



Dinsmore & Shohl

John E. Selent (502) 540-2315 (Direct Dial) john.selent@dinslaw.com



June 24, 2008

Henry J. and Anna L. Vermillion 5895 Highway 1464 Greensburg, Kentucky 42743

> Re: Application of Kentucky RSA #4 Cellular General Partnership for Issuance of a Certificate of Public Convenience and Necessity to Construct a Cell Site (Webb) in Rural Service Area #4 (Green) of the Commonwealth of Kentucky, Kentucky Public Service Commission Case No. 2008-00079

Dear Mr. and Mrs. Vermillion:

We are legal counsel to Kentucky RSA #4 Cellular General Partnership ("Kentucky RSA #4").

In that capacity, we are responding to your concerns addressed in your telephone conversation with Mr. Lee Hill, Network Project Manager, with respect to the proposed construction of a cell tower facility to be located at 5986 Highway 1464, Greensburg, Kentucky, 42743.

1. Pursuant to 807 KAR 5:063 § 1 (1), you were sent notice of the construction of the proposed cell tower facility because you own property within 500 feet thereof. The location of the proposed cell tower facility will not result in any restrictions on your use of your property. In addition, and pursuant to 807 KAR 5:063 § 1 (k), the map which was sent to you, along with a copy of the notice of the proposed cell tower facility, identifies all structures and every owner of real estate within 500 feet of the proposed cell tower.

2. Kentucky RSA #4 proposes to construct this cell tower facility in Green County in order to provide enhanced wireless communication services in the area. The proposed cell tower facility will accommodate the citizens of Green County and individuals traveling along Kentucky Highway 88 and roadways 1464 and 2765. The proposed cell tower facility will also accommodate emergency medical services and other emergency response services, such as 911, that are vital to all communities. To date, there have been no objections to this proposed cell tower facility from any local or other governmental agencies and officials.

Charleston Cincinnati, Columbus Davion Lexington Louisville Morgantown Pittsburgh Wheeling

Henry J. and Anna L. Vermillion June 24, 2008 Page 2

3. The proposed location of the cell tower facility is the most suitable location due to: (a) its elevation; (b) the nature of the terrain in the surrounding area; (c) its proximity to Kentucky Highway 88 and roadways 1464 and 2765; and (d) its proximity to the existing Kentucky RSA #4 cellular tower located in Green County, in conjunction with which the proposed cellular tower will function to provide optimum coverage. The site for the proposed cell tower facility was selected by radio frequency engineers, on behalf of Kentucky RSA #4, who used their expertise and propagation prediction tools to determine that this site is the optimum site in terms of location to provide the best quality service to customers in the area.

4. The proposed cell tower facility should accommodate other carriers, which will reduce the need for additional cell tower facilities in your vicinity.

5. Kentucky RSA #4, as well as all other wireless carriers, are required to adhere to stringent Federal Communications Commission and Federal Aviation Administration rules and regulations governing cell tower construction, maintenance and safety. In addition, cellular tower design, engineering, construction, and maintenance is guided by the Telecommunications Industry Association TIA 222-G standard.

6. Finally, a typical cell tower emits 200 watts of power or less. Those located in urban areas may emit as little as 10 watts of power. In contrast, a television tower emits up to 5 million watts while a commercial radio station tower operates at up to 1 million watts. Local police and fire department towers produce up to 500 watts of power. In any event, the Federal Telecommunications Act of 1996 prohibits state and local governments from establishing local safety or environmental standards for human exposure to radio frequency emissions.

Thank you and I hope that this letter satisfactorily addresses your concerns.

Very truly yours,

DINSMORE & SHOHL LLP John 氏 Alent

JES:kwi

Enclosure

cc: Michael F. Burford, Director of Filings Division, Kentucky Public Service Commission

## Dinsmore & Shohl