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VIA ELECTRONIC FILING

December 15, 2025

Ms. Linda C. 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.’”¹

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].”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 December 15, 2025, 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 competed in the quarter.⁵

Accordingly, Duke Energy Kentucky submits below this additional quarterly report as of December 15, 2025, providing the information requested by the Commission.

Quarterly Backlog Report

As of December 15, 2025, there are 680 pending applications to make attachments to 6,829 Duke Energy Kentucky poles, of which 4,781 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 160 poles waiting on action by the Company and 2,988 poles waiting on action by the attacher:

- **715** poles are in **Proposal** status, waiting on the attacher to complete and submit the application;
- **3** poles are in **Reply** status, waiting on the Company to respond;
- **213** poles are in **Acknowledgment** status, waiting on the attacher to acknowledge the approved or denied permit in the system;
- **157** poles are in **DEK Construction** status, waiting on the Company to notify the attacher that make-ready is complete; and,
- **2060** 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.

- **514** 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,
- **3,152** 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 September 16, 2025), Duke Energy Kentucky received three pole-attachment requests, as of December 15, 2025:

- Two were submitted in October. One is approved and the other is a Self-Help proposal for Charter.
- The third request was submitted in November and is approved.

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

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, 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.



Jeremy B. Gibson, Affiant

Subscribed and sworn to before me by Jeremy B. Gibson on this 15th day of December, 2025.



NOTARY PUBLIC

My Commission Expires: July 8, 2027



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