



Matthew G. Bevin
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Talina R. Mathews
Commissioner

January 15, 2019

Donnie Benton
791 Evelyn Road
Beattyville KY 41311

Dear Mr. Benton

This is in response to your letter received on January 14, 2019 regarding the application for approval to construct a wireless tower facility at 400 Evelyn Road, Beattyville, Kentucky. 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.

It may be helpful for you to know the Public Service Commission's authority 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 the case record of this proceeding on our website <http://psc.ky.gov>.

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

Sincerely,

A handwritten signature in cursive script that reads "Gwen R. Pinson".

Gwen R. Pinson
Executive Director

Cc: Parties of Record

RECEIVED

JAN 14 2019

PUBLIC SERVICE
COMMISSION

January 7, 2019

Attention: David A Pike

Re: Objection of Cell Tower in Old Landing, Ky

Legal Land Description: 400 Evelyn Road, Beattyville, Ky (docket #2018-00384)

Dear Sir:

Please note, as a resident of Old Landing, I am against the development/construction of a cell phone tower in Old Landing for the following reasons:

1. I am concerned about the long term, Environmental/Health concerns a cell tower could have on the residents. I am sure you are aware of the numerous studies, citing environmental/health dangers from cell towers. World Health organizations have shown that children exposed to cell phone radiation have experienced severe health effects including increases in rates of asthma, autism, ADHD and other ailments. Many in our neighborhood have pets and several varieties of wildlife make their home here, we are concerned the effect a cellphone tower could have on them as well. Has AT&T done an Environmental/Health impact study concerning the building of a cell tower, specifically for Old Landing residents?
2. What effect will a cell tower have on property values in Old Landing? Has AT & T done any research on the effect a Cell tower will have on property values in this area?
3. Should a cell tower be built so close to a residential area? Is this the best location for a cell tower in this area of Lee County? The particular site has residents within a few hundred feet on all sides. Shouldn't cell phone towers be at least 2 miles away from residents?
4. Cell phone tower facilities require maintenance that may be performed at any time day or night. We would expect to see an increase in trucks and service personnel that will be an additional unnecessary public nuisance. The operation of a cell phone tower we expect would add noises to a generally quiet neighborhood and also add lights that will be on 24/7 days a week and interfere with the view of the natural beauty we all enjoy in this neighborhood.

I expect these issues to be addressed and answered as soon as possible. Please reconsider the location of this cell-phone-tower.

Regards,

Signature: Doni Benton

Printed name: Donna Benton

Address: 791 EVELYN ROAD

Phone number: [REDACTED]

*Honorable David A Pike
Attorney at Law
Pike Legal Group PLLC
1578 Highway 44 East, Suite 6
P. O. Box 369
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