

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

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)	
In the Matter of:)	
)	CASE NO. 2025-00391
ELECTRONIC INVESTIGATION OF THE)	
PROPOSED POLE ATTACHMENT)	KBCA OPPOSITION TO MOTION TO
TARIFFS OF KENTUCKY UTILITIES)	STRIKE
COMPANY AND LOUISVILLE GAS AND)	
ELECTRIC COMPANY)	
)	
)	

The Kentucky Broadband and Cable Association (“KBCA”) respectfully submits this opposition to Louisville Gas and Electric Company’s (“LG&E’s”), and Kentucky Utilities Company’s (“KU’s”) motion to strike KBCA’s Statement on Hearing.

On April 17, 2026, KBCA filed a Statement on Hearing in accordance with the Commission’s December 2, 2025, Scheduling Order to confirm it does not believe a hearing is necessary in this matter, and to summarize its remaining objections to the tariffs filed by LG&E, KU, and the Rural Electric Cooperative Corporations (“RECCs”). KBCA’s intention in filing its Statement on Hearing was not, as LG&E and KU suggest, to “have the last word,” but rather to inform the Commission that following the limited submissions by the parties, certain of KBCA’s objections had been resolved, Statement on Hearing at 3-4, while others remain pending, *id.* at 5-8. KBCA intended this information to assist the Commission in recalling the procedural posture of the case and narrowing the scope of its review to the live disputes between the parties, given that all parties appear to believe no hearing is necessary. KBCA did not present any evidence with its Statement on Hearing, or present any new objections.

Contrary to LG&E and KU's assertions, nothing in the Commission's Scheduling Order prohibits KBCA from submitting a Statement on Hearing that summarizes the remaining issues for hearing. Indeed, LG&E and KU have done just that in prior motions to submit cases for decision on the record in response to scheduling orders like the one at issue here, including characterizing the arguments of other parties and the remaining issues¹, and summarizing the procedural posture of the case². Notably, the RECCs did not move to strike KBCA's identical Statement on Hearing in Case No. 2025-00392.³ As a result, LG&E and KU's motion has little practical effect on this proceeding. For all the foregoing reasons, the Commission should deny their motion.

¹ See, e.g., *Joint Application Of Louisville Gas And Electric Company And Kentucky Utilities Company For Review, Modification, And Continuation Of Existing, And Addition Of New, Demand-Side Management And Energy Efficiency Programs*, Case No. 2014-00003, Motion Of Louisville Gas And Electric Company And Kentucky Utilities Company To Submit The Case For Decision On The Record (Ky. PSC 2014), available at https://psc.ky.gov/pseecf/2014-00003/kendrick.riggs%40skofirm.com/07032014040357/LGE-KU_Mtn_to_Submit_Case_for_Decision_07032014.pdf (arguing “[n]obody disputes the data the Companies have supplied” and “intervenor Sierra Club believes the Companies should have to account for ‘non-energy benefits’ when conducting DSM-EE cost-benefit analyses . . .”).

² See, e.g., *Electronic Tariff Filing Of Louisville Gas And Electric Company To Revise Its Local Gas Delivery Tariff*, Case No. 2024-00125, Louisville Gas And Electric Company's Motion To Submit Case For Decision On Record (Ky. PSC 2024), available at [02 - Motion to Submit Case for Decision on Record - CN 2024-00125.pdf](https://psc.ky.gov/pseecf/2024-00125/Motion_to_Submit_Case_for_Decision_on_Record_-_CN_2024-00125.pdf); *Electronic Tariff Filing Of Louisville Gas And Electric Company And Kentucky Utilities Company To Revise Purchase Rates For Small Capacity And Large Capacity Cogeneration And Power Production Qualifying Facilities And Net Metering Service-2 Credit Rates*, Case No. 2023-00404, Joint Motion Of Kentucky Utilities Company And Louisville Gas And Electric Company To Submit The Case For Decision On The Record (Ky. PSC 2023), available at https://psc.ky.gov/pseecf/2023-00404/duncan.crosby%40skofirm.com/04112024012647/KU-LGE_Jt_Mtn_to_Submit_Case_for_Decision_on_the_Record.pdf.

³ See *In The Matter Of Electronic Investigation Of The Proposed Pole Attachment Tariffs Of Rural Electric Cooperative Corporations*, Case No. 2025-00392 (Ky. PSC 2025).

Dated: April 27, 2026

Respectfully submitted,

/s/ _____

James W. Gardner

Rebecca Price

Sturgill, Turner, Barker & Moloney, PLLC

333 West Vine Street, Suite 1500

Lexington, KY 40507

Phone: (859) 255-8581

jgardner@sturgillturner.com

rprice@sturgillturner.com

Paul Werner (admitted *pro hac vice*)

Hannah Wigger (admitted *pro hac vice*)

Meredith Lerner (admitted *pro hac vice*)

Sheppard Mullin Richter & Hampton LLP

2099 Pennsylvania Avenue NW

Suite 100

Washington, DC 20006

(202) 747-1900

pwerner@sheppardmullin.com

hwigger@sheppardmullin.com

mlerner@sheppardmullin.com

Counsel for KBCA