

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC APPLICATION OF KENERGY)	
CORP. FOR A CERTIFICATE OF PUBLIC)	
CONVENIENCE AND NECESSITY FOR THE)	
CONSTRUCTION OF A HIGH-SPEED FIBER)	
NETWORK AND FOR APPROVAL OF THE)	
LEASING OF THE NETWORK'S EXCESS)	CASE NO.
CAPACITY TO AN AFFILIATE TO BE ENGAGED)	2021-00365
IN THE PROVISION OF BROADBAND SERVICE)	
TO UNSERVED AND UNDERSERVED)	
HOUSEHOLDS AND BUSINESSES OF THE)	
COMMONWEALTH)	

COMMISSION STAFF'S POST-HEARING REQUEST FOR INFORMATION
TO KENERGY CORP.

Kenergy Corp. (Kenergy), pursuant to 807 KAR 5:001, shall file with the Commission an electronic version of the following information. The information requested is due no later than April 7, 2022. The Commission directs Kenergy to the Commission's July 22, 2021 Order in Case No. 2020-00085¹ regarding filings with the Commission. Electronic documents shall be in portable document format (PDF), shall be searchable, and shall be appropriately bookmarked.

Each response shall include the question to which the response is made and shall include the name of the witness responsible for responding to the questions related to the information provided. Each response shall be answered under oath or, for

¹ Case No. 2020-00085, *Electronic Emergency Docket Related to the Novel Coronavirus COVID-19* (Ky. PSC July 22, 2021), Order (in which the Commission ordered that for case filings made on and after March 16, 2020, filers are NOT required to file the original physical copies of the filings required by 807 KAR 5:001, Section 8).

representatives of a public or private corporation or a partnership or association or a governmental agency, be accompanied by a signed certification of the preparer or the person supervising the preparation of the response on behalf of the entity that the response is true and accurate to the best of that person's knowledge, information, and belief formed after a reasonable inquiry.

Kenergy shall make timely amendment to any prior response if Kenergy obtains information that indicates the response was incorrect when made or, though correct when made, is now incorrect in any material respect. For any request to which Kenergy fails or refuses to furnish all or part of the requested information, Kenergy shall provide a written explanation of the specific grounds for its failure to completely and precisely respond.

Careful attention shall be given to copied material to ensure that it is legible. When the requested information has been previously provided in this proceeding in the requested format, reference may be made to the specific location of that information in responding to this request. When applicable, the requested information shall be separately provided for total company operations and jurisdictional operations. When filing a paper containing personal information, Kenergy shall, in accordance with 807 KAR 5:001, Section 4(10), encrypt or redact the paper so that personal information cannot be read.

1. Provide copies of any written communication from Alcatel that evidence when Alcatel stopped manufacturing the communication equipment used by Kenergy. If no written communication is available, explain how Kenergy became aware of and verified that Alcatel no longer manufactures the communication equipment used by Kenergy.

2. Provide copies of any written communication from Alcatel that evidence when Alcatel stopped providing technical support for the communication equipment used by Kenergy. If no written communication is available, explain how Kenergy became aware of and verified that Alcatel no longer provides technical support for the communication equipment used by Kenergy.

3. Explain what legal remedies are available to Kenergy or its affiliate if Conexon Connect, LLC (Conexon Connect) defaults on the lease payment, and, if there are any other additional agreements, contracts, letters of credit or bonds not in the case record that provide for legal remedies for any defaults, provide a copy of those documents.

4. State whether the guarantee of payment of the base lease fee and the guarantee of performance under the sublease from Conexon Connect's parent company, Conexon LLC, is unconditional, and identify the document containing the guarantees. If the guarantee is not in the case record, then provide a copy of the agreement containing the guarantee.


Linda C. Bridwell, PE
Executive Director
Public Service Commission
P.O. Box 615
Frankfort, KY 40602

DATED MAR 31 2022

cc: Parties of Record

*Angela M Goad
Assistant Attorney General
Office of the Attorney General Office of Rate
700 Capitol Avenue
Suite 20
Frankfort, KENTUCKY 40601-8204

*J. Michael West
Office of the Attorney General Office of Rate
700 Capitol Avenue
Suite 20
Frankfort, KENTUCKY 40601-8204

*J. Christopher Hopgood
Dorsey, Gray, Norment & Hopgood
318 Second Street
Henderson, KENTUCKY 42420

*M. Todd Osterloh
Sturgill, Turner, Barker & Moloney, PLLC
333 West Vine Street
Suite 1400
Lexington, KENTUCKY 40507

*James W Gardner
Sturgill, Turner, Barker & Moloney, PLLC
333 West Vine Street
Suite 1400
Lexington, KENTUCKY 40507

*Jeffrey Hohn
President
Kenergy Corp.
6402 Old Corydon Road
P. O. Box 18
Henderson, KY 42419

*John Horne
Office of the Attorney General Office of Rate
700 Capitol Avenue
Suite 20
Frankfort, KENTUCKY 40601-8204

*Kenergy Corp.
6402 Old Corydon Road
P. O. Box 18
Henderson, KY 42419

*Larry Cook
Assistant Attorney General
Office of the Attorney General Office of Rate
700 Capitol Avenue
Suite 20
Frankfort, KENTUCKY 40601-8204