



*Crittenden County Judge-Executive*  
*Perry A. Newcom*



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September 17, 2020

**CASE # 2020-00215**

Members of the Kentucky Public Service Commission  
P.O. Box 615  
211 Sowers Blvd.  
Frankfort, KY 40602

Re: Broadband in Western Kentucky

Dear Commissioners,

Please find enclosed a Resolution approved by the members of the Crittenden County Fiscal Court during our monthly meeting held today. We greatly appreciate your work to resolve this issue and allow for a waiver of KRS 278.2201 and 278.2213.

Respectfully Submitted,

Perry A. Newcom, Judge Executive

RECEIVED

SEP 22 2020

PUBLIC SERVICE  
COMMISSION

SEP 22 2020

PUBLIC SERVICE  
COMMISSION

**Crittenden County Fiscal Court**

**Resolution # 20-011**

WHEREAS, broadband is an essential need for community vitality, including competitive economic development, affordable and quality health care, equitable education and effective government; and

WHEREAS, vast areas of Crittenden County lack access to affordable and reliable high-speed broadband services that meet or exceed the federal broadband standards; and

WHEREAS, the recent COVID-19 pandemic has put a spotlight on the need for broadband access in rural areas throughout our Commonwealth and as Kentuckians complied with shelter in place guidelines, the need for broadband for work, school, doctor appointments, and other essential communications has been amplified; and

WHEREAS, Kenergy Corporation is a nonprofit electric cooperative engaged in the business of distributing retail electric power to member consumers in Crittenden and surrounding counties; and

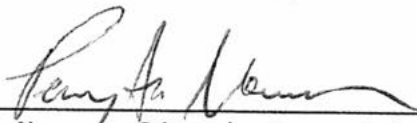
WHEREAS, Kenergy Corporation desires to provide broadband access to its members; however, KRS 278.2201 and KRS 278.2213 prohibits Public Service Commission (PSC) regulated electric providers from subsidizing non-regulated activities such as broadband development; and

WHEREAS, Kenergy Corporation has requested a waiver of KRS 278.2201 and KRS 278.2213 from the Kentucky PSC.

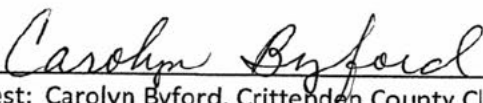
NOW, THEREFORE, BE IT RESOLVED as follows:

1. The Crittenden County Fiscal Court supports the development of broadband infrastructure throughout the Kenergy Corporation service area.
2. The Crittenden County Fiscal Court supports Kenergy Corporation's request for a waiver from Kentucky PSC, allowing them to engage in the development and financing of broadband activities that will provide much needed access to high speed broadband throughout their service region.

Adopted at a regular meeting of the Crittenden County Fiscal Court held on this 17<sup>th</sup> day of September 2020.



Perry A. Newcom, Crittenden County Judge Executive



Attest: Carolyn Byford, Crittenden County Clerk

Ledged for record on.....17.....  
 day of...Sept.....2020.....  
 at...11:30...O'clock.....A.M.  
 Recorded in...O/R Book...3.....  
 Page.....204.....