



Steven L. Beshear  
Governor

Leonard K. Peters  
Secretary  
Energy and Environment Cabinet

Commonwealth of Kentucky  
**Public Service Commission**  
211 Sower Blvd.  
P.O. Box 615  
Frankfort, Kentucky 40602-0615  
Telephone: (502) 564-3940  
Fax: (502) 564-3460  
psc.ky.gov

David L. Armstrong  
Chairman

James W. Gardner  
Vice Chairman

Linda K. Breathitt  
Commissioner

December 22, 2014

Mr. Michael O'Neal  
3913 Hurricane Rd.  
Catlettsburg KY 41129

RE: Case No. 2014-00387  
New Cingular Wireless PCS

Dear Mr. O'Neal:

This is in response to your letter received December 8, 2014, requesting information regarding the application for approval to construct a wireless tower facility. The letter has been placed in the official case file of this proceeding and the Commission will carefully analyze this application before rendering its final decision. By this letter, the attached request for information has been forwarded to the Applicant for a response. Commission Staff requests the Applicant to submit a written response to the request for information, with a copy to the Commission, within 15 days of the date of this letter.

If a person wishes to become a party in this matter he should submit to the Commission a request for intervention, if intervention is desired. If no request for intervention is received within 30 days of the date of this letter, the Commission Staff will presume that the Applicant's reply has satisfied the concerns raised in the attached request for information.

It may be helpful for you to know the state authority, specifically that of the Public Service Commission, in this matter has been limited by federal law. For example, Section 704 of the federal Telecommunications Act of 1996 prohibits this Commission from regulating the placement of wireless facilities on the basis of environmental effects of the radio frequency emissions to the extent that facilities comply with Federal Communications Commission regulations. Section 704 also prohibits a state or local government from prohibiting telecommunications facilities construction if such denial will have the effect of prohibiting service. In addition, this Commission is required by statute to ensure that utility service, including telecommunications service, is adequate and reliable. The Commission does, however, consider appropriate placement of necessary

facilities within applicable engineering boundaries. It also pursues a policy of collocation of facilities whenever possible.

You may view Orders and data requests issued by the Commission or other formal case documents on our website <http://psc.ky.gov>.

Thank you for your letter of interest and concern in this matter.

Sincerely,



Jeff Derouen  
Executive Director

NJV/ph

cc: Parties of Record

MICHAEL O'NEAL  
3913 HURRICANE RD.  
CATLETTSBURG, KY. 41129

RECEIVED

DEC 8 2014

PUBLIC SERVICE  
COMMISSION

Kentucky Public Service Commission  
Office of Executive Director  
P.O. Box 615  
Frankfort, Ky. 40602

**Re: Placement of Singular Wireless Tower  
Boyd County, Ky.  
Case # 2014-00387**

This letter is in regard to the placement of a new Singular Wireless Tower near Hurricane Rd in Boyd County, Ky. I, of course reside on Hurricane Rd in Catlettsburg, Ky. I hereby OBJECT to the placement of this tower as not being within the best interests of affected residents on or near Hurricane Rd and request an opportunity to be heard on this matter. I request the dates, times and places of any hearings or proceedings taking place before the Commission in regard to the placement of the above referenced tower and case # and a description of the nature of the proceedings in regard to this case. This request also applies to hearings or proceedings before the Commission that have already transpired. If there are transcripts of these proceedings please provide how I may obtain those transcripts.

I also request a description or a copy of any and all environmental impact and human health reports, studies, investigations, opinions, conclusions and the facts supporting any such opinions relied upon by Singular or the Commission in support and/or opposition as well as the names and description of all entities, persons and organizations involved in any such reports, studies and investigations.

I believe the placement of the tower may have an unreasonable and unnecessary impact upon the health and well-being of the residents of Hurricane

Rd and the surrounding area. As an affected person, I believe these herein requests are reasonable and expect a prompt response to these requests from the Commission.

If you have any questions or comments I can be reached at the above address or by calling (606) 329-9157. Thank you for your cooperation in this matter.

Sincerely,

A handwritten signature in cursive script that reads "Michael O'Neal".

MICHAEL O'NEAL

DEC. 4, 2014