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Linda C. Bridwell, PE
Executive Director
Kentucky Public Service Commission
211 Sower Boulevard
Frankfort, Kentucky 40601-8294

**Re: Electronic Investigation of Pole Attachments
Case No. 2023-00416**

Dear Ms. Bridwell:

AT&T Kentucky appreciates the Commission's time and attention to the matters raised in the above-referenced docket. The purpose of this letter is to respond with comments, as requested, to the Commission's proposed emergency amendments to 807 KAR 5:015.

AT&T's comments below address two issues: 1) publication of construction standards; and 2) self-help for pole replacements. Additionally, within footnotes, attention is brought to offering correction to two typographical errors.

PUBLICATION OF CONSTRUCTION STANDARDS

AT&T seeks clarification regarding Section 3(5)(c). Specifically, the proposed rule states that the tariff must include the URL for a utility-maintained website that includes construction standards for attachments. AT&T's website does include construction standards for attachments. Specifically, Section 6.2 of AT&T's tariff requires an Attaching Party to place, construct, maintain, repair, and remove all facilities in compliance with the requirements, specifications, and standards specified – meaning: (1) the Blue Book Manual of Construction Procedures, Special Report SR-1421, published by Bell Communications Research, Inc. (Bellcore) or its successors, and sometimes referred to as the Blue Book; (2) the NESC, published by the Institute of Electrical and Electronic Engineers, Inc. (IEEE); (3) the National Electrical Code® (NEC), published by National Fire Protection Association

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(NFPA); and (4) the AT&T Structure Access Guidelines, located at <https://clec.att.com/clec/hb/shell.cfm?section=2900&hb=185>. While AT&T does not require a subscription to its AT&T Structure Access Guidelines, one or more of the other entities requires membership to access their standards. Like AT&T, all attachers should individually be required to pay for their own subscription to access the applicable standards that are referenced on AT&T's website. AT&T recommends the following revised language for Section 3(5)(c):

(c) Construction standards the utility either publishes for attachments or the utility references if the reference is to an industry standard that the Attaching Party can access independently at no cost or through a subscription.

SELF-HELP FOR POLE REPLACEMENTS

The draft emergency regulation changes at Section 4(9)(d)¹ delete the exclusion of pole replacements from self-help remedies available to attachers. AT&T opposes this rule modification because of its possible deleterious effects on the overall safety and reliability of power and communications networks. It is far from clear that attaching entities will have anything but their own interests in mind when replacing poles and corners may be cut. Using approved contractors will not necessarily ensure that the replacement poles will meet utility network design requirements.

Sincerely,



John T. Tyler
AVP-Senior Legal Counsel

¹ Section 4(9)(d) should actually be Section 4(10)(d) as Section 4, subsections (7) through the end should be renumbered because of the addition of a new subsection (6) at page 16, line 18 of the draft revisions. Another typographical error to correct is in Section 4(2)(a)6 draft page 11, line 8 where the word "attached" is used instead of "attacher".