JUN 24 2009

PUBLIC SERVICE COMMISSION



Holly C. Wallace 502-540-2309 holly.wallace@dinslaw.com

June 24, 2009

via Hand Delivery Jeff Derouen, Executive Director Kentucky Public Service Commission 211 Sower Blvd P.O. Box 615 Frankfort, KY 40602-0615

Re: Application of Cumberland Cellular Partnership for Issuance of a Certificate of Public Convenience and Necessity to Construct a Cell Site (Coopersville) in Rural Service Area #5 (Wayne) of the Commonwealth of Kentucky, Kentucky Public Service Commission Case No. 2009-00120

Dear Mr. Derouen:

Pursuant to the order of the Public Service Commission of the Commonwealth of Kentucky dated June 5, 2009 in regard to the above-referenced case, enclosed for filing please find six (6) copies of the response of Cumberland Cellular Partnership to the letter of concern of Jerry Neal. Please file-stamp one copy, and return it to our courier.

Thank you, and if you have any questions, please call me.

Sincerely,

DINSMORE & SHOHL LLP

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Holly C. Wallace

Louisville

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PUBLIC SERVICE COMMISSION



June 24, 2009

Mr. Jerry Neal 176 Guinn Bullard Ash Road Albany, Kentucky 42602

Re: Application of Cumberland Cellular Partnership for Issuance of a Certificate of Public Convenience and Necessity to Construct a Cell Site (Coopersville) in Rural Service Area #5 (Wayne) of the Commonwealth of Kentucky, Kentucky Public Service Commission Case No. 2009-00120

Dear Mr. Neal:

Conservation and

We are legal counsel to Cumberland Cellular Partnership ("Cumberland Cellular"). In that capacity, we are responding to your letter dated April 15, 2009, addressed to the Public Service Commission of the Commonwealth of Kentucky (the "Commission") regarding your concerns with respect to the proposed construction of a cell tower facility to be located at 145 Abbott Road, Monticello, Kentucky, 42633.

Cumberland Cellular proposes to construct this cell tower facility in Wayne County in order to provide enhanced wireless communication services in the area. The proposed cell tower facility will accommodate the citizens of Wayne County and individuals traveling along State Road 92. 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.

The proposed location of the cell tower facility is the most suitable location in this area of the county due to: (1) its elevation; (2) the nature of the terrain in the surrounding area; and (3) its proximity to State Road 92. The proposed cell tower facility will accommodate other carriers in the future which will eliminate additional cell tower facilities being constructed near your property as well as others in the vicinity. The site for the proposed cell tower facility was selected by radio frequency engineers, on behalf of Cumberland Cellular, who used their expertise and applicable propagation prediction tools and determined that this site is the optimum site in terms of location to provide the best quality service to customers in the service area.



John E. Selent (502) 540-2315 (Direct Dial) john.selent@dinslaw.com Mr. Jerry Neal June 24, 2009 Page 2

Finally, in Kentucky P.S.C. Case No. 2005-00445, we addressed the issue of decreased property value due to the construction of a cellular tower facility. We introduced expert testimony in that case which opined that the proposed cell tower facility would not negatively affect the value of the property.

I hope that this letter satisfactorily addresses your concerns.

Thank you.

Very truly yours,

ORE & SHOHL LLP DII Jot

JES:kwi

cc: Tiffany Bowman, Esq., Staff Counsel, Kentucky Public Service Commission Eric Bowman, Engineering, Kentucky Public Service Commission

 $Dinsmore \& Shohl_{\tt LLP}$