



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

Daniel E. Logsdon Jr.
Commissioner

March 15, 2017

Ms. Linda Gentry Egbers
1057 Arden Drive
Villa Hills, KY 41017

RE: Case No. 2017-00048
East Kentucky Network: Roxana Tower

Dear Ms. Egbers:

This is in response to your letter received on March 5, 2017, stating your questions regarding East Kentucky Network's application for approval to construct a wireless tower facility. You request more precise information regarding the location of the proposed tower and ownership of the land upon which the tower would be constructed. 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 request for information has been forwarded to East Kentucky Network for a response. Commission Staff requests the East Kentucky Network to submit a written response to the request for information, 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 they 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 your letter.

It may be helpful for you to know the state authority, specifically that of the 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

Ms. Linda Gentry Egbers
March 15, 2017
Page 2

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>.

If you have any questions, please contact J.E.B. Pinney, Staff Attorney, at (502) 782-2587 or at jeb.pinney@ky.gov.

Sincerely,



Talina R. Mathews
Executive Director

J.E.P/ph

cc: Parties of Record

Egbers
1057 Arden Drive
Villa Hills, Kentucky 41017

March 5, 2017

Executive Director's Office
Public Service Commission of Kentucky
P.O. Box 615
Frankfort, Kentucky 40602

Ms. Lynn Haney
East Kentucky Network, LLC
101 Technology Trail
Ivel, Kentucky 41642

Re: Case No. 2017-00048

RECEIVED

MAR 9 2017

Public Service
Commission

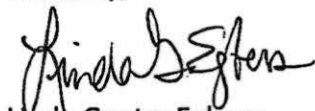
Dear Ms. Haney and Public Service Commission:

I received a letter of Public-Notice to construct and operate a new facility to provide cellular telecommunications service in Letcher County near Roxana, Kentucky. The letter indicated construction will include a 300-foot self-supporting tower. I would like to know more about this proposal.

At this time, I think the tower would be beneficial to the area. However, the documentation is not clear as to **exactly** where the tower will be located. The Google Map is not sufficient. I would like to see further documentation regarding the specific location (survey, maps, road access, etc.) I want to see exactly where the tower is going and exactly how it will affect the Gentry property (500 foot radius or contiguous or on my property). I would like to know who you have negotiated with on acquiring/leasing such land. The letter does not mention the land owner's name, deed book/page, etc. A tract of land near 3510 Highway 2036, Roxana, Kentucky is vague. I understand it is a rural area but copies of your survey and/or maps should help clarify such questions.

In the meantime, please feel free to call me at 859-912-0336.

Sincerely,


Linda Gentry Egbers

*Cindy D McCarty
Staff Attorney
East Kentucky Network, LLC dba Appalachian
101 Technology Trail
Ivel, KY 41642

*East Kentucky Network, LLC dba Appalachian
101 Technology Trail
Ivel, KY 41642

*Lynn Haney
Regulatory Compliance Director
East Kentucky Network, LLC dba Appalachian
101 Technology Trail
Ivel, KY 41642

*W.A. Gillum
General Manager
East Kentucky Network, LLC dba Appalachian
101 Technology Trail
Ivel, KY 41642