

**Dinsmore & Shohl** LLP  
ATTORNEYS

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

RECEIVED

APR 12 2010

PUBLIC SERVICE  
COMMISSION



**COPY**

April 9, 2010

Mr. and Mrs. John and Emily Halsey  
400 D. Wilson Road  
Knifley, Kentucky 42753

**Re: *Application of Cumberland Cellular Partnership d/b/a Bluegrass Cellular for Issuance of a Certificate of Public Convenience and Necessity to Construct a Cell Site (Knifley) in Rural Service Area #5 (Adair County) of the Commonwealth of Kentucky, Kentucky Public Service Commission Case No. 2010-00018***

Dear Mr. and Mrs. Halsey:

We are legal counsel to Cumberland Cellular Partnership d/b/a Bluegrass Cellular ("Cumberland Cellular"). In that capacity, we are responding to your letter dated March 12, 2010, 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 211 Tucker Warren Road, Knifley, Kentucky, 42753.

Cumberland Cellular proposes to construct this cell tower facility in Adair County in order to provide enhanced wireless communication services in the area. The proposed cell tower facility will accommodate the citizens of Adair County and individuals traveling along State Roads 551 and 76 and in the vicinity. 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 Roads 551 and 76. 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 to determine that this site is the optimum site in terms of location to provide the best quality service to customers in the service area.

Mr. and Mrs. John and Emily Halsey  
April 9, 2010  
Page 2

Cumberland Cellular, as well as all other wireless carriers, is required to adhere to stringent Federal Communications Commission and Federal Aviation Administration rules governing cell tower construction, maintenance and safety. A typical cell tower in a suburban or rural area emits 150 to 350 watts of power or less. 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 local governments from establishing local safety or environmental standards for human exposure to radio frequency emissions.

The proposed cell tower facility has been designed and will be built to current and applicable national standards. The design of the proposed cell tower facility has been prepared by a licensed engineer in the Commonwealth of Kentucky who has certified that its design complies with all applicable engineering standards. In the very unlikely event of a failure of the tower mast, all debris would most likely fall within a circle whose center is the tower base and whose radius is no more than 50% of the tower height (or 120 feet from the center of the tower), well outside of the vicinity of yours and any other adjacent property owner's property. The tower will be fully grounded to guard against property damage or physical injury in the event of a lightning strike.

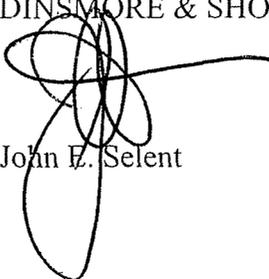
Finally, in Kentucky P.S.C. Case No. 2005-00445, we addressed the issue of decreased property value due to the construction of a cellular tower facility. We introduced expert testimony in that case which opined that the proposed cell tower facility would not negatively affect the value of the property.

I hope that this letter satisfactorily addresses your concerns.

Thank you.

Very truly yours,

DINSMORE & SHOHL LLP



John E. Selent

JES:kwi

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