

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:)
)
) CASE NO. 2023-00416
ELECTRONIC INVESTIGATION OF POLE)
ATTACHMENTS)
) **KBCA COMMENTS TO EMERGENCY**
) **AMENDED AFTER COMMENTS**
) **REGULATION 807 KAR 5:015E**
)
)

The Kentucky Broadband and Cable Association (“KBCA”), by counsel, respectfully submits the following comments regarding the Emergency Amended After Comments Regulation 807 KAR 5:015E.

KBCA again notes its appreciation for Public Service Commission’s efforts in promulgating Emergency Regulations to make deployment of broadband internet services to unserved and underserved citizens of the Commonwealth more timely and efficient. The amendments to the Emergency Regulations filed on August 15, 2024, demonstrate the Commission’s willingness to be receptive to stakeholders’ concerns and to adapt regulations to meet certain policy goals. While KBCA remains supportive of the specific proposed changes it offered during the course of this proceeding that were not adopted, the amendments provide more clarity that will likely reduce the potential for friction between pole owners and attachers during the steps leading up to broadband deployment.

KBCA’s members look forward to working with pole owners to operationalize these amended emergency regulations in the field. As reflected in the data submitted by KBCA on July 19, 2024, KBCA’s members have experienced meaningful progress in working cooperatively with

pole owners. The parties are working in a more collaborative fashion with improved communications, as evidenced by both the ability to provide a consensus view of the status of applications, as well as the reduction of the backlog of pending applications. Acknowledging the relatively short duration between the May 31, 2024, effective date of the Emergency Regulations and the last data production, KBCA plans to submit updated information by September 16, 2024. It is hopeful that this status update will provide beneficial information leading into the Administrative Regulation Review Subcommittee hearing on September 26, 2024, as well as the September 30, 2024, deadline by which the Commission must issue a report to the Legislative Research Commission on the progress made in expediting utility pole attachment requests for broadband service as required by 2024 Senate Joint Resolution 175.

Respectfully submitted,

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