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June 18, 2014

RECEIVED

JUN 19 2014

PUBLIC SERVICE
COMMISSION

VIA EXPRESS MAIL

Linda Faulkner
Division of Filings
Kentucky Public Service Commission
P.O. Box 615
Frankfort, KY 40602-0615

Re: Further Response to Public Comments
PSC Case No.: 2014-00098
Site Name: Alice Lloyd

Dear Linda:

Please accept this letter and the attached document as an official filing in the above-referenced Public Service Commission action. If you have any questions or comments concerning this matter, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read 'D. A. Pike', written over a horizontal line.

David A. Pike
Attorney for New Cingular Wireless PCS, LLC
d/b/a AT&T Mobility

Enclosure

cc: J.E.B. Pinney, Div. of General Counsel

**COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION**

RECEIVED

JUN 19 2014

**PUBLIC SERVICE
COMMISSION**

In the Matter of:

THE APPLICATION OF)
NEW CINGULAR WIRELESS PCS, LLC)
FOR ISSUANCE OF A CERTIFICATE OF PUBLIC) CASE NO.: 2014-00098
CONVENIENCE AND NECESSITY TO CONSTRUCT)
A WIRELESS COMMUNICATIONS FACILITY)
IN THE COMMONWEALTH OF KENTUCKY)
IN THE COUNTY OF KNOTT)

SITE NAME: ALICE LLOYD

* * * * *

FURTHER RESPONSE TO PUBLIC COMMENTS

New Cingular Wireless PCS, LLC, a Delaware limited liability company, d/b/a AT&T Mobility ("Applicant"), by counsel, makes this further Response to public comments filed by Clinton Ray Jacobs in the within proceeding.

1. Public comments filed with the Commission by Clinton Ray Jacobs on June 9, 2014 and June 10, 2014 in the within proceeding do not raise a clear objection to the proposed wireless communications facility. However, the comments do appear to assert that Mr. Jacobs owns property adjoining the parcel where the wireless communications facility is proposed for construction.

2. In order to confirm that there has been no deficiency in public notice of the proposed wireless communications facility construction, Applicant, by counsel, conducted on-site verification of the Notice List submitted as Exhibit K to the filed application in this matter.

3. Applicant respectfully submits this Response and attached supporting

documentation confirming that there has been no deficiency in said public notice.

4. In accordance with 807 Kentucky Administrative Regulations (KAR) 5:063, Sections 1(1)(l) and 2, notice was mailed via certified mail, return receipt requested, to landowners who, according to the records of the Property Valuation Administrator for Knott County ("PVA"), own land either within 500 feet of the proposed tower or adjacent to the parcel on which the proposed tower would be located.

5. A copy of the relevant portion of Knott County PVA Map 70 ("Map 70") is attached as **Exhibit A**. The proposed tower site is located on Parcel 070-00-00-008.00, which is labeled as Parcel 8 on Map 70. In addition to the site of the proposed tower, this Exhibit also shows the relative locations of adjoining properties. Parcel 79-00-00-051.00 is the only parcel that adjoins Parcel 070-00-00-008.00 that is not shown on Map 70.

6. A copy of the relevant portion of Knott County PVA Map 79 ("Map 79") is attached as **Exhibit B**. The parcel immediately to the east of the proposed site is Parcel 079-00-00-051.00 and is labeled as Parcel 51 on Map 79. Map 79 is drawn to a scale of 1" = 660', and the portion of Parcel 51 to the east of the proposed site is well over 1000' wide. Pursuant to 807 KAR 5:063, Sections 1(1)(l), notice to landowners whose property is located greater than 500 feet from the proposed site is not required.

7. A color photograph of a portion of Map 79 is attached as **Exhibit C**. This photograph shows the portion of Map 79 where Map 79 abuts Map 70.

8. A color photograph of a portion of Map 79 is attached as **Exhibit D**. This photograph shows the portion of Map 79 where Map 79 abuts Map 70. Further, the parcel where the proposed site will be located is outlined in blue and Parcel 79-00-00-051.00 is

outlined in yellow. This exhibit shows that Parcel 79-00-00-051.00 is the only parcel on Map 79 that abuts the parcel on which the tower is proposed to be located.

9. Copies of the PVA Data Cards for Parcels 079-40-00-028.00, 079-40-00-029.00, and 079-40-00-029.01 are attached as **Exhibit E**. These are the only parcels that Clinton Ray Jacobs owns in Knott County, according to PVA records.

10. In addition to identifying the exact location of Parcel 079-00-00-051.00, **Exhibit B** also identifies where Knott County PVA Map 079-40 ("Map 79-40") abuts Map 79. Map 79-40 is located immediately to the east of parcel 079-00-00-051.00.

11. A copy of the relevant portion of Knott County PVA Map 79-40 is attached as **Exhibit F**. This map reflects the locations of parcels owned by Clinton Ray Jacobs in Knott County. Parcel 079-40-00-028.00 is labeled as parcel 28 on Map 79-40, Parcel 079-40-00-029.00 is labeled as parcel 29 on Map 79-40, and Parcel 079-40-00-029.01 is labeled as parcel 29.01 on Map 79-40. Each of these parcels is over 1,000 feet distant from the nearest point of the parcel on which the proposed tower would be built. Additionally, each parcel is separated from the proposed site parcel by Parcel 079-00-00-051.00.

12. The PVA records also show Clinton Ray Jacobs as a leasehold tenant in reference to Parcel 079-00-00-006.00. The PVA Data Card for Parcel 079-00-00-006.00 is attached as **Exhibit G**. Kentucky Administrative Regulations do not require notice to lessees. Further, **Exhibit H** is a portion of Knott County PVA Map 79. Parcel 079-00-00-006.00 is labeled as parcel 6, which is located no less than 5,000 feet from the proposed site, and Kentucky Administrative Regulations do not require notice to non-adjointing landowners whose property is located greater than 500 feet from the proposed site.

13. There is no deficiency as to public notice provided pursuant to the Kentucky Administrative Regulations in reference to the within case.

14. Notwithstanding the foregoing, Mr. Jacobs' correspondence filed with the Commission confirms that he has actual notice of the proposed wireless communications facility.

15. Mr. Jacobs' correspondence does not contain any discernable objection to the proposed wireless communications facility.

WHEREFORE, Applicant respectfully requests that the Commission:

(a) Accept this Response for filing;

(b) Grant Applicant any other relief to which it is entitled.


CERTIFICATE OF SERVICE

The undersigned hereby certified that on this 18th day of June, 2014, a true and accurate copy of the foregoing was sent by U.S. Postal service first class mail, postage prepaid, to the following:

Clinton Ray Jacobs
229 Colony Br
Hollybush, KY 41844

William S. Kendrick
Francis, Kendrick & Francis
P.O. Box 268
Prestonsburg, Kentucky 41653
(Attorney for East Kentucky Network, LLC, d/b/a Appalachian Wireless)

Respectfully Submitted,

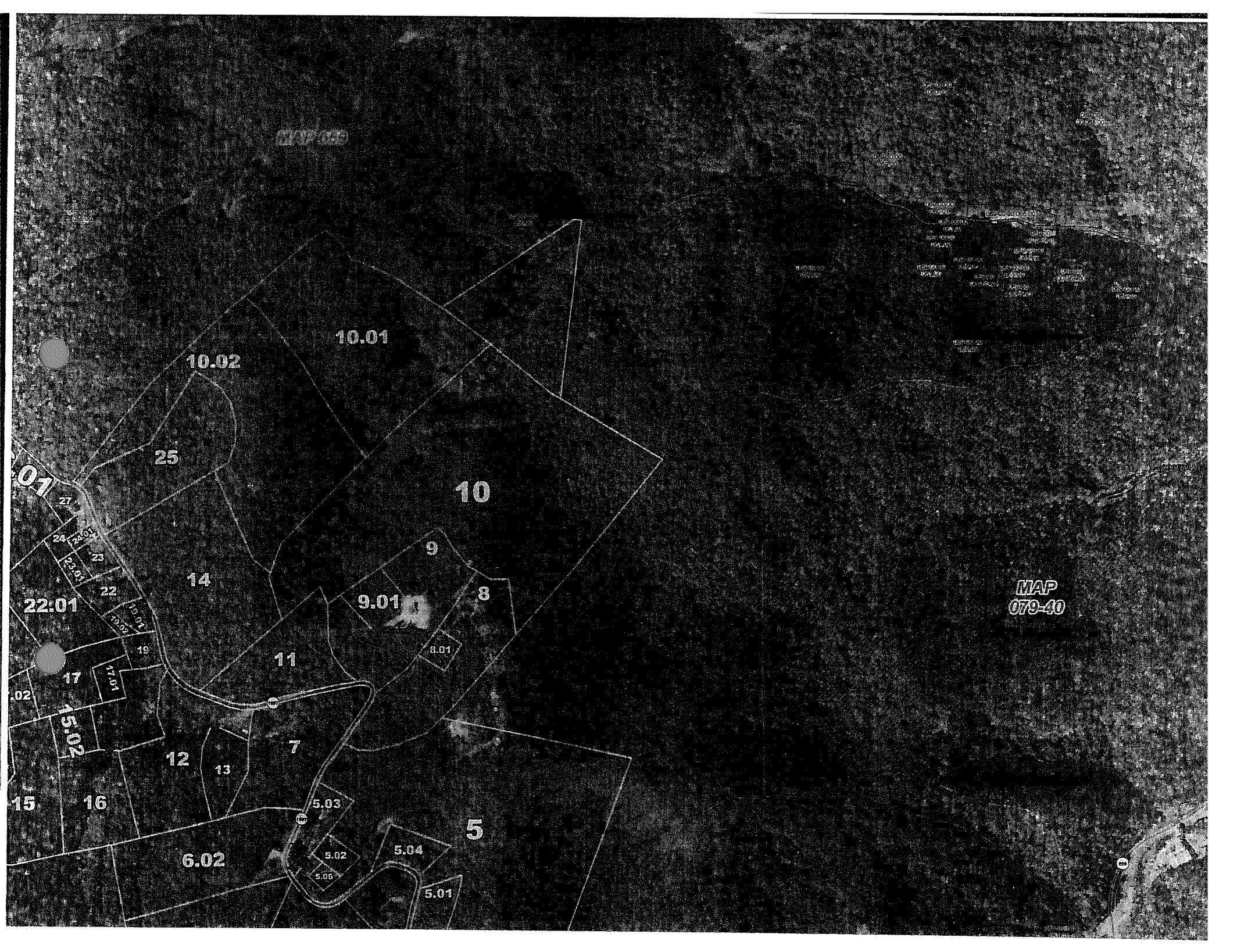


David A. Pike
Pike Legal Group, PLLC
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P. O. Box 369
Shepherdsville, KY 40165-0369
Telephone: (502) 955-4400
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Email: dpike@pikelegal.com

and

Patrick W. Turner
General Attorney-Kentucky
AT&T Kentucky
1600 Williams Street
Suite 5200
Columbia, South Carolina 29201
Telephone: (803) 401-2900
Telefax: (803) 254-1731
Email: pt1285@att.com

EXHIBIT A
KNOTT COUNTY PVA MAP 70



MAP 079-40

MAP
079-40

EXHIBIT B
KNOTT COUNTY PVA MAP 79

MAP 069

MAP 070

MAP
079-40

Map 79

51

51.01

51.02



EXHIBIT C
COLOR PHOTOGRAPH OF KNOTT COUNTY PVA MAP 79

MAP 070

070-00 00
010.00

070-00 00
011.00

070-00
00 009.00

JACOBS
RIDGE RD

070-00 00
008.01

JACOBS
RIDGE RD
070-00 00
008.00

070-00 00
005.00

070-00

EXHIBIT D
COLOR PHOTOGRAPH OF KNOTT COUNTY PVA MAP 79
WITH PROPOSED SITE PARCEL HIGHLIGHTED

070-00

070-00 00
003100

070-00 00
003100

070-00 00
003101

070-00
00 003100

070-00 00
00 003100

070-00 00
00 003100

MAP 070

JACOBS
RIDGE RD

JACOBS
RIDGE RD

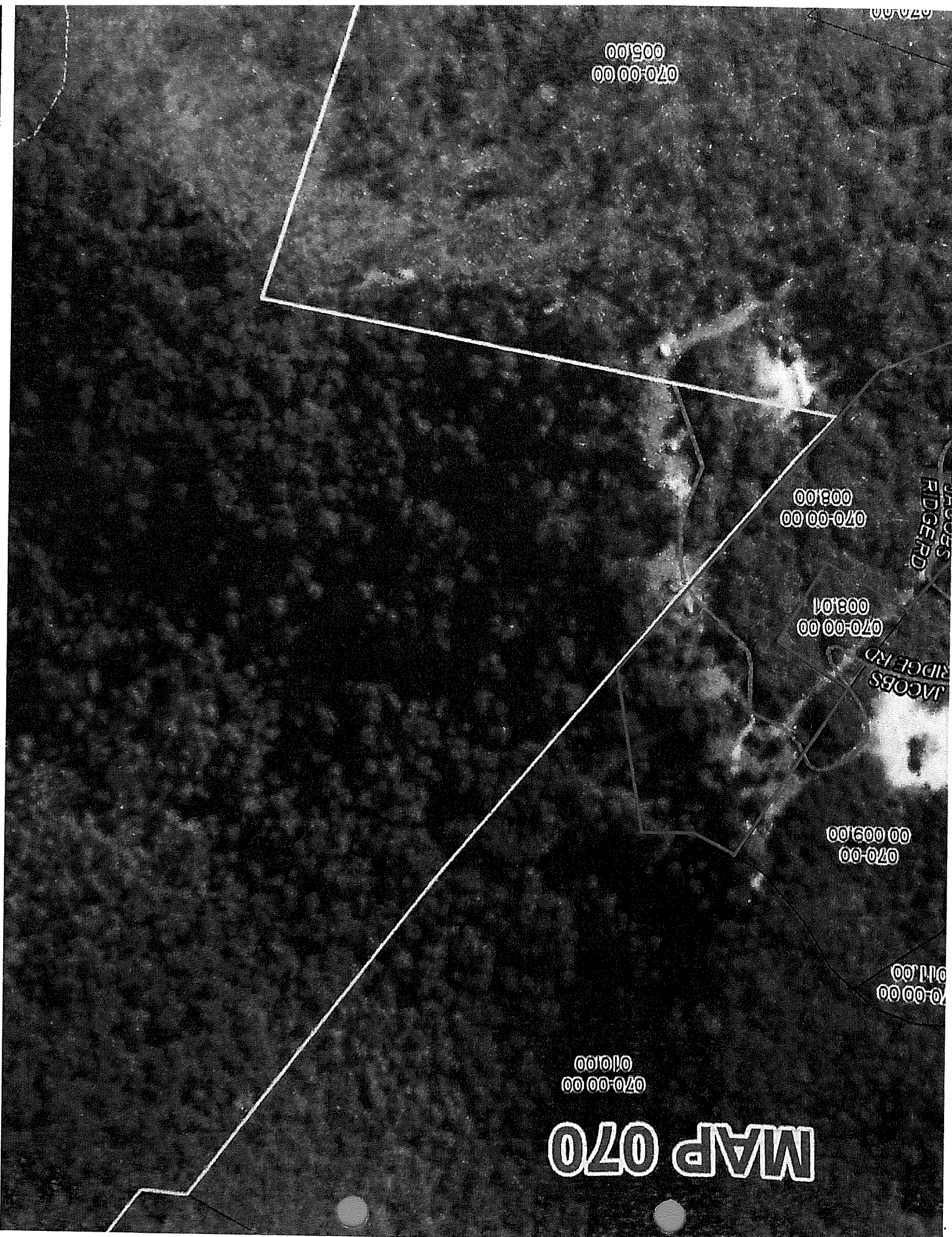


EXHIBIT E

KNOTT COUNTY PVA CARDS FOR PARCELS OWNED BY CLINTON RAY JACOBS

Acct 528070 04 079-40 00 028.00
 JACOBS CLINTON RAY
 229 COLONY BR
 HOLLYBUSH KY 41844

FARM PROPERTY DATA CARD

Account Number: 528070 of 316

29 AC
 CANEY BOOGER BR

Sale Price \$1
 Date of Sale 05-12
 Deed 261 -229

Prev Owner
 SLONE ANCIL
 Acreage 29.00

PROPERTY DESCRIPTION		SOIL CAPABILITY CLASSIFICATION AND VALUATION					
Size of Farm Estimate: <u>29</u> Acres (Source): _____ Deed: <u>✓</u> Acres Calculated: _____ Acres		Class	Acreage	Value/Acre	Value/Class	Adjustment	Adjust Value/Cl
		I		400			
		II		300			
Shape of Farm 1. <input type="checkbox"/> Typical 2. <input type="checkbox"/> Elongated Depth 3. <input type="checkbox"/> Elongated Width 4. <input checked="" type="checkbox"/> Irregular 5. <input type="checkbox"/> Noncontiguous 6. <input type="checkbox"/> _____		III	1	200	200		2
		IV	28	100	2800		28
Location 1. <input type="checkbox"/> Poor 4. <input type="checkbox"/> Better 2. <input checked="" type="checkbox"/> Fair 5. <input type="checkbox"/> Best 3. <input type="checkbox"/> Typical 6. <input type="checkbox"/> _____		Adjustments for Extraordinary or Substandard Site Characteristics: <u>5/12 Property, is Land locked</u> <u>all Hillside -</u>					
Road Type: <u>2 lane</u> Frontage: _____		AGRICULTURAL USE VALUE OF LAND: <u>3000</u>					

NOTES:

261-229
 5/10/12
 Gift

AGRICULTURAL USE ASSESSMENT AND FAIR CASH VALUE OF FARM

1	2	3	4	5	6	7	8	9	10
Year	Date Inspected	Total Taxable Value (Sum of Columns 4-7)	Land Agricultural Value	Improvements' Agricultural Value	Tobacco Base Agricultural Value	Residential* Fair Cash Value	Improvements' Fair Cash Value	Land Fair Cash Value	Total Fair Cash Value (Sum of Columns 7-9)
10		4000	4000					1500	5500
11		4000	4000					1500	5500
12		3,000	3,000					6,000	6,000
13	11/13 TE	3000	3000					4000	6300
14		3000	3000					6000	6000

*See attached Residential Property Data Card.

FARM PROPERTY DATA CARD

Account Number: _____

Acct 52A070 02 079-40 00 029.00
 JACOBS CLINTON RAY
 229 COLONY BR
 HOLLYBUSH KY 41844

40 AC
 JANEY BOGGER BR

Sale Price \$4,000
 Date of Sale 12-04
 Seed 223 -036

Prev Owner
 LONE ODIS & RICHARD
 Acreage 40.00

PROPERTY DESCRIPTION		SOIL CAPABILITY CLASSIFICATION AND VALUATION					
Size of Farm		Class	Acreage	Value/Acre	Value/Class	Adjustment	Adjust Value/Cl.
Estimate: <u>40</u> Acres							
(Source): _____		<u>I</u>		<u>400</u>			
Deed: _____							
Calculated: _____ Acres		<u>II</u>		<u>300</u>			
Shape of Farm							
1. <input type="checkbox"/> Typical		<u>III</u>	<u>10</u>	<u>200</u>	<u>2000</u>		<u>200</u>
2. <input type="checkbox"/> Elongated Depth		<u>IV</u>	<u>30</u>	<u>100</u>	<u>3000</u>		<u>300</u>
3. <input type="checkbox"/> Elongated Width							
4. <input checked="" type="checkbox"/> Irregular							
5. <input type="checkbox"/> Noncontiguous							
6. <input type="checkbox"/> _____							
Location		Adjustments for Extraordinary or Substandard Site Characteristics:					
1. <input type="checkbox"/> Poor	4. <input type="checkbox"/> Better						
2. <input checked="" type="checkbox"/> Fair	5. <input type="checkbox"/> Best						
3. <input type="checkbox"/> Typical	6. <input type="checkbox"/> _____						
Road Type: <u>2 lane</u>		AGRICULTURAL USE VALUE OF LAND: <u>5000</u>					
Frontage: _____							

AGRICULTURAL USE ASSESSMENT AND FAIR CASH VALUE OF FARM

1	2	3	4	5	6	7	8	9	10
Year	Date Inspected	Total Taxable Value (Sum of Columns 4-7)	Land Agricultural Value	Improvements' Agricultural Value	Tobacco Base Agricultural Value	Residential* Fair Cash Value	Improvements' Fair Cash Value	Land Fair Cash Value	Total Fair Cash Value (Sum of Columns 7-9)
<u>10</u>		<u>5000</u>	<u>5000</u>					<u>2000</u>	<u>21000</u>
<u>11</u>		<u>5000</u>	<u>5000</u>					<u>2000</u>	<u>21000</u>
<u>12</u>		<u>5,000</u>	<u>5,000</u>					<u>20,000</u>	<u>20,000</u>
<u>13</u>	<u>11/8/13</u>	<u>5000</u>	<u>5000</u>					<u>20000</u>	<u>20000</u>
<u>14</u>		<u>5000</u>	<u>5000</u>					<u>20000</u>	<u>20000</u>

*See attached Residential Property Data Card.

FARM PROPERTY DATA CARD

Account Number: _____

Acct 528070 03 079-40 00 029.01
 JACOBS CLINTON RAY
 329 COLONY BR
 HOLLYBUSH KY 41044

30 AC
 CANEY BOOGER BR

Sale Price \$4,000
 Date of Sale 12-04
 Deed 223 -036

Prev Owner
 SLONE ODIS & RICHARD
 Acreage 30.00

PROPERTY DESCRIPTION		SOIL CAPABILITY CLASSIFICATION AND VALUATION					
Size of Farm		Class	Acreage	Value/Acre	Value/Class	Adjustment	Adjusted Value/Cl
Estimate: <u>30</u> Acres	I						
(Source): _____							
Deed: _____ Acres	II						
Calculated: _____ Acres		III					
Shape of Farm		IV	30	100	3000		20
1. <input type="checkbox"/> Typical							
2. <input type="checkbox"/> Elongated Depth							
3. <input type="checkbox"/> Elongated Width							
4. <input checked="" type="checkbox"/> Irregular							
5. <input type="checkbox"/> Noncontiguous							
6. <input type="checkbox"/> _____							
Location		Adjustments for Extraordinary or Substandard Site Characteristics:					
1. <input type="checkbox"/> Poor 4. <input type="checkbox"/> Better							
2. <input checked="" type="checkbox"/> Fair 5. <input type="checkbox"/> Best							
3. <input type="checkbox"/> Typical 6. <input type="checkbox"/> _____							
Road Type: <u>2 lane</u>							
Frontage: _____		AGRICULTURAL USE VALUE OF LAND: <u>3000</u>					

AGRICULTURAL USE ASSESSMENT AND FAIR CASH VALUE OF FARM

1	2	3	4	5	6	7	8	9	10
Year	Date Inspected	Total Taxable Value (Sum of Columns 4-7)	Land Agricultural Value	Improvements' Agricultural Value	Tobacco Base Agricultural Value	Residential* Fair Cash Value	Improvements' Fair Cash Value	Land Fair Cash Value	Total Fair Cash Value (Sum of Columns 7-9)
10		3000	3000					2000	2000
11		3000	3000					2000	2000
12		3000	3000					2000	2000
13	11/13/17	3000	3000					20000	20000
14		3000	3000					20000	20000

*See attached Residential Property Data Card.

EXHIBIT F
KNOTT COUNTY PVA MAP 79-40

26.05

26

26.09

26.04

26

36

40

36.0

10'00"

28

17

29

29.01

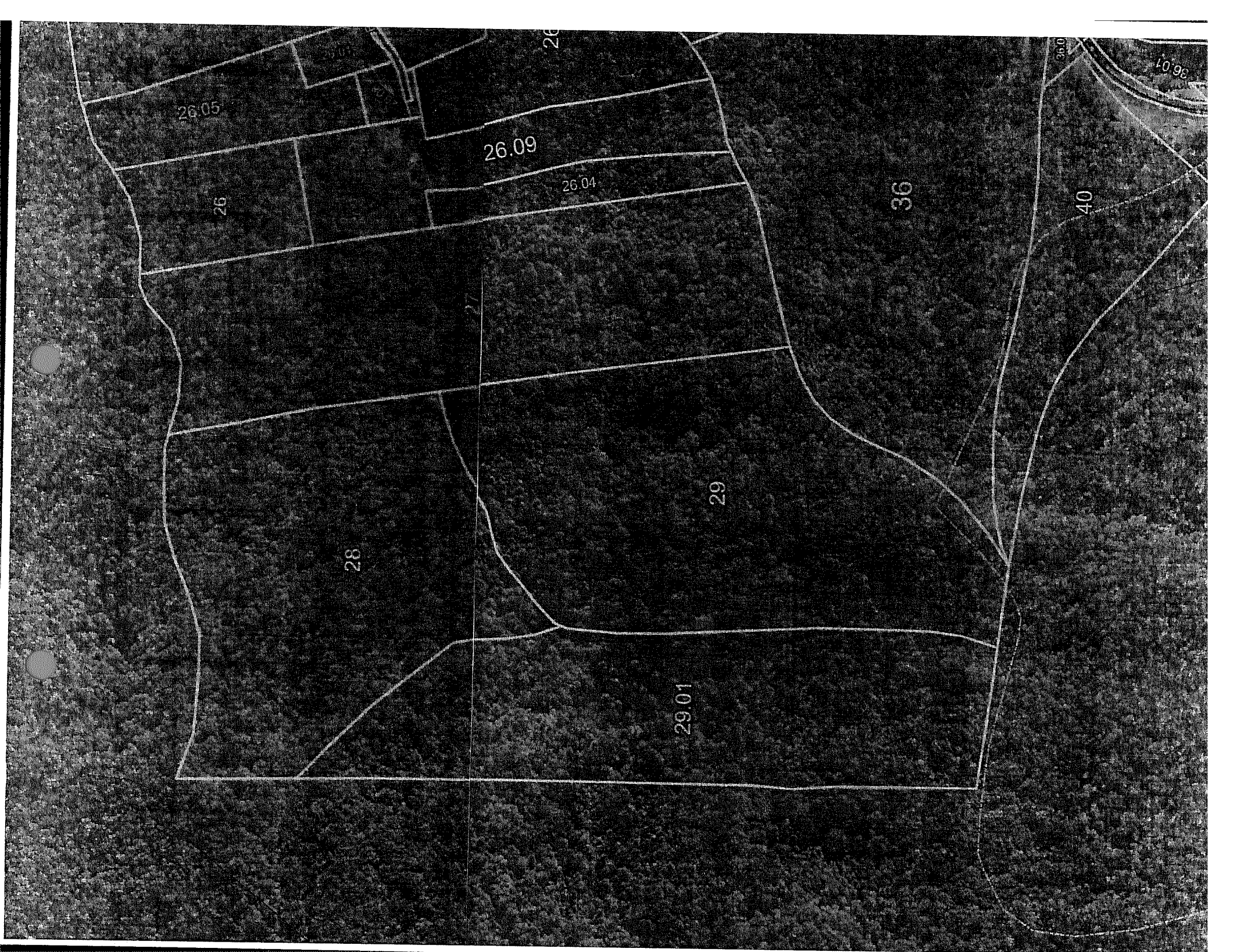


EXHIBIT G

KNOTT COUNTY PVA DATA CARD FOR PARCEL 079-00-00-006.00

Account Number

Map Number

January 21 2000

RESIDENTIAL CARD

Card _____ of

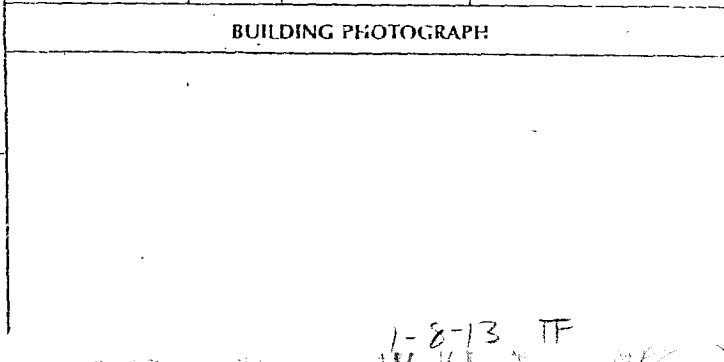
Acct 943675 01 079-00 00 006.00
 WOODS MARCUS & ADA EST
 C/O SHERLENE JACOBS
 209 COLONY BR
 PIPPA PASSES KY 41844
 2 AC & 2 DWS
 209 COLONY BR

L Sale Price \$1
 Date of Sale 00-00
 S Deed 006 -373

L Prev Owner
 A SLONE MANIS
 Acreage 2.00

Deed Book/Page	Date	Sale Price	From
86-373		#1	Slone Manis

Remarks:



NOTES



- Homestead Exemption/Date Applicable _____
- Disability Exemption/Date Applicable _____

ASSESSMENT DATA

Year	Date Insp.	Land Value	Improvement Value	Total Assessed Value	Total Taxable Value
13	11/8/13	4500	3500	8000	8000
14		4500	3500	8000	8000

Date Photograph Taken _____

EXHIBIT H
KNOTT COUNTY PVA MAP 79



Map 79

REDUCED COPY