



Matthew G. Bevin
Governor

Charles G. Snavelly
Secretary
Energy and Environment Cabinet

Commonwealth of Kentucky
Public Service Commission
211 Sower Blvd.
P.O. Box 615
Frankfort, Kentucky 40602-0615
Telephone: (502) 564-3940
Fax: (502) 564-3460
psc.ky.gov

Michael J. Schmitt
Chairman

Robert Cicero
Vice Chairman

Talina R. Mathews
Commissioner

November 28, 2017

John K. Potts
204 N. Main St.
Hardinsburg, KY 40143

RE: Case No. 2017-00143

Kentucky RSA #3 Cellular General Partnership Application for Approval to Construct and Operate a New Cell Facility to Provide Cellular Radio Service (Stephensport) in Rural Service Area #3 (Breckinridge County) of the Commonwealth of Kentucky

This is in response to your letter received on April 10, 2017 regarding the application for approval to construct a wireless tower facility. The letter has been placed in the official case file of this proceeding and the Commission will carefully analyze this application before rendering its final decision. By this letter, the attached public comment has been forwarded to the Applicant for a response. Commission Staff requests the Applicant to submit a written response to the comment, with a copy to the Commission, within 15 days of the date of this letter.

If a person wishes to become a party in this matter, he/she should submit to the Commission a request for intervention, if intervention is desired. If no request for intervention is received within 30 days of the date of this letter, the Commission Staff will presume that the Applicant's reply has satisfied the concerns raised in the attached request for information.

It may be helpful for you to know the state authority, specifically that of the Public Service Commission, in this matter has been limited by federal law. For example, Section 704 of the federal Telecommunications Act of 1996 prohibits this Commission from regulating the placement of wireless facilities based on environmental effects of the radio frequency emissions to the extent that facilities comply with Federal Communications Commission regulations. Section 704 also prohibits a state or local government from prohibiting telecommunications facilities construction if such denial will have the effect of prohibiting service. In addition, this Commission is required by statute to ensure that utility service, including telecommunications service, is adequate and reliable. The Commission does consider appropriate placement of necessary facilities within applicable engineering boundaries. It also pursues a policy of collocation of facilities whenever possible.

You may view Orders and data requests issued by the Commission or other formal case documents on our website <http://psc.ky.gov>.

Thank you for your letter of interest and concern in this matter.

Sincerely,

Gwen R. Pinson
Executive Director

cc: Parties of Record

apr 7, 2017

Executive Director's Office
Public Service Commission of Kentucky
P.O. Box 615
Frankfort, Kentucky 40602
Case Number 2017-00143

RECEIVED

APR 10 2017

Public Service
Commission

Dear Sirs

I have reviewed the map showing the proposed location of the new 240 ft tower with the 500-ft radius that Bluegrass cellular is requesting permission to construct.

I do not want to see this tower being built in this location.

Sincerely,
John K Potts
204 N Main St
Hardinsburg Ky 40143

*Kentucky RSA #3 Cellular General Partnership,
2902 Ring Road
P. O. Box 5012
Elizabethtown, KY 42701

*Felix Sharpe
Dinsmore & Shohl, LLP
101 South Fifth Street
Suite 2500
Louisville, KENTUCKY 40202

*Honorable John E Selent
Attorney at Law
Dinsmore & Shohl, LLP
101 South Fifth Street
Suite 2500
Louisville, KENTUCKY 40202