

COMMONWEALTH OF KENTUCKY
BEFORE THE COMMISSION

In the Matter of:

ELECTRONIC INVESTIGATION OF POLE) CASE NO.
ATTACHMENTS) 2023-00416

RESPONSE TO COMMISSION'S DECEMBER 14, 2023 ORDER

Pursuant to Commission Order released December 14th, 2023, in the above referenced case (the "Order"), West Kentucky Rural Telephone Cooperative, Corp. Inc. ("WK&T") states that it is not aware of any topic that needs to be discussed at the scheduled January 5th, 2024, informal conference.¹

Out of an abundance of caution, WK&T is responding to the Order as a "pole owner" with approximately 500 poles in service in Kentucky. However, as filed and approved by the Commission in Case No. 2022-00107, WK&T no longer maintains these poles for routine attachment and has an established process to transfer ownership of the poles if attachment is requested. Accordingly, WK&T does not believe it meets the intended definition of a pole owner in this proceeding.

WK&T further notes that its participation in the 2022 pole attachment proceeding necessitated considerable time and resources developing and defending its tariff to comply with the new regulations, including exhaustive responses to interrogatories from multiple stakeholders. Such participation and the costs associated with doing so disproportionately disadvantage small companies like WK&T. Consequently, WK&T respectfully requests that the Commission consider relieving Kentucky entities with a de

¹ Consistent with 807 KAR 5:001(8), the undersigned possesses the facilities to send and receive electronic transmissions in connection with this proceeding.

minimis number of poles suitable for attachment from mandatory participation in order to avoid undue expense on members / customers. Small companies like WK&T should not be subjected to the high cost imposed on them by large national companies with substantial resources who continue to press their disagreements with properly and thoroughly developed regulations.

Respectfully submitted,

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Certification

I hereby certify that a copy of this Response to Commission's December 14, 2023 Order 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.

/s/ Edward T. Depp
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