachment fee set forth in Section 18.2.1 of Your Proposed Tariff.
- c. Explain whether you would consider a third party attacher to have participated in an inventory survey if it cooperates with AT&T during the audit process, but does not actually go into the field with the auditors.

1-2. Explain and provide data concerning why AT&T should only be liable for its gross negligence or willful misconduct, and not its negligence.

- a. Explain why third party attachers should be liable for Your negligence.

Dated: April 21, 2022

Respectfully submitted,

/s/ 

James W. Gardner

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Counsel for KBCA

CERTIFICATE OF SERVICE

I hereby certify that on April 21, 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/  _____