

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

In the Matter of:

ELECTRONIC INVESTIGATION)	
OF THE PROPOSED POLE)	CASE NO.
ATTACHMENT TARIFFS OF)	2024-00280
RURAL ELECTRIC)	
COOPERATIVE CORPORATIONS)	

**RESPONSE OF KENTUCKY’S ELECTRIC COOPERATIVES TO KBCA’S
STATEMENT REGARDING THE CASE**

Kentucky’s electric cooperatives (the “Cooperatives”),¹ by counsel and in response to the Statement Regarding the Case filed by the Kentucky Broadband and Cable Association (“KBCA”) on May 23, 2025 (the “Statement”), respectfully oppose the KBCA’s Statement. In support of their response, Kentucky’s electric cooperatives state as follows.

KBCA’s Statement asks the Commission to “reject the proposed tariff changes regarding pole attachments filed on July 31, 2024...and suspend the effective date of the pole attachment tariffs filed by pole owners in April 2025.”² KBCA’s objections to the Cooperatives’ July 2024 tariff related solely to language that the Cooperatives subsequently revised – and to which KBCA did not object – in the Cooperatives’ most recent April 2025 tariff filings.³ KBCA’s sole objection

¹ The following electric cooperatives are jurisdictional utilities that were made party to this case by the Commission’s October 30, 2024 Order: Big Rivers Electric Corporation; Big Sandy RECC; Blue Grass Energy Cooperative Corporation; Clark Energy Cooperative, Inc.; Cumberland Valley Electric, Inc.; Farmers RECC; Fleming-Mason Energy Cooperative; Grayson RECC; Inter-County Energy Cooperative Corporation; Jackson Energy Cooperative Corporation; Jackson Purchase Energy Corporation; Kenergy Corporation; Meade County RECC; Nolin RECC; Owen Electric Cooperative; Salt River Electric Cooperative Corporation; 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.

² See Statement of Case, Case No. 2024-00280, p. 1.

³ See, e.g., Big Rivers Electric Corporation, TFS 2025-00218, Revised Pole Attachment Tariff Pursuant to 807 KAR 5:015E § 3(8), Cover Letter (“Furthermore, in an effort to address the previous objections raised by the Kentucky Broadband and Cable Association (“KBCA”) in pending Case No. 2024-00280 (Electronic Investigation of the Proposed Pole Attachment Tariffs of Rural Electric Cooperative Corporations), we modified the language to which KBCA objected in the July 2024 tariff filing.”).

to the Cooperatives' April 2025 pole attachment tariff, in turn, relates solely to the 30-day window for a series of applications to be considered as one application.⁴ For the reasons stated in the Cooperatives' Response in Opposition to KBCA's Objections filed on May 23, 2025 in Case No. 2023-00416, there is no reasonable basis to suspend the Cooperatives' April 2025 tariffs. Consequently, there is no reason for the Commission to take any action with respect to the July 2024 tariffs that are the subject of this proceeding, as they will be superseded by the April 2025 tariffs to which there is no reasonable objection.⁵

Therefore, to the extent the Commission believes it is compelled to take further action in this matter, it should dismiss the proceeding because the allegations concerning the underlying tariff have been mooted by the Cooperatives' April 2025 tariff.

Respectfully submitted,

/s/ Edward T. Depp

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Certification

I hereby certify that a copy of this filing 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

⁴ See KBCA's Objections to Kentucky Tariffs and Request for Tariff Suspension, Case No. 2023-00416.

⁵ See *id.* at n. 4 ("Moreover, if the Commission allows this tariff to go into effect on May 28, 2025, this will moot any issues with the proposed tariff in Case No. 2024-00280 because the present tariff will supersede it.")

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

Counsel to Kentucky's Electric Cooperatives