

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF HORVATH TOWERS V, )	
LLC FOR ISSUANCE OF A CERTIFICATE OF )	
PUBLIC CONVENIENCE AND NECESSITY TO )	CASE NO.
CONSTRUCT A WIRELESS )	2019-00117
COMMUNICATIONS FACILITY IN THE )	
COMMONWEALTH OF KENTUCKY IN THE )	
COUNTY OF WHITLEY )	

COMMISSION STAFF'S FIRST REQUEST FOR  
INFORMATION TO HORVATH TOWERS V, LLC

Horvath Towers V, LLC (Horvath), pursuant to 807 KAR 5:001, is to file with the Commission the original and ten copies in paper medium of the following information, with a copy to all parties of record. The information requested herein is due on or before July 26, 2019. Responses to requests for information in paper medium shall be appropriately bound, tabbed, and indexed. Each response 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 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.

Horvath shall make timely amendment to any prior response if it obtains information which indicates that the response was incorrect when made or, though correct

when made, is now incorrect in any material respect. For any request to which Horvath fails or refuses to furnish all or part of the requested information, it shall provide a written explanation of the specific grounds for its failure to respond completely and precisely.

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, Horvath shall, in accordance with 807 KAR 5:001, Section 4(10), encrypt or redact the paper so that personal information cannot be read.

1. Refer to the June 26, 2019 letter submitted by Brian L. Chinn, in which he indicated that there is an existing AT&T tower on or in the vicinity of the “Dean CHAMBERS’ property.” Refer also to the final order in Case No. 1998-00142<sup>1</sup>, in which the Commission approved the construction of a tower to be located one-half mile off Highway 628 “on the Dean Chambers property, Whitley County, Kentucky” at North Latitude 36° 40’ 45.2” by West Longitude 84° 08’ 26.2”.

a. Confirm that a cell tower is located on the same property as or near the location identified as “Candidate C Dean Chambers” on the map produced in response to Mr. Chinn’s comments. If you cannot confirm, please explain why you are unable to confirm.

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<sup>1</sup> Case No. 1998-00142, *Application of Third Kentucky Cellular Corp. D/B/A Wireless 2000 Telephone Company for Issuance of a Certificate of Public Convenience and Necessity to Construct a Personal Communication Service Facility in the Basic Trading Area 098 Which includes Laurel, Clay, Whitley, and Knox Counties in Kentucky (Pleasant View Facility)*, Order (Ky. PSC May 19, 1998).

b. Describe the location of that tower in relation to the site identified as “Candidate C Dean Chambers” on the map produced in response to Mr. Chinn’s comments.

c. Explain why that tower was not identified on Exhibit C of Horvath’s Application in this matter.

d. State whether Verizon Wireless and Horvath, before filing this application and either separately or together, investigated whether that tower could meet Verizon Wireless’s technical needs. , If so, provide the results of any such investigation.

e. State whether Verizon Wireless and Horvath, before filing this application and either separately or together, investigated whether there was an opportunity for Verizon Wireless to co-locate on that tower. If so, explain the results of any such investigation.

f. State whether Horvath currently contends that the tower at or about the coordinates identified above would meet Verizon Wireless’s technical requirements; explain each basis for Horvath’s contention.

g. State whether Horvath currently contends that there is a reasonable opportunity for co-location on the tower at or about the coordinates identified above; explain each basis for Horvath’s contention.

2. Explain why Horvath chose the location identified as “Candidate B Carolyn Bowman” on the map produced in response to Mr. Chinn’s comments over the location identified as “Candidate C Dean Chambers” on the map produced in response to Mr. Chinn’s comments.

3. Identify the approximate distance Horvath expects the base of the proposed tower to be from:
- a. The closest point of Mr. Chinn's property line; and
  - b. The residence on Mr. Chinn's property.
4. State whether the railroad tracks identified to the southwest of the wireless facilities proposed by Horvath are still in use.



Gwen R. Pinson  
Executive Director  
Public Service Commission  
P.O. Box 615  
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DATED       **JUL 17 2019**      

cc: Parties of Record

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