September 24, 2019

Avery Bailey
P.O. Box 15
West Liberty, KY 41472

RE: Case No. 2019-00290
East Kentucky Network, LLC Application for Issuance of a Certificate of Public Convenience and Necessity to Construct a Tower in Morgan County, Kentucky

Dear Mr. Bailey:

The Public Service Commission acknowledges receipt of your public comment letter regarding your concerns as to the application for approval to construct a wireless communications facility in the case referenced above. Your comment has been placed in the official case file of this proceeding. The Commission will carefully analyze your comment as part of its review before rendering its final decision in this matter.

By this letter, we are forwarding a copy of your comment 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.

It may be helpful for you to know that federal law limits state authority, specifically that of the Commission, in the review of this matter. 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.

You may view Orders issued by the Commission or other formal case documents on our website at 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
Dear Executive Directors Office, Public Service Commission of Kentucky

I am writing to voice my concerns with case #2019-00290 which is the new construction of a cellular telecommunications facility. This consists of a 300-foot self-supporting tower with attached antennas and an equipment shelter located on a tract of land near 429 McClanahan Hill Rd West Liberty ky 41472 in Morgan County. We own property within a 500' radius of the proposed tower and is contingent to the property upon which construction is proposed. My address is 260 McClanahan Hill Rd West Liberty ky 41472.

My concerns are the location of the tower and its harmful side effects because of the RF radiation. I have researched this and have found that the closer you are to a cell tower the more harmful that it is, the RF radiation can cause many potential health issues including headaches, various types of cancers, memory loss, birth defects and cardiovascular stress to name a few. We are in the process of acquiring cattle for the property and have hopes to have healthy cattle and offspring. We also have Children that is young and growing and do not want any concerns towards their health because of the exposure of the proposed tower.

Thank you for letting me voice my concerns before the cellular telecommunications tower is constructed. I hope you will take in consideration all that I have said and that we are able to reach a conclusion.

Sincerely,

Avery Bailey
Rebecca Bailey
Executive Director's Office, Public Service Commission of Ky
P.O. Box 615, Frankfort, Ky 40602