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Case Management System - KY Public Service Commission

Regular Cases Before the Commission as of November 11, 2026

2021-00398 RECEIVED: 10/18/21 FILED: 10/18/21 FINAL: 04/12/24 REOPENED: SUSPENSION DATE:

CASE NATURE: Falling Branch site; 2589 Blue Bird Road, Falls of Rough, Grayson County, KY 40119

CASE CODE
Construct Cell Site - No P&Z Commission

UTILITIES:
New Cingular Wireless PCS, LLC

HEARINGS:

08/28/23	Informal Conference
07/27/23	Formal Hearing
03/03/22	Public Meeting

INDEX OF EVENTS:

04/12/24	Final Order Entered: 1. This application is dismissed without prejudice. 2. If the Applicants file a new application relating back to this case, the record of this matter shall be incorporated. 3. If the Applicants file a new application relating back to this case, the Applicants shall notify Roger and Janelle Nicolai at both the email and mailing address on file in this matter. 4. If the Applicants file a new application relating back to this case, Roger and Janelle Nicolai shall be granted intervention in that matter. 5. This case is closed and removed from the Commission's docket.
11/07/23	Roger and Janelle Nicolai Filing Evidence of Robert Shelton Statement
10/31/23	David A. Pike, F. Keith Brown and Christopher J. Shouse New Cingular Wireless PCS, LLC d/b/a ATT Mobility and Tillman Infrastructure LLC Applicants' 2nd Update on Alternative Site Due Diligence
10/20/23	Roger and Janelle Nicolai Response to Applicant's Update on Alternative Site
09/29/23	David A. Pike, F. Keith Brown and Christopher J. Shouse New Cingular Wireless PCS, LLC d/b/a ATT Mobility and Tillman Infrastructure LLC Applicants' Update on Alternative Site Due Diligence
09/14/23	Notice of Filing Hearing Documents
08/31/23	David A. Pike, F. Keith Brown and Christopher J. Shouse New Cingular Wireless PCS, LLC d/b/a ATT Mobility and Tillman Infrastructure LLC Applicants' Responses to Post-Hearing Requests for Information
08/29/23	Letter Filing IC Memo into the Record
08/24/23	Order Entered: 1. The Applicants' motion for an IC is granted. 2. An IC is scheduled on August 28, 2023, at 11:30 a.m. Eastern Daylight Time/ 10:30 a.m. Central Daylight Time. 3. Commission Staff will contact participants by electronic mail to provide details for joining the conference by video link.
08/22/23	Roger and Janelle Nicolai Response to Motion for Informal Conference
08/18/23	David A. Pike, F. Keith Brown and Christopher J. Shouse New Cingular Wireless PCS, LLC d/b/a ATT Mobility and Tillman Infrastructure LLC Motion for Informal Conference
08/11/23	Order Entered: 1. The motion for a stay to consider alternative sites is granted. 2. The July 28, 2023 procedural schedule is amended. 3. Joint Applicants shall file their responses to post-hearing data requests no later than August 31, 2023. 4. The remainder of the July 28, 2023 procedural schedule is suspended until such time as the Commission issues a new schedule.
08/08/23	David A. Pike, F. Keith Brown and Christopher J. Shouse New Cingular Wireless PCS, LLC d/b/a ATT Mobility and Tillman Infrastructure LLC Applicants' Motion to Stay Proceeding for Sixty ("60") Days to Evaluate Alternative Sites
08/07/23	Ty Higgins Public Comment
07/28/23	COMMISSION STAFF'S POST-HEARING REQUEST FOR INFORMATION TO NEW CINGULAR WIRELESS PCS, LLC D/B/A AT&T MOBILITY AND TILLMAN INFRASTRUCTURE, LLC
07/28/23	Order Entered: 1. Post-hearing requests for information, if any, shall be filed on or before July 28, 2023. 2. Responses to post-hearing requests for information shall be filed on or before August 11, 2023. 3. Counsel for New Cingular Wireless PCS, LLC d/b/a AT&T Mobility and Tillman Infrastructure (together, Joint Applicants) shall file an initial memorandum brief in support of Joint Applicant's post-hearing position on or before September 1, 2023. 4. Intervenors shall file a post-hearing response brief, should they choose to do so, in support of their position on or before September 22, 2023. 5. Joint Applicants shall file a response brief limited to addressing the intervenor's position

	or specific intervenor arguments on or before October 6, 2023. 6. This case shall stand submitted for a decision by the Commission effective 12:01 a.m. Eastern Standard Time, October 7, 2023.
07/27/23	Multiple Public Comments
07/25/23	Multiple Public Comments
07/24/23	David A. Pike, F. Keith Brown and Christopher J. Shouse New Cingular Wireless PCS, LLC d/b/a ATT Mobility and Tillman Infrastructure LLC Motion in Limine to Exclude Lay Person Testimony on Aesthetic Effects of New Cellular Tower
07/24/23	David A. Pike, F. Keith Brown and Christopher J. Shouse New Cingular Wireless PCS, LLC d/b/a ATT Mobility and Tillman Infrastructure LLC Motion to Cancel Hearing and Submit Application for Decision or Exclude Intervenor's Witnesses and Strike Their Property Value Studies
07/24/23	David A. Pike, F. Keith Brown and Christopher J. Shouse New Cingular Wireless PCS, LLC d/b/a ATT Mobility and Tillman Infrastructure LLC Motion in Limine to Exclude Testimony and Other Evidence on Purported Environmental Effects of Radio Frequency Emissions
07/24/23	Roger and Janelle Nicolai Response to Commission Order regarding Witness List
07/21/23	David A. Pike, F. Keith Brown and Christopher J. Shouse New Cingular Wireless PCS, LLC d/b/a ATT Mobility and Tillman Infrastructure LLC Motion for Order for Post-Hearing Briefs
07/20/23	David A. Pike, F. Keith Brown and Christopher J. Shouse New Cingular Wireless PCS, LLC d/b/a ATT Mobility and Tillman Infrastructure LLC Applicants' Proof of Notice of Hearing
07/20/23	David A. Pike, F. Keith Brown and Christopher J. Shouse New Cingular Wireless PCS, LLC d/b/a ATT Mobility and Tillman Infrastructure LLC Applicants' Witness List for July 27, 2023 Formal Hearing
07/20/23	Multiple Public Comments
07/20/23	Multiple Public Comments
07/17/23	Multiple Public Comments
06/01/23	Order Entered: 1. A hearing in this matter shall be held on July 27, 2023, at 9 a.m. Eastern Daylight Time and continuing until called from the bench by the presiding officer, in the Richard Raff Hearing Room at the offices of the Public Service Commission at 211 Sower Boulevard, Frankfort, Kentucky. 2. Pursuant to 807 KAR 5:001E, Section 2, if the hearing is not concluded on the designated day, the hearing may be continued upon verbal announcement by the presiding officer. A verbal announcement made by the presiding officer shall be proper notice of the continued hearing. 3. Witnesses who sponsor schedules, testimony, or responses to requests for information shall participate in person at the July 27, 2023 hearing. 4. Each party shall file a witness list in the record by July 20, 2023. 5. AT&T Mobility and Tillman Infrastructure shall give notice of the hearing in compliance with 807 KAR 5:001E, Section 9(2)(b). 6. Pursuant to KRS 278.360 and 807 KAR 5:001E, Section 9(9), a digital video transcript shall be made of the hearing.
05/12/23	David A. Pike F. Keith Brown and Christopher J. Shouse New Cingular Wireless PCS, LLC d/b/a ATT Mobility and Tillman Infrastructure LLC Motion for Informal Conference with Commission Staff
05/08/23	David A. Pike F. Keith Brown and Christopher J. Shouse New Cingular Wireless PCS, LLC d/b/a ATT Mobility and Tillman Infrastructure LLC Sixth Re-Notice of Applicants' Motion to Submit Application for Certificate of Public Convenience and Necessity for Decision on Existing Evidentiary Record
05/01/23	David A. Pike F. Keith Brown and Christopher J. Shouse New Cingular Wireless PCS, LLC d/b/a ATT Mobility and Tillman Infrastructure LLC Fifth Re-Notice of Applicants' Motion to Submit Application for Certificate of Public Convenience and Necessity for Decision on Existing Evidentiary Record
04/24/23	Thomas Dotter Public Comment
04/21/23	David A. Pike F. Keith Brown and Christopher J. Shouse New Cingular Wireless PCS, LLC d/b/a ATT Mobility and Tillman Infrastructure LLC Fourth Re-Notice of Applicants' Motion to Submit Application for Certificate of Public Convenience and Necessity for Decision on Existing Evidentiary Record
04/14/23	David A. Pike F. Keith Brown and Christopher J. Shouse New Cingular Wireless PCS, LLC d/b/a ATT Mobility and Tillman Infrastructure LLC Third Re-Notice of Applicants' Motion to Submit Application for Certificate of Public Convenience and Necessity for Decision on Existing Evidentiary Record
04/07/23	David A. Pike F. Keith Brown and Christopher J. Shouse New Cingular Wireless PCS, LLC d/b/a ATT Mobility and Tillman Infrastructure LLC Second Re-Notice of Applicants' Motion to Submit Application for Certificate of Public Convenience and Necessity for Decision on Existing Evidentiary Record
03/31/23	David A. Pike F. Keith Brown and Christopher J. Shouse New Cingular Wireless PCS, LLC d/b/a ATT Mobility and Tillman Infrastructure LLC Re-Notice of Applicants' Motion to Submit Application for Certificate of Public Convenience and Necessity for Decision on Existing Evidentiary Record
02/27/23	Roger and Janelle Nicolai Response
02/24/23	David A. Pike F. Keith Brown and Christopher J. Shouse New Cingular Wireless PCS, LLC d/b/a ATT Mobility and Tillman Infrastructure LLC Applicants' Motion to Submit Application for Decision on Existing Evidentiary Record

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12/09/22	David A. Pike, F. Keith Brown and Christopher J. Shouse New Cingular Wireless PCS, LLC, a Delaware limited liability company, d/b/a ATT Mobility and Tillman Infrastructure LLC Notice of Compliance and Request for Decision
11/28/22	David A. Pike, F. Keith Brown and Christopher J. Shouse New Cingular Wireless PCS, LLC, a Delaware limited liability company, d/b/a ATT Mobility and Tillman Infrastructure LLC Applicants' Rebuttal Testimony in Response to Intervenor Testimony
10/13/22	Roger and Janelle Nicolai Final Testimony
10/04/22	David A. Pike, F. Keith Brown and Christopher J. Shouse New Cingular Wireless PCS, LLC, a Delaware limited liability company, d/b/a ATT Mobility and Tillman Infrastructure LLC Applicants Responses to Supplemental Requests for Information
09/26/22	Roger and Janelle Nicolai Second Request for Information to New Cingular Wireless PCS, LLC
09/13/22	David A. Pike F. Keith Brown and Christopher J. Shouse New Cingular Wireless PCS, LLC, a Delaware limited liability company, d/b/a ATT Mobility and Tillman Infrastructure LLC Applicants' Response to Initial Requests for Information
08/31/22	COMMISSION STAFF'S FIRST REQUEST FOR INFORMATION TO NEW CINGULAR WIRELESS PCS, LLC D/B/A AT&T MOBILITY AND TILLMAN INFRASTRUCTURE LLC
08/29/22	Roger and Janelle Nicolai Initial Request for Information to New Cingular Wireless PCS, LLC
08/18/22	Order Entered: 1. The procedural schedule set forth in the Appendix to this Order shall be followed. 2. New Cingular Wireless PCS, LLC, d/b/a AT&T Mobility and Tillman Infrastructure LLC (collectively, the Joint Applicants), when filing a paper with the Commission, shall file an electronic copy in accordance with the electronic filing procedures set forth in 807 KAR 5:001, Section 8.
08/10/22	Roger and Janelle Nicolai Response to Public Comment
08/09/22	Terry and Kimberly Newton Public Comment
04/18/22	Roger and Janelle Nicolai Response
04/13/22	David A. Pike F. Keith Brown and Christopher J. Shouse New Cingular Wireless PCS, LLC, a Delaware limited liability company, d/b/a ATT Mobility and Tillman Infrastructure LLC Motion for Immediate Decision on Existing Evidentiary Record
04/04/22	Janelle Nicolai Additional Information
04/04/22	Teresa Aull Public Comment
04/04/22	William Aull Public Comment
04/04/22	Jessica Gordon Public Comment
04/01/22	Roger and Janelle Nicolai Response to Commission Order
03/28/22	Terry and Kimberly Newton Public Comment
03/28/22	Jack Moore Public Comment
03/28/22	Alicia McKowen Public Comment
03/28/22	Stephanie Daniel Public Comment
03/25/22	Response E-Mails to Multiple Comments
03/25/22	Carolyn Simpson Public Comment
03/25/22	Robert Odle Public Comment
03/25/22	Carl Simpson Public Comment
03/21/22	Hugh Cuppage Public Comment
03/21/22	Martha Cuppage Public Comment
03/16/22	Baylee Russler Public Comment
03/16/22	James Spencer Public Comment
03/16/22	Terry and Kimberly Newton Public Comment
03/14/22	Roger and Janelle Nicolai Response to Public Hearing
03/08/22	Letter Filing Documents into the Record
03/01/22	Roger and Janelle Nicolai Response to Commission Order
02/24/22	Order Entered: 1. The motion of the Nicolais to intervene is granted. 2. The Nicolais shall be entitled to the full rights of a party and shall be served with the Commission's Orders and with filed testimony, exhibits, pleadings, correspondence, and all other documents submitted by parties after the date of this Order. 3. The Nicolais shall file all documents with the Commission by U.S. mail to P.O. Box 615, Frankfort, Kentucky 40602-0615, or by email to PSCED@ky.gov. 4. Within seven days of the date of this Order, the Nicolais shall provide to the Commission and to the Joint Applicants an email address at which the Nicolais may receive electronic service of documents. 5. A local public hearing is convened for the purpose of taking public comment the Joint Applicants' application to construct a wireless telecommunications facility to be located at 2589 Blue Bird Road, Falls of Rough,

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	Kentucky 40119. 6. The local public hearing shall be held on March 3, 2022, at the Rough River State Park, 450 Lodge Road, Falls of Rough, Kentucky 40119, and shall begin at 5 p.m. Central Standard Time. 7. No evidence shall be taken at the local public hearing. 8. The Joint Applicants shall have a representative present at the local public hearing to answer questions from the public.
12/20/21	Roger and Janelle Nicolai Public Comment
11/30/21	David A. Pike and Christopher J. Shouse New Cingular Wireless PCS, LLC, a Delaware limited liability company, d/b/a ATT Mobility and Tillman Infrastructure LLC, a Delaw Applicant Response to Public Comment of Roger and Janelle Nicolai
11/19/21	David A. Pike and Christopher J. Shouse New Cingular Wireless PCS, LLC, a Delaware limited liability company, d/b/a ATT Mobility and Tillman Infrastructure LLC, a Delaw Applicant Response to Public Comment
11/16/21	Roger and Janelle Nicolai Request for Intervention
11/15/21	Emily Parks Public Comment
11/15/21	Sheila Meredith Public Comment
11/15/21	Carrie Mutter Public Comment
11/12/21	Christina Allred Public Comment
11/12/21	Jason Allred Public Comment
10/25/21	No deficiency letter
10/18/21	David A. Pike and Christopher J. Shouse New Cingular Wireless PCS, LLC, a Delaware limited liability company, d/b/a ATT Mobility and Tillman Infrastructure LLC, a Delaw Application for Certificate of Public Convenience and Necessity for Construction of a Wireless Communications Facility
10/15/21	Acknowledge Receipt of Filing
10/15/21	New Cingular Wireless PCS, LLC d/b/a AT&T Mobility Notice of Intent to File an Application 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 Grayson Using Electronic Filing Procedures

Total Number of Cases: 1