



Matthew G. Bevin  
Governor

Charles G. Snavely  
Secretary  
Energy and Environment Cabinet

Commonwealth of Kentucky  
**Public Service Commission**  
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P.O. Box 615  
Frankfort, Kentucky 40602-0615  
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psc.ky.gov

Michael J. Schmitt  
Chairman

Robert Cicero  
Vice Chairman

Talina R. Mathews  
Commissioner

November 28, 2017

Corey M. Biddle  
6070 Haysville Road  
Guston, KY 40142

**RE: Case No. 2017-00143**

Kentucky RSA #3 Cellular General Partnership Application for Approval to Construct and Operate a New Cell Facility to Provide Cellular Radio Service (Stephensport) in Rural Service Area #3 (Breckinridge County) of the Commonwealth of Kentucky

This is in response to your letter received on April 10, 2017 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 public comment has been forwarded to the Applicant for a response. Commission Staff requests the Applicant to submit a written response to the comment, 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/she 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 based on 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 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,

Gwen R. Pinson  
Executive Director

cc: Parties of Record



RECEIVED

Corey Biddle

MAY 17 2017

Case Number 2017-00143

2 messages

Public Service  
Commission

Corey Biddle

To: psc.info@ky.gov

Wed, Apr 5, 2017 at 2:30 PM

My name is Corey Biddle. I have received a certified letter in regards to a proposed cell tower expansion along my property, Case Number 2017-00143. I purchased the piece of property with the intention of building a home there (in a couple more years) because it has a tremendous view. The location where I will build is within the radius being requested, the most desirable and valuable part of my farm so I am not in favor of this expansion.

I want the tower be located in a different, less desirable location. I have several acres there along that same ridge but in the back of the farm, out of the way and would be less of an intrusion upon our properties. My proposal is that they locate the tower at the end of the access road, River View Drive, where it has a minimal impact on myself and the surrounding neighbors. There is a 2.5 acre field (on a 22 acre parcel) that would only impact one of my neighbors but this is only pasture, not a site he intends to develop in any way.

Again, the reason I purchased that piece of property is to build a home there along that property line because of the tremendous view of the river and Indiana. I am currently working out of town and will not return to Kentucky until April 18th, 2017. I am available at this email address or by phone at the number listed below. Please contact me if there are any time constraints that I need to meet for opposition/proposal.

Please send a return email to confirm that this email has been received and provide further instructions if this email will not be accepted as my effort to contact you. I may be able to submit in writing by trying to return to San Diego to mail a letter if necessary.

Thank you,

**Corey M. Biddle**

**B&D Training and Safety Consulting, LLC.**

*"The only true measure of wealth, is your health. Work Safely!"*

Corey Biddle

To: psc.info@ky.gov

Fri, May 12, 2017 at 5:05 PM

I have contacted the law firm that is representing Bluegrass Cellular and I am forwarding that information. It is similar to the information I previously submitted but I have attached a proper survey of the land that better represents what my wife and I have at stake as well as our neighbor(s).

I believe the land is being misrepresented as simply being a piece of farm ground when it is fact surveyed for building lots. The property that is being proposed for this tower is in the front of what is planned to be a subdivision. We have yet to develop it but it is surveyed as building lots and this tower will have a very negative impact on our investment and the lands ability to be used as it is intended. The survey and road were quite an expensive investment and the result was that we paid a premium to purchase the property (s). That must be respected.

We'd (my neighbors and myself) rather not have a tower there but I've proposed the option of Lot #11 at the very end of the road because it would have the least impact and would add minimal expense to the

utilities being extended. No tower is best, but I'll take a compromise if necessary to avoid irreparable harm to the land/investment.

I will be sending this as a registered letter as well along with the copy of the survey. I have the original survey if that needs to be presented.

Thank you,


***Corey M. Biddle***

**B&D Training and Safety Consulting, LLC.**

*"The only true measure of wealth, is your health. Work Safely!"*

[Quoted text hidden]

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 **Subdivision Survey PDF 2017-05-12.pdf**  
459K



Corey Biddle

**Case Number 2017-00143**

1 message

**Corey Biddle**

Wed, Apr 5, 2017 at 2:30 PM

To: psc.info@ky.gov

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Thank you,

**Corey M. Biddle**

**B&D Training and Safety Consulting, LLC.**

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APR 20 2017

Public Service  
Commission

*"The only true measure of wealth, is your health. Work Safely!"*

I OWN ANOTHER PROPERTY THAT IS CLOSE TO 2779 BUT IS ALSO ISOLATED THAT COULD ALSO BE USED. IF CONVENIENT ACCESS IS A CONCERN, I DON'T HAVE PLANS FOR THAT 7 ACRES.

I DO NOT PLAN TO GIVE UP THE ABILITY TO BUILD ON THE PROPERTY THAT WOULD CURRENTLY BE AFFECTED. THAT 500' WOULD DESTROY THE VALUE OF THAT PROPERTY.

I HAVE ~~MARKED BOTH~~ MARKED BOTH LOCATIONS THAT I CAN OFFER AS ALTERNATIVES ON THE MAP. I DON'T WANT TO OBSTRUCT IMPROVEMENTS BUT I WOULD LIKE TO HAVE MY NEEDS/WANTS RESPECTED.

March 28, 2017

RECEIVED

Corey M. Biddle  
6070 Haysville Road  
Guston, Kentucky 40142

APR 20 2017

Public Service  
Commission

## Public Notice

Kentucky RSA #3 Cellular General Partnership is a Kentucky general partnership that markets its services as Bluegrass Cellular. Bluegrass Cellular has been serving Central Kentucky with wireless communications services for over 20 years.

Kentucky RSA #3 Cellular General Partnership is applying to the Public Service Commission of the Commonwealth of Kentucky (the "Commission") for a Certificate of Public Convenience and Necessity to construct and operate a new cellular facility to provide cellular telephone service. This facility will include a 240 foot tower and an equipment shelter to be located at 6199 Highway 2779, Hardinsburg, Breckinridge County, Kentucky, 40170. A map showing the location is attached.

**The Commission invites your comments regarding this proposed construction. Also, the Commission wants you to be aware of your right to intervene in this matter. Your comments and request for intervention should be addressed to:**

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

**Please refer to Case Number 2017-00143 in your correspondence.**

Bluegrass Cellular welcomes the opportunity to serve and provide wireless service in your community! (For more information, please check us out online at [www.myblueworks.com](http://www.myblueworks.com))

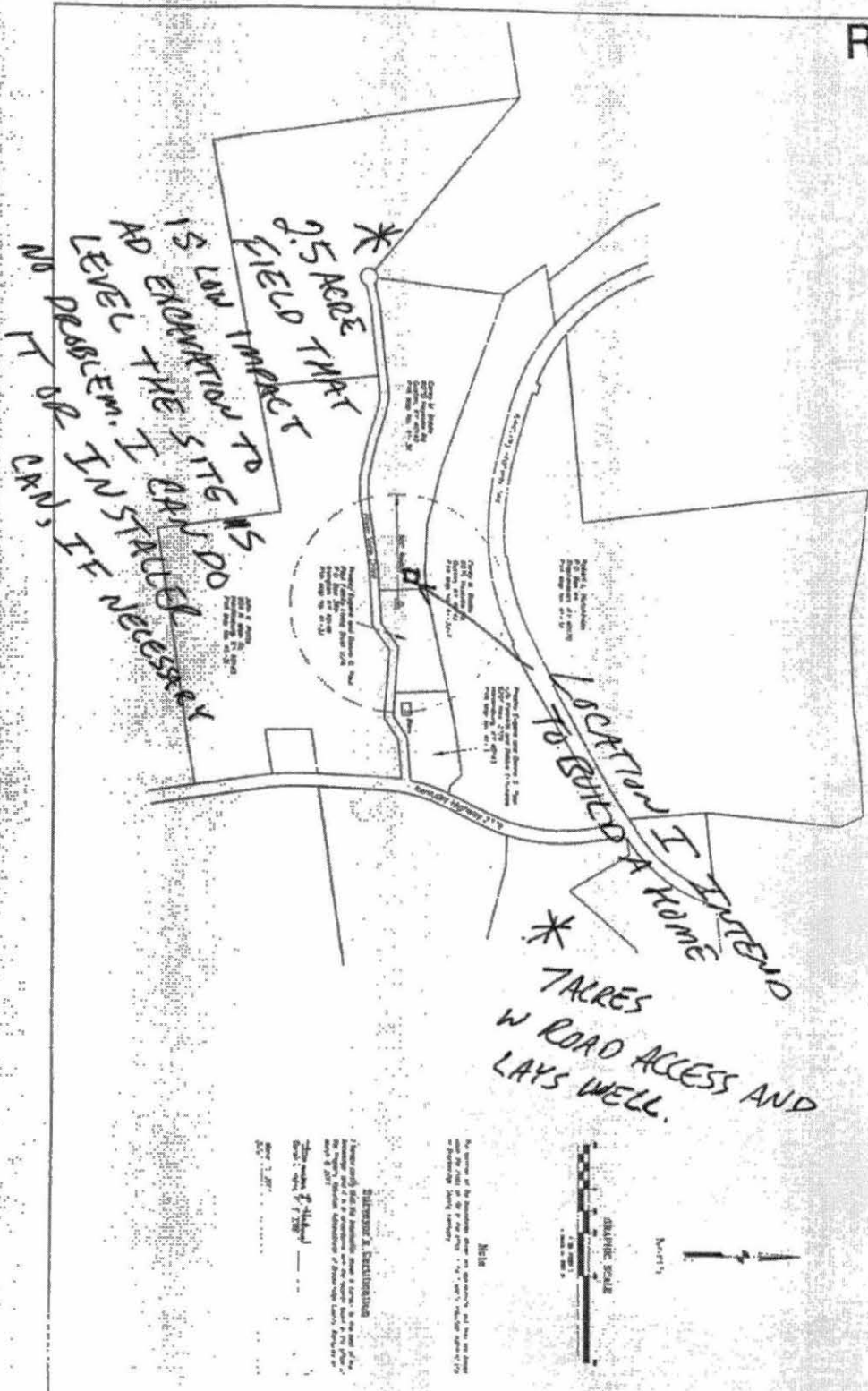
*psc.info@ky.gov*

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APR 20 2017

Public Service  
Commission

Site: Stephensport  
Breckinridge County, Kentucky  
500-Foot Radius Map for Structures and Landowners



SHEET NO. 1 OF 1 SETS TEL NO.	DATE DRAWN BY CHECKED BY APPROVED BY	<b>Bluegrass Cellular</b> 2302 Ping Road Elizabethtown, Kentucky 40122		500-Foot Radius Map 6199 Highway 2779 Martinsburg, Kentucky 40154	 1" = 200' Breckinridge National 1750 Map No. 20-10-100 2-07
		Breckinridge County, Kentucky Stephensport, Kentucky 500-Foot Radius Map for Structures and Landowners		DATE DRAWN BY CHECKED BY APPROVED BY	

\*Kentucky RSA #3 Cellular General Partnership,  
2902 Ring Road  
P. O. Box 5012  
Elizabethtown, KY 42701

\*Felix Sharpe  
Dinsmore & Shohl, LLP  
101 South Fifth Street  
Suite 2500  
Louisville, KENTUCKY 40202

\*Honorable John E Selent  
Attorney at Law  
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