

Richard Husted  
627 Statham Road  
Liberty, Kentucky 42539  
December 24, 2005

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

RECEIVED

DEC 29 2005

PUBLIC SERVICE  
COMMISSION

**Case Number 2005-00438**

Dear Sirs,

I continue to express my Objection to the proposed placement of a 240' cellular tower / facility @ 110 Reid Mill Road, Somerset, Key 42503 , Thirty feet from my back door.

Please consider this letter my request for "**Full Intervention**" into this matter.

In closing I previously requested that you intervene and initiate a **Local Public Hearing** on this matter and am still waiting to be notified when that hearing is to take place.

**KRS 278.020(1), 278.665**

**It is my understanding after speaking at least 3 other neighbors that they also had requested the Local Public Hearing on this matter.**

**I have attached a list / petition with the interested persons, names / addresses / signatures and phone numbers.**

I am totally against a cell phone tower next to my property, less than 30 feet from the back door of my house. (That has been there more than 15 years)

Sincerely,



Richard Husted  
606-787-9116

**278.650 Procedures for proposals to construct antenna towers in an area outside the jurisdiction of a planning commission -- Hearing -- Building permit fee.**

If an applicant proposes construction of an antenna tower for cellular telecommunications services or personal communications services which is to be located in an area outside the jurisdiction of a planning commission, the applicant shall apply to the Public Service Commission for a certificate of public convenience and necessity pursuant to KRS 278.020(1), 278.665, and this section. The commission shall convene a local public hearing on the application upon the receipt of a request from the local governing body or from not less than three (3) interested persons that reside in a county or municipal corporation in which the tower is proposed to be constructed. In reviewing the application, the commission may take into account the character of the general area concerned and the likely effects of the installation on nearby land uses and values. A local government may charge a fee for a building permit, in connection with the construction or alteration of any structure for cellular telecommunications services or personal communication services, if the fee does not exceed that charged for any other commercial structure of comparable cost of construction.

**Effective:** April 23, 2002

**History:** Amended 2002 Ky. Acts ch. 343, sec. 6, effective April 23, 2002; and ch. 346, sec. 222, effective July 15, 2002. -- Created 1996 Ky. Acts ch. 383, sec. 2, effective July 15, 1996.

**Legislative Research Commission Note (4/23/2002).** This section was amended by 2002 Ky. Acts ch. 343, sec. 6, and ch. 346, sec. 222, which appear to be in conflict. The changes made by ch. 346 are revisory in nature, while the changes made by ch. 343 are substantive. The changes of ch. 343 have been allowed to prevail. Cf. KRS 7.123.

Copy

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

RECEIVED

DEC 29 2005

Case Number 2005-00438

PUBLIC SERVICE  
COMMISSION

Dear Sirs,

This is a Petition Objecting to the proposed placement of a 240' cellular tower / facility @ 110 Reid Mill Road, Somerset, Key 42503 .

We are requesting that you intervene and initiate a **Local Public Hearing** on this matter as outlined in the Kentucky statutes. **KRS 278.020(1), 278.665.**

- | Name<br>Phone #                      | Address   | Signature                                       |
|--------------------------------------|---|---|
| 1. RICHARD HUSTED<br>(606) 787-9116  | 4184 N HWY 1247 - #6 Somerset Ky 42502<br>627 STATEMAN RD<br>LIBERTY Ky | <i>Richard Husted</i><br>OR1<br>mailing address |
| 2. Ricky C. Foster<br>(606) 423 5239 | 4220 N. HWY 1247<br>Somerset, Ky  | <i>Ricky C. Foster</i>                          |
| 3. Debbie Foster<br>(606) 423-5239   | 4220 N. HWY<br>1247-Somerset<br>Ky 42502                                | <i>Debbie Foster</i>                            |
| 4. Mildred Speer<br>(606) 423-3058   | 4166 1247<br>Somerset Ky  | <i>Mildred Speer</i>                            |
| 5. Fran Lett<br>(606) 423-3058       | 4010 N. Hwy 1247  | <i>Fran Lett</i>                                |