

**COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION**

In the Matter of:

ELECTRONIC INVESTIGATION) OF POLE ATTACHMENTS)	CASE NO. 2023-00416
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**RESPONSE OF KENTUCKY’S ELECTRIC COOPERATIVES
IN OPPOSITION TO KBCA’S MOTION FOR CONTINUANCE**

Kentucky’s electric cooperatives,¹ by counsel and in response to the Motion for Continuance filed by the Kentucky Broadband and Cable Association (“KBCA”) on February 28, 2024 (the “Motion”), respectfully opposes the KBCA’s Motion. In support of its response, Kentucky’s electric cooperatives state as follows.

The parties have been aware of tomorrow’s informal conference for over a month since it was scheduled by the Commission in its January 22, 2024 order in this matter. The KBCA did not object or request that tomorrow’s informal conference be postponed following the entry of the order. Earlier this month, the parties attended the second informal conference scheduled in this matter on February 9, 2024. The KBCA did not request at that time that tomorrow’s informal conference be postponed. Less than two weeks ago, when the KBCA filed its list of issues to be addressed at tomorrow’s informal conference, the KBCA requested the opportunity to make a

¹ The following electric cooperatives are jurisdictional utilities that were made party to this case by the Order: Big Rivers Electric Corporation; Big Sandy RECC; Blue Grass Energy Cooperative Corporation; Clark Energy Cooperative, Inc.; Cumberland Valley Electric, Inc.; East Kentucky Power Cooperative, Inc.; Farmers RECC; Fleming-Mason Energy Cooperative; Grayson RECC; Inter-County Energy Cooperative Corporation; Jackson Energy Cooperative Corporation; Jackson Purchase Energy Corporation; Kenergy Corporation; Licking Valley RECC; Meade County RECC; Nolin RECC; Owen Electric Cooperative; Salt River Electric Cooperative Corporation; Shelby Energy Cooperative, Inc.; South Kentucky RECC; and Taylor County RECC. Although this filing speaks on behalf of the group’s common interests, each cooperative reserves the right to also address issues on an individual basis throughout this proceeding.

brief 10-15 minute presentation during the conference. Again, however, the KBCA did not request that the informal conference be postponed.

Now, less than 48 hours before the informal conference begins, the KBCA has moved to postpone the conference because it is not prepared to make the brief 10-15 minute presentation that it requested. That is not just cause for a continuance. Kentucky's electric cooperatives respectfully submit that the remedy for KBCA's unpreparedness is not to postpone the informal conference, but rather to dispense with the brief presentation that the KBCA requested, which was not contemplated in the Commission's January 22, 2024 order.

Kentucky's electric cooperatives have approximately twenty-five corporate representatives who plan on attending tomorrow's informal conference, including approximately nine who are planning on attending in-person. Several will be traveling to attend the conference, including one who has already travelled in from Atlanta. KBCA's presentation is not necessary for the productive advancement of the purpose of this proceeding.

In conclusion, Kentucky's electric cooperatives respectfully request that the Commission deny the KBCA's motion for continuance.

This the 29th day of February, 2024.

Respectfully submitted,

/s/ Edward T. Depp

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Certification

I hereby certify that a copy of this Response in Opposition to the Motion for Continuance has been served electronically on all parties of record through the use of the Commission's electronic filing system, and there are currently no parties that the Commission has excused from participation by electronic means. Pursuant to the Commission's July 22, 2021 Order in Case No. 2020-00085, a paper copy of this filing has not been transmitted to the Commission.

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