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**VIA ELECTRONIC FILING**

June 13, 2025

Ms. Linda Bridwell  
Executive Director  
Kentucky Public Service Commission  
211 Sower Boulevard  
Frankfort, Kentucky 40602-0615

**Re: Case No. 2023-00416**  
In the Matter of: Electronic Investigation of Pole Attachments

Dear Ms. Bridwell:

In its May 27, 2025 Order in the above captioned case, the Commission found “updates to the ‘backlog’ should be filed with the Commission,” with term “backlog” referring to “pending applications that have frequently been referred to in this proceeding as the ‘backlog.’”<sup>1</sup>

Duke Energy Kentucky, Inc. (Duke Energy Kentucky or the Company) has not been involved in the previous conversations regarding “backlog” in this proceeding nor has it been requested to submit prior pole attachment updates and does not believe that it is a party to the “backlog.” For example, a May 2, 2024 pole attachment update by the Kentucky Broadband and Cable Association noted that “Duke” is not included due to being a “Low volume entit[y].”<sup>2</sup> While other subsequent updates make no mention of the Company at all.<sup>3</sup> Thus, it does not seem that the “backlog” reporting requirement was intended to apply to Duke Energy Kentucky.

However, until the matter of the applicability of this reporting requirement to Duke Energy Kentucky is clarified, the Company submits the following update as of June 13, 2025, providing the information requested by the Commission.<sup>4</sup>

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<sup>1</sup> Order, p. 1 (May 27, 2025).

<sup>2</sup> Charter Communications Kentucky Pole Attachment Application Data, Exhibit 1 (“Low volume entities not shown. (AT&T, Cincinnati Bell/Alta Fiber, Duke, Grayson, Jackson, Kenergy, KY Power, Meade, South KY, Taylor County, Windstream)”) (May 2, 2024).

<sup>3</sup> See, e.g., Supplemental Information (Dec. 11, 2024).

<sup>4</sup> Order, p. 1 (“[W]hether the application is waiting on actions from the pole owner or the attacher, what that action is, and the number of attachments not timely addressed under the timelines provided for in 807 KAR 5:015”) (May 27, 2025).

As shown below, as of June 13, 2025, there are 645 pending applications to make attachments to 6,510 Duke Energy Kentucky poles, of which 4,494 poles have been approved.<sup>5</sup>

For pending applications where the attachments have not yet been attached to the pole, there appear to be a total of 165 poles waiting on action by the Company and 3,072 poles waiting on action by the attacher:

- **706** poles are in **Proposal** status, waiting on the attacher to complete and submit the application;
- **60** poles are in **Reply** status:
  - 50 are waiting on the attacher to complete make-ready payment;
  - 10 are waiting on the Company to notify the attacher that the application is approved;
- **209** poles are in **Acknowledgment** status, waiting on the attacher to acknowledge the approved or denied permit in the system;
- **155** poles are in **DEK Construction** status, waiting on the Company to notify the attacher that make-ready is complete; and,
- **2,107** poles are in **Attacher Construction** status, waiting on the attacher to notify the Company that their construction is completed so a post inspection can take place to verify the route was built as designed.

After the completion of the **DEK Construction** and **Attacher Construction** statuses, the attachment is attached to the pole. During the remaining stages below, the application remains pending in the Company's system, but telecommunications customers should already be benefiting from the attachment.

- **512** poles are in **DEK Post Inspection** status, waiting on the Company to notify the attacher that it has completed inspection and verified the route was built in accordance with engineering;
- **9** poles are in **Attacher Conclusion** status, waiting on the attacher to close the completed permit application; and,
- **2,752** poles are in **DEK Conclusion** status, waiting on the Company to invoice the attacher or close the completed permit application.

According to the Company's system, a total of 3 poles, associated with a single application submitted in 2019, appear to fall out of the timelines provided in 807 KAR 5:015. Given the length

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<sup>5</sup> The data in this letter do not include banners.

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of time and the lack of inquiry, the Company suspects this application is moot and/or has been abandoned.

I certify that the electronically filed documents are true and accurate copies of the original documents and that there are currently no parties in this proceeding that the Commission has excused from participation by electronic means. Pursuant to the Commission's July 22, 2021 Order in Case No. 2020-00085, no paper copies of this filing will be made.

Respectfully submitted,

/s/Larisa M. Vaysman

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*Counsel for Duke Energy Kentucky, Inc.*

**VERIFICATION**

STATE OF OHIO                     )  
                                              )     SS:  
COUNTY OF HAMILTON         )

The undersigned, Jeremy B. Gibson, Manager Joint Use, being duly sworn, deposes and says that he has personal knowledge of the matters set forth in the foregoing letter, and that the information contained therein is true and correct to the best of his knowledge, information, and belief.

  
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Jeremy B. Gibson, Affiant

Subscribed and sworn to before me by Jeremy B. Gibson on this 13<sup>th</sup> day of June, 2025.

  
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NOTARY PUBLIC

My Commission Expires: July 8, 2027



EMILIE SUNDERMAN  
Notary Public  
State of Ohio  
My Comm. Expires  
July 8, 2027