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Energy and Environment Cabinet

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Chairman

Robert Cicero
Vice Chairman

Talina R. Mathews
Commissioner

June 18, 2019

Brian L. Chinn
448 Stringtown Road
Williamsburg, KY 40769

RE: Case No. 2019-00117

Horvath Towers V, LLC Application for Issuance of a Certificate of Public Convenience and Necessity to Construct a Wireless Communications Facility in the Commonwealth of Kentucky in the County of Whitley

Dear Mr. Chinn:

The Public Service Commission acknowledges receipt of your public comment letter regarding your concerns as to the application for approval to construct a wireless communications facility in the case referenced above. Your comment has been placed in the official case file of this proceeding. The Commission will carefully analyze your comment as part of its review before rendering its final decision in this matter.

By this letter, we are forwarding a copy of your comment 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 that federal law limits state authority, specifically that of the Commission, in the review of this matter. 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.

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

Mr. Chinn
June 18, 2019
Page 2

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

Sincerely,

A handwritten signature in black ink that reads "Gwen R. Pinson". The signature is written in a cursive style with a large, looping 'G' and a long, sweeping tail on the 'n'.

Gwen R. Pinson
Executive Director

cc: Parties of Record

RECEIVED

MAY 06 2019

PUBLIC SERVICE
COMMISSION

Brian L. Chinn

448 Stringtown Road, Williamsburg, KY 40769 - [REDACTED]

April 30, 2019

Gwen Pinson
Executive Director
Public Services Commission
PO Box 615
Frankfort, KY 40602

Re: Docket No. 2019-00117

Dear Ms. Pinson,

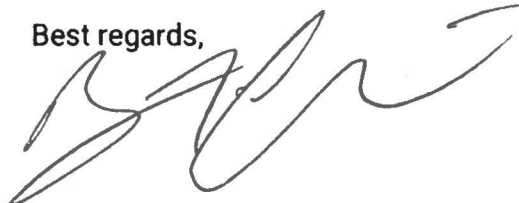
I am writing you in regards to the proposed installation of a cell tower adjacent to my property.

This 230' tower will loom over my home and be visible from every area of my property. This tower will most certainly have an impact on my property value and ability to sell the property to certian individuals. Regardless as to whether concentrated cell signal radiation has an impact on health or not, perception is none the less a factor. While I have been unable to find property value impact studies in Kentucky or other states. I did find a study conducted in New Zealand which showed a significant impact on surrounding property values.

I understand the need for technological advancements and the property rights of my neighbor to negotiate a significant monetary advantage for the tower lease. However, this constitutes a direct impact on my property rights and value. The tower is visible and my property is within the fall zone of the tower.

If the applicant does not wish to compensate surrounding property owners for the impact on property value, this application should be refused for the betterment of the many other properties that will be impacted. There are numerous mountaintops away from residential property. The placement here is for convenience as stated by the individual conducting the initial inquiry.

Best regards,



*Honorable W. Brent Rice
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