

WC 10-101
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Federal Communications Commission
Office of the Secretary

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POLE ATTACHMENT
BRANCH

COMMONWEALTH OF KENTUCKY
COURT OF JUSTICE
48th JUDICIAL CIRCUIT
NO. 81-CI-1249

AMERICAN TELEVISION AND
COMMUNICATIONS CORPORATION, et al

PLAINTIFFS

VS.

ORDER

FILED

AUG 13 1982

PUBLIC SERVICE COMMISSION
OF KENTUCKY, et al

DEFENDANT
JUDICE MOORE
Clerk Franklin Circuit Court

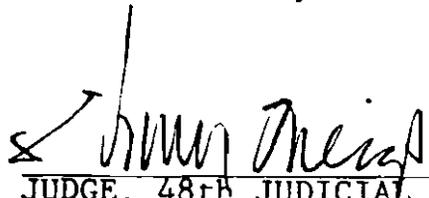
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The Legislature has already conferred authority upon it and the Commission has long exercised regulatory control of public utility rates and services. The latter area of the Commission's jurisdiction encompasses every item of plant and other facilities, while the former governs the charges to be made for their use, balanced by fairness to consumers and investors who support these properties.

Even vacant space on poles is either included within the property subject to the Commission's "service" jurisdiction, or adjunct to it; attachments heretofore or hereafter made by third parties are logically, therefore, subject to that same jurisdiction, and rates to be paid thereupon are likewise within the purview of "rates" jurisdiction.

The Commission's view of all relevant facts and of the law being in all respects proper and reasonable, the ORDER of August 26, 1981 in Case No. 804 and Case No. 8090 is hereby AFFIRMED, at plaintiffs' costs.

Given under my hand this 12th day of August 1982.



JUDGE, 48th JUDICIAL CIRCUIT
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