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Talina R. Mathews
Commissioner

May 21, 2020

Timothy W. Dermon
1048 Fairview Ridge Road
Milton, KY 40045

RE: Case No. 2020-00139

Dear Mr. Dermon:

The Public Service Commission acknowledges receipt of your public comment letter regarding your concerns as to the application for approval to construct a wireless tower 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>.

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

Sincerely,

A handwritten signature in blue ink, appearing to read 'K. Chandler', written in a cursive style.

Kent A. Chandler
Executive Director

Cc: Parties of Record

Timothy W. Dermon
1048 Fairview Ridge Road
Milton, KY 40045

May 12, 2020

Kent Chandler
Executive Director Kentucky Public Service Commission
P.O. Box 615
Frankfort, KY 40602

RECEIVED

MAY 20 2020

PUBLIC SERVICE
COMMISSION

Dear Mr. Chandler,

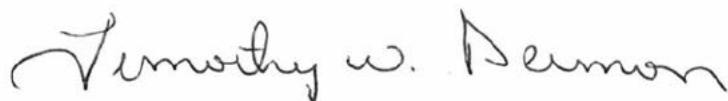
I am writing to you concerning the construction of a proposed cell tower immediately adjacent to my property. Case 2020-00139. I oppose the construction of this tower on several grounds and would like to express those for your consideration.

1. This cell tower is constructed within 500 ft of three occupied residences including my own property. No evidence is provided that the EMF impact of this cell tower on those residences meets FCC guidance or doesn't present risk to residents. In documented cases proximity to cell tower emissions has proven to result in higher rates of unexplained diseases including clusters of cancer.
2. The placement of this tower substantially impacts the free and unencumbered use of my property. Concerns with the risk of close proximity to the cell tower for extended periods of time will mean that this portion of my property is no longer usable to me.
3. A substantial portion of my property falls immediately under the footprint of this cell phone tower. The placement of this cell tower will materially reduce values for the surrounding property. Documented research as shown that this reduction in property value is as high as 25%. This cell tower is cited in a way that impinges upon the entrance to my property and adjacent properties and will detract substantially from any future resale value. This materially limits ability to recover property investment if I choose to sell my property to avoid exposure to the cell tower or its encumbrances upon my property.
4. The Verizon Company has failed to practice due diligence in the siting of this tower. In its filing they state that they have determined that this is identified as the best location for a cell tower. No evidence to support this is provided or that alternative locations were considered that reduced risk and impact to adjacent landowners and provided needed service requirements. In fact Verizon was contacted by the non-resident landowner of this property in an attempt to negotiate the placement of the cell tower and lease income. There are many properties and potential siting locations within near proximity to

this location that do not create the same risk for and impingement upon adjacent property owners while meeting Verizon's need to provide cell service.

In summary my issues listed above are substantial and factual in nature. Verizon has many alternatives for the construction of this tower that would not present the issues listed above. I appreciate the review of the commission and the addition of this objection to public record.

Respectfully,

A handwritten signature in black ink that reads "Timothy W. Dermon". The signature is written in a cursive style with a large initial 'T' and 'D'.

Timothy W. Dermon

*Christopher Shouse
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