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VIA ELECTRONIC FILING

September 15, 2026

Mr. Justin M. McNeil
Executive Director
Kentucky Public Service Commission
211 Sower Boulevard
Frankfort, Kentucky 40601-8294

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

Dear Mr. McNeil:

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.’”¹

Duke Energy Kentucky, Inc. (Duke Energy Kentucky or the Company) had not been involved in the previous conversations regarding “backlog” in this proceeding nor had 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].”² While other subsequent updates make no mention of the Company at all.³ 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 below backlog update as of September 9, 2026, providing the information requested by the Commission.⁴

¹ Order, p. 1 (May 27, 2025).

² 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).

³ See, e.g., Supplemental Information (Dec. 11, 2024).

⁴ 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).

Additionally, in its May 27, 2025, Order, the Commission found:

[P]ole owners, excluding rural local exchange carriers, should be required to file quarterly reports, beginning September 15, 2025, and continuing until further Order of the Commission. The information in these updates should include: the number of pole-attachment requests received; processing time for the request; whether make-ready is required; the time to complete make-ready; and the number of attachment requests completed in the quarter.⁵

Accordingly, Duke Energy Kentucky submits below this additional quarterly report as of September 9, 2026, providing the information requested by the Commission.

Quarterly Backlog Report

As of September 9, 2026, there are 669 pending applications to make attachments to 6,658 Duke Energy Kentucky poles, of which 4,558 poles have been approved.⁶

For pending applications where the attachments have not yet been attached to the pole, there appear to be a total of 146 poles waiting on action by the Company and 2,161 poles waiting on action by the attacher:

- **718** poles are in **Proposal** status, waiting on the attacher to complete and submit the application;
- **29** poles are in **Reply** status, waiting on the Company to respond;
- **216** poles are in **Acknowledgment** status, waiting on the attacher to acknowledge the approved or denied permit in the system;
- **117** poles are in **DEK Construction** status, waiting on the Company to notify the attacher that make-ready is complete; and,
- **1,218** 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.

⁵ Order, p. 2 (May 27, 2025).

⁶ The data in this letter does not include banners.

- **794** 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,
- **3,557** 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.

Quarterly Report

In the previous quarter (beginning June 2, 2026), Duke Energy Kentucky received two pole-attachment requests, as of September 9, 2026:

- One was submitted in June and was rejected due to an incomplete application. It was submitted correctly in July and is in the engineering phase.
- One was submitted in June and was rejected due to an incomplete application. It was submitted correctly in August and is in the engineering phase.

The total number of pole-attachment requests completed during the previous quarter was zero.

I certify that the electronically filed document is a true and accurate copy of the original document 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)
)
COUNTY OF HAMILTON) SS:

The undersigned, Brian James Minshall, Senior Joint Use Specialist, being duly sworn, deposes and says that he has personal knowledge of the matters set forth in the foregoing quarterly report, and that the information contained therein is true and correct to the best of his knowledge, information, and belief.

Brian James Minshall
Brian James Minshall, Affiant

Subscribed and sworn to before me by Brian James Minshall on this 15th day of September, 2026.

Emilie Sunderman
NOTARY PUBLIC

My Commission Expires: July 8, 2027



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