



A Touchstone Energy<sup>®</sup> Cooperative 

May 21, 2024

*VIA ELECTRONIC TARIFF FILING*

Hon. Linda Bridwell, P.E.  
Executive Director  
Kentucky Public Service Commission  
211 Sower Boulevard  
Frankfort, Kentucky 40601

Re: Emergency Regs - 20240517

Dear Executive Director:

Please find attached the proposed amendments to 807 KAR 5:015 by East Kentucky Power Cooperative, Inc., to be filed in the above-referenced case. This will further certify that the attached document is a true and correct copy of the document being filed via the Commission's electronic filing system, that no parties have been excluded from receipt of service via electronic means and that, pursuant to the Commission's July 22, 2021, Order in Case No. 2020-00085, no paper copies of this filing will be made.

EKPC owns transmission-level line assets only and does not own any distribution-level line assets. EKPC transmission lines range from 69 kilovolt (kV) to 345 kV which are predominantly located on cross-country routes through rural Kentucky. EKPC's transmission lines are not designed with a communication space that may be typical of transmission lines located along highways or in areas where opportunities for service drops are plentiful. The lines are also not typically designed to carry loads associated with distribution underbuild or attached cables.

Because of these system attributes, Regulation 807 KAR 5:015 and the emergency amendment as proposed pose several challenges for EKPC. Nearly every application will require a survey scope that exceeds a brief site visit and visual assessment. A light detection and ranging (LiDAR) data collection is normally required to confirm the as-built attachment heights and conductor sag at known loading and ambient temperature to accurately evaluate the clearances needed for requested attachments. Likewise, a structural evaluation will be required for every pole and/or structure in every application.

EKPC's primary concerns are the prescribed timelines for completion of utility tasks and authorization for attachers to take action in the communication space and for make-ready scope. Collection of survey data for transmission structures can take weeks or months. After design is complete, planned transmission outages for pole

change-outs typically require several weeks notice, at a minimum, and can require up to six (6) months advance notice for transmission studies to be completed. Safety is particularly concerning for attachers and their contractors working in proximity to energized transmission voltages on structures without the communication space they commonly rely on as a buffer. Structural integrity, criticality of reliable transmission system operation, public and worker safety are of critical concern when attachers are authorized to take action or use one-touch make ready options on transmission poles and structures.

It is important to reveal that EKPC has only received a few requests for attachment and, thus far, attachments have been for lines crossing the transmission centerline, not aligning with it. EKPC believes this will be the case into the future because the EKPC transmission system is not well suited or attractive for attachments as described in the opening paragraph, above. Because EKPC is not impacted to the same degree as other utility counterparts, EKPC has been observing the proceedings around the emergency regulations and participating peripherally.

EKPC understands that its previously submitted edits for the emergency regulations are outside the scope assigned by the Legislature to address the backlog of applications and hasten the deployment of broadband in Kentucky. EKPC's intent was to make a transmission-only delineation based on the absence of a communications space to avoid the challenges EKPC will face to comply with 807 KAR 5:015, and EKPC wishes to request your further consideration of these proposed changes.

Please let me know if you have any questions.

Very truly yours,  
*Chris Adams*

Chris Adams  
Director, Regulatory and Compliance Services

Enc.

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