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Michael J. Schmitt  
Chairman

Robert Cicero  
Vice Chairman

Talina R. Mathews  
Commissioner

September 25, 2017

Mae Belle Powell  
#185 State Route 1949  
Symsonia, KY 42082

**RE: Case No. 2017-00368**

Application of New Cingular Wireless PCS, LLC d/b/a AT&T Mobility For Issuance of a Certificate of Public Convenience and Necessity to Construct a Wireless Communications Facility in the Commonwealth of Kentucky in the County of Graves

Dear Ms. Powell:

This is in response to your letter received on September 25, 2017. 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 public 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 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 on the basis of 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, however, 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,

A handwritten signature in black ink that reads "John S. Lyons". The signature is written in a cursive style with a large, looping initial "J".

John S. Lyons  
Acting Executive Director

cc: Parties of Record

Mae Belle Powell  
#185 State Route 1949  
Symsonia, Kentucky 42082

Kentucky Public Service Commission  
Executive Director  
211 Sower Boulevard  
P. O. Box 615  
Frankfort, Kentucky 40602

**RECEIVED**

**SEP 25 2017**

**PUBLIC SERVICE  
COMMISSION**

RE:

CASE NO.: 2017-00368

THE APPLICATION OF  
NEW CINGULAR WIRELESS PCS, LLC,  
A DELAWARE LIMITED LIABILITY COMPANY, D/B/A AT&T MOBILITY  
FOR ISSUANCE OF A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY  
TO CONSTRUCT A WIRELESS COMMUNICATIONS FACILITY  
IN THE COMMONWEALTH OF KENTUCKY  
IN THE COUNTY OF GRAVES.

Dear Sirs:

I am writing to ask you to oppose the cell phone tower that Cingular Wireless wants to build at 850 State Route 348E. I would like for you to rule that New Cingular Wireless has to move this tower outside of my home town of Symsonia, Kentucky. I am 101 years-old and I have lived in Symsonia all of my life. My twin sister and I are the oldest members of the Symsonia Methodist Church and I was teacher at Symsonia Grade School for over 40 years. I guess you could say that I am the oldest member of this community since I was born 2 minutes before my sister. And I can tell you right now, the last thing I would want for Symsonia is a huge cell phone tower, three times higher than our water tower and right down the road from my front porch.

I believe this tower would be an eyesore and that it should be moved further down the road from all of our houses. I am not sure those things are safe and I am told they can be dangerous for people's health. My neighbors are worried their property values will go down. I am just troubled that we will have to look at that ugly tower when I know it could be moved further away from all of our houses and farms.

I am hoping that you will take the side of the people of Symsonia against AT &T, which is a big corporation and has more money than we do, but this is our home. We are country people, but we should still have the right to demand this thing be moved outside of our town. Dear members of the PSC, please support the people of Graves County and Symsonia who don't want this cell phone tower right near our homes. I am hoping that I can count on you. Thank you for your time.

Sincerely,

~~Yvonne~~ Belle Powell

\*Honorable David A Pike  
Attorney at Law  
Pike Legal Group PLLC  
1578 Highway 44 East, Suite 6  
P. O. Box 369  
Shepherdsville, KENTUCKY 40165-0369

\*New Cingular Wireless PCS, LLC dba AT&T  
1010 N St Mary's Street, 9th Floor  
San Antonio, TX 78215