The Public Utilities Commission of Ohio

TELECOMMUNICATIONS FILING FORM

(Effective: 01/20/2011)

This form is intended to be used with most types of required filings. It provides check boxes with rule references for the most common types of filings. It does not replace or supersede Commission rules in any way.

In the Matter of the Application of <u>The New Knoxville</u> <u>Telephone Company to Establish a Pole Attachment and</u> <u>Conduit Occupancy Tariff</u>)))	TRF Docket No. 90- <u>5029-TP-</u> Case No. <u>13</u> - <u>579</u> - AU - NOTE: Unless you have reserved a BLANK.	ORD
Name of Registrant(s) New Knoxville Telephone			
DBA(s) of Registrant(s)			_
Address of Registrant(s) 301 West South Street, PO Box 2	219, New Kn	oxville, Ohio 45871	
Company Web Address			
Regulatory Contact Person(s) <u>Eileen M Bodamer</u> Phone <u>770-649-1886</u>			Fax <u>770-645-6545</u>
Regulatory Contact Person's Email Address Eileen@Bod	amer.com		
Contact Person for Annual Report Susan Quellhorst			Phone <u>419-753-2457</u>
Address (if different from above)			_
Consumer Contact Information Susan Quellhorst			Phone <u>419-753-2457</u>
Address (if different from above)			_
Motion for protective order included with filing? Yes Motion for waiver(s) filed affecting this case? Yes		Waivers may toll any automatic	timeframe.]
Notes:			

Section I and II are Pursuant to Chapter 4901:1-6 OAC.

Section III - Carrier to Carrier is Pursuant to 4901:1-7 OAC, and Wireless is Pursuant to 4901:1-6-24 OAC.

Section IV - Attestation.

- (1) Indicate the Carrier Type and the reason for submitting this form by checking the boxes below.
- (2) For requirements for various applications, see the identified section of Ohio Administrative Code Section 4901 and/or the supplemental application form noted.
- (3) Information regarding the number of copies required by the Commission may be obtained from the Commission's web site at www.puco.ohio.gov under the docketing information system section, by calling the docketing division at 614-466-4095, or by visiting the docketing division at the offices of the Commission.
- (4) An Incumbent Local Exchange Carrier (ILEC) offering basic local exchange service (BLES) outside its traditional service area should choose CLEC designation when proposing to offer BLES outside its traditional service area or when proposing to make changes to that service.

All Filings that result in a change to one or more tariff pages require, at a minimum, the following exhibits.

Exhibit	Description:
A	The tariff pages subject to the proposed change(s) as they exist before the change(s)
В	The Tariff pages subject to the proposed change(s), reflecting the change, with the change(s) marked in the
	right margin.
C	A short description of the nature of the change(s), the intent of the change(s), and the customers affected.
D	A copy of the notice provided to customers, along with an affidavit that the notice was provided according to
	the applicable rule(s).

$Section \ I-Part \ I-Common \ Filings$

Carrier Type Other (explain below	y)	⊠ For Pro	fit ILEC	☐ Not For I	Profit ILEC	CI	LEC	
Change terms & condition existing BLES	· – – – – – – – – – – – – – – – – – – –			ATA <u>1-6-14(H)</u> (Auto 30 days)		ATA <u>1-6-14(H)</u> (Auto 30 days)		
Introduce non-recurring ch surcharge, or fee to BLES	narge,						ΓΑ <u>1-6-14(H)</u> 30 days)	
Introduce or Increase Late	Payment	ATA <u>1</u> (Auto 30 da	ys)	ATA <u>1-0</u> (Auto 30 day			ΓΑ <u>1-6-14(I)</u> 30 days)	
Revisions to BLES Cap.		(0 day Notice	e)					
Introduce BLES or expand service area (calling area)	l local	(0 day Notice		TTA <u>1-6-</u> (0 day Notice			TA <u>1-6-14(H)</u> Notice)	
Notice of no obligation to facilities and provide BLE	construct S	ZTA <u>1-0</u> (0 day Notice		ZTA <u>1-6-</u> (0 day Notice				
Change BLES Rates		TRF <u>1-0</u> (0 day Notic			TRF <u>1-6-14(F)(4)</u> (0 day Notice)		TRF <u>1-6-14(G)</u> (0 day Notice)	
To obtain BLES pricing flexibility		BLS <u>1-6-14</u> (C)(1)(c) (Auto 30 days)						
Change in boundary		ACB <u>1-6-32</u> (Auto 14 days)		ACB <u>1-6-32</u> (Auto 14 days)				
Expand service operation area							RF <u>1-6-08(G)</u> (0 day)	
BLES withdrawal							TA <u>1-6-25(B)</u> Notice)	
Other* (explain)								
Section I – Part II – Cu	stomer Not	ification Of	ferings Pur	suant to Chapt	er <u>4901:1-6-7</u>	OAC		
Type of Notice	Direc	t Mail	Bill	Insert	Bill Nota	tion	Electronic Mail	
☐ 15-day Notice								
30-day Notice								
Date Notice Sent:								
Section I – Part III –IO	S Offerings	s Pursuant to	Chapter <u>49</u>	01:1-6-22 OAC	2			
IOS	Introdu	ice New	Tariff	Change	Price Cha	ange	Withdraw	
□ IOS	Г						П	

Section II - Part I - Carrier Certification - Pursuant to Chapter 4901:1-6-08, 09 & 10 OAC

	ILEC	CLEC	Telecommunications	CESTC	CETC
Certification	(Out of Territory)		Service Provider		
			Not Offering Local		
* See Supplemental	ACE <u>1-6-08</u>	ACE <u>1-6-08</u>	☐ ACE <u>1-6-</u> 08	ACE <u>1-6-</u> 10	UNC <u>1-6-</u> 09
form	* (Auto 30- day)	*(Auto 30 day)	*(Auto 30 day)	(Auto 30 day)	*(Non-Auto)

^{*}Supplemental Certification forms can be found on the Commission Web Page.

Section II - Part II - Certificate Status & Procedural

Certificate Status	ILEC	CLEC	Telecommunications Service Provider Not Offering Local
Abandon all Services		ABN <u>1-6-26</u> (Auto 30 days)	ABN <u>1-6-26</u> (Auto 30 days)
Change of Official Name *	ACN <u>1-6-29(B)</u> (Auto 30 days)	ACN <u>1-6-29(B)</u> (Auto 30 days)	CIO <u>1-6-29(C)</u> (0 day Notice)
Change in Ownership *	ACO <u>1-6-29(E)</u> (Auto 30 days)	ACO <u>1-6-29(E)</u> (Auto 30 days)	CIO <u>1-6-29(C)</u> (0 day Notice)
Merger *	AMT <u>1-6-29(E)</u> (Auto 30 days)	AMT <u>1-6-29(E)</u> (Auto 30 days)	CIO <u>1-6-29(C)</u> (0 day Notice)
Transfer a Certificate *	ATC <u>1-6-29(B)</u> (Auto 30 days)	ATC <u>1-6-29(B)</u> (Auto 30 days)	CIO <u>1-6-29(C)</u> (0 day Notice)
Transaction for transfer or lease of property, plant or business *	ATR <u>1-6-29(B)</u> (Auto 30 days)	ATR <u>1-6-29(B)</u> (Auto 30 days)	CIO <u>1-6-29(C)</u> (0 day Notice)

^{*} Other exhibits may be required under the applicable rule(s). ACN, ACO, AMT, ATC, ATR and CIO applications see the 4901:1-6-29 Filing Requirements on the Commission's Web Page for a complete list of exhibits.

Section III – Carrier to Carrier (Pursuant to 4901:1-7), and Wireless (Pursuant to 4901:1-6-24)

Carrier to Carrier	ILEC	CLEC
Interconnection agreement, or amendment to	☐ NAG <u>1-7-07</u>	☐ NAG <u>1-7-07</u>
an approved agreement	(Auto 90 day)	(Auto 90 day)
Request for Arbitration	ARB <u>1-7-09</u> (Non-Auto)	ARB <u>1-7-09</u> (Non-Auto)
Introduce or change c-t-c service tariffs,	ATA <u>1-7-14</u> (Auto 30 day)	ATA 1-7-14 (Auto 30 day)
Request rural carrier exemption, rural carrier suspension or modification	UNC <u>1-7-04</u> or 05 (Non-Auto)	
Changes in rates, terms & conditions to Pole Attachment, Conduit Occupancy and Rights-of-Way.	✓ UNC 1-7-23(B)(Non-Auto)	
Wireless Providers See 4901:1-6-24	RCC [Registration & Change in Operations]	NAG [Interconnection Agreement or

Registrant hereby attests to its compliance with pertinent entries and orders issued by the Commission.

AFFIDAVIT

Compliance with Commission Rules

I am an officer/agent of the applicant corporation, New Knoxville Telephone Company, and am authorized to make

this statement on its behalf.
s/ Preston Meyer, General Manager (Name)
Please Check ALL that apply:
I attest that these tariffs comply with all applicable rules for the state of Ohio. I understand that tariff notification filings do not imply Commission approval and that the Commission's rules as modified and clarified from time to time, supersede any contradictory provisions in our tariff. We will fully comply with the rules of the state of Ohio and understand that noncompliance can result in various penalties, including the suspension of our certificate to operate within the state of Ohio.
☐ I attest that customer notices accompanying this filing form were sent to affected customers, as specified in Section II, in accordance with Rule 4901:1-6-7, Ohio Administrative Code.
I declare under penalty of perjury that the foregoing is true and correct.
Executed on (Date) May 15, 2015 at (Location) New Knoxville, OH
*(Signature and Title) /s/ Preston Meyer, General Manager (Date) May 15, 2015
• This affidavit is required for every tariff-affecting filing. It may be signed by counsel or an officer of the applicant, or an authorized agent of the applicant.
<u>VERIFICATION</u>
I <u>. Eileen M Bodamer</u> verify that I have utilized the Telecommunications Filing Form for most proceedings provided by the Commission and that all of the information submitted here, and all additional information submitted in connection with this case, is true and correct to the best of my knowledge.
*(Signature and Title) /s/ Eileen M Bodamer, Authorized Consultant (Date) May 15, 2015 *Verification is required for every filing. It may be signed by counsel or an officer of the applicant, or an authorized agent of the applicant.

Send your completed Application Form, including all required attachments as well as the required number of copies, to:

> **Public Utilities Commission of Ohio Attention: Docketing Division** 180 East Broad Street, Columbus, OH 43215-3793 OrMake such filing electronically as directed in Case No 06-900-AU-WVR

EXHIBIT A

(Existing Tariff Sheets)

Exhibit A. All material filed herein is new. No current sheets exist. This Attachment is not applicable.

EXHIBIT B

(Proposed Tariff Sheets)

The New Knoxville Telephone Company

POLE ATTACHMENT AND CONDUIT OCCUPANCY TARIFF P.U.C.O. NO. 2

POLE ATTACHMENT AND CONDUIT OCCUPANCY TARIFF

This tariff contains the following listed pages, each of which is effective on the date shown thereon.

CHECK SHEET

Page Page	Revision
1	Original
2	Original
3	Original
4	Original
5	Original
6	Original

All Material contained in this tariff is new and effective as of the date shown on each sheet.

POLE ATTACHMENT AND CONDUIT OCCUPANCY TARIFF

<u> Fable of Contents</u>	<u>Sheet</u>
A. Terms and Conditions	3
B. Restrictions on Access	3
C. Limitation on Liability	3
D. Indemnification	4
E. Assurance of Payment and Insurance	5
F. Rates	6
G. Payment Terms	6

POLE ATTACHMENTS AND CONDUIT OCCUPANCY (CONT'D)

A. Terms and Conditions

- 1. This tariff shall apply to all parties, including affiliates of the Attaching Entity, which attach to The New Knoxville Telephone Company (referred to as "Company") poles and occupy conduit, except those parties that attach to the Company's poles and occupy conduit pursuant to a separate agreement.
- 2. The services in this tariff will be provided in accordance with Chapter 4901:1-3 of the Ohio Administrative Code.
- 3. Should any phrase, sentence, paragraph or section of this Rate Schedule be held to contravene any part of Chapter 4901:1-3, only that portion of this Rate Schedule which so contravenes the Rule, and not the entire Rate Schedule, shall be suspended until modified so as to comply with the requirements of Chapter 4901:1-3.

B. Restrictions on Access

- 1. Access to poles and conduit owned by the Company is restricted to Attaching Entities (as that term is defined in Ohio Revised Code Chapter 4901:1-3) in accordance with the provisions and definitions of Public Utilities Commission Chapter 4901:1-3.
- 2. The Company may deny an Attaching Entity access to its poles and conduits, on a nondiscriminatory basis where there is insufficient capacity or for reasons of safety, reliability, and generally applicable engineering purposes.

C. Limitation on Liability

The Company reserves to itself the right to locate and maintain its poles and conduit to operate its facilities in conjunction therewith in such a manner as will best enable it to fulfill its own service requirements. Except in the event of the Company's gross negligence or willful default, the Company shall not be liable to the Attaching Entity for any interruption of or interference with the operation of the Attaching Entity's services arising in any manner out of the use of the Company's poles and conduit. The Company shall make an immediate report to the Attaching Entity of the occurrence of any damage to the Attaching Entity's facilities.

POLE ATTACHMENTS AND CONDUIT OCCUPANCY (CONT'D)

D. Indemnification

- 1. Except as may be caused by the negligence of the party seeking indemnification, the Attaching Entity and the Company shall each defend, indemnify and save harmless the other against and from any and all liabilities, claims, suits, fines, penalties, damages, losses, fees, costs and expenses (including reasonable attorney's fees) including, but not limited to, those which may be imposed upon, incurred by or asserted against the party seeking indemnification by reason of (a) any work done upon the poles and conduit or any part thereof by the indemnifying party or any of its agents, contractors, servants, or employees, or (b) any use or occupation of said poles and conduit or any part thereof by the indemnifying party, or (c) any act or omission on the part of the indemnifying party or any of its agents, contractors, servants, or employees, for which the Company may be found liable.
- 2. The Attaching Entity shall indemnify, save harmless and defend the Company from any and all claims and demands of whatever kind which arise directly or indirectly from the operations of the Attaching Entity's attachments, including, without limitation, taxes, special charges by others, claims and demands for damages or loss due to infringement of copyright, libel, slander, unauthorized use of television broadcast programs, or unauthorized use of other program material. The Attaching Entity shall also hold the Company harmless against all claims and demands for infringement of patents with respect to the manufacture, use and operation of the Attaching Entity's attachments to the Company's poles or occupied conduit.

POLE ATTACHMENTS AND CONDUIT OCCUPANCY (CONT'D)

E. Assurance of Payment and Insurance

- 1. The Attaching Entity shall provide to the Company a performance bond in the amount of Fifteen Thousand Dollars (\$15,000). The purpose of the bond is to insure the Attaching Entity's performance of all of its obligations and any License issued hereunder and for the payment by the Attaching Entity of any claims, liens, taxes, liquidated damages, penalties and fees due to Company which arise by reason of the construction, operation, maintenance or removal of The Attaching Entity's Facilities on or about Company's Poles and Conduits.
- 2. The Attaching Entity shall obtain and maintain insurance, including endorsements insuring the contractual liability and indemnification provisions of this License Agreement, issued by an insurance carrier licensed to do business in the state in which The Attaching Entity's Facilities are to be located and having an A.M. Best Company rating of A minus or better, and reasonably satisfactory to the Company to protect the Company, other authorized Attaching Entities, municipal and governmental authorities and Joint Users from and against all claims, demands, causes of action, judgments, costs, including reasonable attorneys' fees, expenses and liabilities of every kind and nature which may arise or result, directly or indirectly, from or by reason of such loss, injury or damage as covered by any License issued hereunder.
- 3. License shall maintain the following amounts of insurance, Commercial General Liability Insurance with limits of not less than \$1,000,000 per occurrence and \$2,000,000 annual aggregate. Umbrella or Excess Liability Insurance with limits of not less than \$10,000,000 per occurrence and in the aggregate. Workers Compensation Insurance in statutory amounts and Employers Liability Insurance in the amount \$1,000,000 per accident. Automobile Liability insurance covering any auto with combined single limits of \$1,000,000.
- 4. All insurance must be effective before the Attaching Entity attaches to any pole or occupies any conduit and shall remain in force until such attachments have been removed from all such poles.
- 5. The Attaching Entity's property insurance policy shall contain a waiver-of subrogation clause running to the Company. This must be reflected on the certificate of insurance provided by the Attaching Entity. Such policy shall be the primary remedy for all losses covered by the policy.

POLE ATTACHMENTS AND CONDUIT OCCUPANCY (CONT'D)

F. Rates

- 1. The rate provided below entitles a customer to attach to the poles and occupy conduit in all of the Company's franchise area. The Attachment Fee applies per pole, per year for each one foot of space occupied by Attaching Party's Attachments. The conduit rate applies to each foot of conduit occupied.
 - \$5.67 for all pole attachments
 - \$1.44 per linear meter of conduit occupied
- 2. Field survey or inspection: Actual costs and expenses.
- 3. Make-ready work: Actual costs and expenses.
- 4. Labor: Actual costs and expenses.
- 5. Contractors: Actual costs and expenses.

G. Payment Terms

- 1. Attachment and occupancy fees are payable annually in advance. Fees are calculated on the number of attachments and feet of conduit occupied.
- 2. All fees and charges are due and payable 30 days after presentation of an invoice. Late payments will be assessed a late payment charge of 1% per month on all unpaid balances concurring on the date due and payable.

EXHIBIT C

(Description of Changes)

Pursuant to the Commission's Finding and Order in Case No. 13-579-AU-ORD, with this filing, The New Knoxville Telephone Company establishes a Pole Attachment and Conduit Occupancy tariff. Exhibit D of this filing provides the applicable calculations in support of the proposed rates.

EXHIBIT D

(Pole Attachment and Conduit Occupancy Calculations)

Pursuant to the Commission's July 30, 2014 Finding and Order in Case No. 13-579-AU-ORD, The New Knoxville Telephone Company submits the attached calculation spreadsheets, to supports its proposed Pole Attachment and Conduit Occupancy rates.

POLE AND CONDUIT RENTAL CALCULATION INFORMATION Financial Information

1 Telecommunications Plant-in-Service2 Gross Investment - Poles3 Gross Investment - Conduit	\$ 4,175,632 22,232 487,625
4 Accumulated Depreciation - Total Plant-in-Service	3,137,549
5 Accumulated Depreciation - Poles	18,522
6 Accumulated Depreciation - Conduit	245,301
7 Depreciation Rate - Poles	5.60%
8 Depreciation Rate - Conduit	2.33%
9 Net Current Deferred Operating Income Taxes - Poles	-
10 Net Current Deferred Operating Income Taxes - Conduit	-
11 Net Current Deferred Operating Income Taxes - Total	2,453
12 Net Non-current Deferred Operating Income Taxes - Poles	(537)
13 Net Non-current Deferred Operating Income Taxes - Conduit	(81,554)
14 Net Non-current Deferred Operating Income Taxes - Total	(315,193)
15 Pole Maintenance Expense	2,135
16 Pole Rental Expense	-
17 Pole Expense (15) + (16)	2,135
18 Conduit Maintenance Expense	-
19 Conduit Rental Expense	-
20 Conduit Expense (18) + (19)	-
21 General & Administrative Expense	107,414
22 Operating Taxes	\$ 503,394
Operational Data (Actual)	
23 Equivalent Number of Poles	71
24 Conduit System Trench Kilometers	10
25 Conduit System Duct Kilometers	66
26 Number of inner-ducts (if no inner-ducts enter 2)	2

Maximum Pole Attachment Charge

\$ 5.67	Maximum Pole Attachment Charge per annum
134.80%	Carrying Charge Rate
7.4074%	Space Factor
\$ 56.83	Net Cost of a Bare Pole

Net cost of a bare pole

\$ 22,232	Gross Investment Poles
18,522	(less) Accumulated depreciation Poles
-	(less) Net Current Deferred Operating Income Taxes-Poles
(537)	(less) Net Non-Current Deferred Operating Income Taxes-Poles
\$ 4,247	Net Pole Investment
0.95	Factor to remove investment in crossbars, etc.
\$ 4,035	Net investment in <u>bare</u> poles
71	Number of Poles
\$ 56.83	Net cost of a bare pole

Space Factor

37.5	average pole height (feet)*
24	unusable space*
13 5	usable space

1 space occupied by attachment (feet)

7.4074% **Space Factor** (space occupied/usable space)

^{*}Avg pole height and unusable space are rebuttable presumptions

	Carrying Charge Rate
EO 270/	Maintenance Factor
	General and Administrative Factor
	Depreciation Factor Taxes Factor
	Cost of Capital Factor
134.80%	Carrying Charge Rate
	Maintenance Factor
\$ 2,135	Pole Maintenance Expense
-	Pole Rental Expense
2,135	
\$ 4,247	Net Pole Investment
50.27%	Maintenance Factor
	General and Administrative Factor
\$ 107,414	General and Administrative Expense
4.175.632	Total Plant in Service
	(less) Accumulated Depreciation-TPIS
	(less) Net Current Deferred Operating Income Taxes-TPIS
	(less) Net Non-Current Deferred Operating Income Taxes-TPIS
\$	Net Total Plant in Service
7 05%	General and Adm. Factor (G&A expense/Net TPIS)
7.5570	Depreciation Factor
	<u>Depreciation Factor</u>
5.60%	Depreciation Rate-Poles
\$ 22,232	Gross Pole Investment
\$ 4,247	Net Pole Investment
5.23	Gross Pole Investment/Net Pole Investment
29.31%	Depreciation Factor
	Taxes Factor
\$	Operating Taxes
\$ 1,350,823	Net Total Plant in Service
37.27%	Taxes Factor
	<u>Cost of Capital Factor</u>
10.00%	SLEC default Cost of Capital per Entry

- 66,000 System duct Length in meters
 2 Number of Inner Ducts
- \$ 323,878 Net conduit Investment
 - 58.73% Carrying Charge-Conduit
- \$ 1.44 Maximum Rate Per Linear Meter

Net Conduit Ivestment

- \$ 487,625 Gross Investment Conduit
 - 245,301 (less) Accumulated depreciation Conduit
 - (less) Net Current Deferred Operating Income Taxes-Conduit
 - (81,554) (less) Net Non-Current Deferred Operating Income Taxes-Conduit
- \$ 323,878 **Net Conduit Investment**

Carrying Charge Rate - Conduit

0.00% Maintenance Factor

7.95% General and Administrative Factor

3.51% Depreciation Factor

37.27% Taxes Factor

10.00% Cost of Capital Factor

58.73% Carrying Charge Rate

Maintenance Factor

\$ - Conduit Maintenance Expense

Conduit Rental Expense

_

\$ 323,878 Net Conduit Investment

0.00% Maintenance Factor

General and Administrative Factor

7.95% General and Adm. Factor (G&A expense/Net TPIS)

Depreciation Factor

2.33% Depreciation Rate-Conduit

- \$ 487,625 Gross Conduit Investment
- \$ 323,878 Net Conduit Investment
 - 1.51 Gross Conduit Investment/Net conduit Investment
 - 3.51% Depreciation Factor

Taxes Factor

37.27% Taxes Factor

Cost of Capital Factor

10.00% SLEC default Cost of Capital per Entry

This foregoing document was electronically filed with the Public Utilities

Commission of Ohio Docketing Information System on

5/15/2015 4:01:30 PM

in

Case No(s). 13-0579-AU-ORD, 15-0926-TP-ATA

Summary: Tariff Application of The New Knoxville Telephone Company to Establish a Pole Attachment and Conduit Occupancy Tariff electronically filed by Ms. Eileen M Bodamer on behalf of The New Knoxville Telephone Company