

**COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION**

In the Matter of:

THE APPLICATION OF)
NEW CINGULAR WIRELESS PCS, LLC,)
A DELAWARE LIMITED LIABILITY COMPANY,)
D/B/A AT&T MOBILITY)
AND TILLMAN INFRASTRUCTURE LLC, A DELAWARE)
LIMITED LIABILITY COMPANY)
FOR ISSUANCE OF A CERTIFICATE OF PUBLIC) CASE NO.: 2022-00062
CONVENIENCE AND NECESSITY TO CONSTRUCT)
A WIRELESS COMMUNICATIONS FACILITY)
IN THE COMMONWEALTH OF KENTUCKY)
IN THE COUNTY OF MCCREARY)

SITE NAME: PARKERS LAKE RELO

* * * * *

APPLICANTS' RESPONSE
TO COMMISSION STAFF'S SECOND DATA REQUEST

New Cingular Wireless PCS, LLC, a Delaware limited liability company, d/b/a AT&T Mobility and Tillman Infrastructure LLC, a Delaware limited liability company (collectively "Applicants"), by counsel, make this Response to the Kentucky Public Service Commission Staff's Second Request for Information to New Cingular Wireless PCS, LLC d/b/a AT&T Mobility and Tillman Infrastructure dated July 27, 2023 ("Second Data Request"). Applicants respectfully state, as follows:

Question 1: Refer to Joints Applicants' Response to Commission Staff's First Request for Information, Exhibit J-2 filed on June 23, 2023. Provide an explanation of the NR Code noted on each of the certified mail signature cards listed: Zella Mills, Richard

and Sheryl Corder (three individual receipts), Donald Vanover, and Shirley Corder.

1. Applicants do not have direct knowledge of the United States Postal Service's policies and procedures regarding the delivery of green card certifications. Applicants contacted the Post Office and requested an explanation of the "NR C19 HC84" notation. According to the Post Office, "NR" is the initials of the contractor who delivered the letter. "C19" stands for COVID-19. "HC" stands for "highway contractor" and "84" is the contractor's number. According to the Post Office, as part of the COVID-19 emergency measures adopted by the United States Postal Service, couriers/contractors were permitted to use this notation on green card certification deliveries in lieu of a signature, provided they spoke directly to the recipient. This policy was intended to allow couriers/contractors to avoid direct physical contact with recipients due to the increased risk of COVID-19 transmission.

Question 2: Refer to Joint Applicants' Response to Commission Staff's First Request for Information, Exhibit J-2 filed on June 23, 2023. Explain why Daniel Boone National Forest was served at the address of 1700 Bypass Rd., London, Kentucky 40744, and whether any additional steps were taken to serve the property owner.

2. Applicants attempted to provide notice of the proposed Wireless Communications Facility to the Daniel Boone National Forest ("National Forest") because a portion of the National Forest adjoins the site parcel to the west (Please refer to Exhibit B, Sheets C-1.0-1.1 of the Application filed on February 28, 2022). As required by applicable statutes and regulations, Applicants obtained the records from the McCreary County Property Valuation Administrator ("PVA"). The PVA records are the official records maintained by the County to ensure landowners receive notice of any taxes due on the property. After

reviewing the PVA records, the Applicants' confirmed that this parcel is identified on the McCreary County PVA's map as Parcel #: 099-00-00-026.00 and that the McCreary County PVA does not have ownership records for this parcel. Local PVA officials confirmed this point via telephone and indicated that the National Forest is at this location. At the time of filing, Applicants reviewed the available information and identified the above referenced address as a potential address for the National Forest's Supervisor. During the course of responding to this request, Applicants identified a different address listed on the United States Forest Service website. A copy of the of the information obtained from the United States Forest Service website is attached as **Exhibit J-4**. Applicants confirmed with the National Forest Supervisor's Office via telephone that this address would be appropriate for notice purposes. Accordingly, Applicants have taken the additional step of sending notice to this address and a copy of the green card receipt is attached as **Exhibit J-4**. Applicants will supplement the record when a signed green card is received or returned undelivered.

3. An Affidavit certifying that the response is true and accurate to the best of that person's knowledge, information, and belief formed after a reasonable inquiry has been signed by the attorney supervising the preparation of the response on behalf of Applicants' and is included as **Exhibit 1**.

WHEREFORE, there being no ground for denial of the subject application and substantial evidence in support of the requested CPCN, Applicants respectfully request the Kentucky Public Service Commission:

- (a) Accept this Response for filing;
- (b) Issue a Certificate of Public Convenience and Necessity to construct and operate the WCF at the location set forth herein without further delay; and
- (c) Grant Applicants any other relief to which they are entitled.

Respectfully submitted,



David A. Pike
and

F. Keith Brown

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Attorneys for Applicants

LIST OF EXHIBITS

- 1 - Affidavit of Certification
- J-3 - United States Forest Service Listing for Daniel Boone National Forest Supervisors Office & Certified Green Card Receipt for Daniel Boone National Forest Supervisor's Office

EXHIBIT 1
AFFIDAVIT OF CERTIFICATION

**AFFIDAVIT OF CERTIFICATION
COMMONWEALTH OF KENTUCKY
PUBLIC SERVICE COMMISSION
CASE #: 2022-00062**

I, F. Keith Brown, attorney for New Cingular Wireless PCS, LLC, a Delaware limited liability company, d/b/a AT&T Mobility and Tillman Infrastructure LLC, a Delaware limited liability company (“Applicants”), do hereby certify that I am the person supervising the preparation the Response to Commission Staff’s Second Data Request on behalf of Applicants and that this response is true and accurate to the best of my knowledge, information, and belief formed after a reasonable inquiry.

Further the affiant sayeth naught.

Affiant: J. Keith Brown

Date: Aug. 7, 2023

State of Kentucky

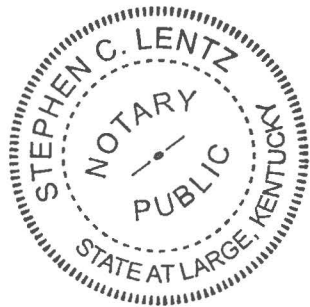
County of Bullitt

AFFIANT ACKNOWLEDGEMENT

On this, the 7 day of August 2023 before me, the subscriber, a Notary Public in and for the above state, personally appeared to me F. Keith Brown and in due form of law, acknowledged, subscribed, and swore that he executed this instrument as his voluntary act and deed.

In testimony whereof, I have hereunto set my hand and affixed my seal in said County and State on the day and year last above written.

My commission expires on: December 4, 2024.



[Signature]

Notary Public, State at Large

KYNP19462

EXHIBIT J-3
UNITED STATES FOREST SERVICE LISTING FOR DANIEL
BOONE NATIONAL FOREST SUPERVISOR'S OFFICE

CERTIFIED GREEN CARD RECEIPT FOR DANIEL BOONE
NATIONAL FOREST SUPERVISOR'S OFFICE

Featured Events

[Creek, Critters & Chemistry Exploration at Gladie Creek](#)

Date(s): May 14, 2023 - Aug 12, 2023

[Living Archaeology Weekend](#)

Date(s): Sep 16, 2023



The Daniel Boone National Forest oversees six offices located in and around the Forest. The majority of these offices are District Offices where you can find location-specific resources and visitor information. The Daniel Boone National Forest also hosts several interagency offices that are managed through shared resources or by partners. These interagency offices will not be able to provide visitor information or resources. When planning your trip, contact the appropriate office for your needs to minimize any

service delays.

Offices will be closed on all [Federal Holidays](#).

Daniel Boone National Forest Offices

Forest Supervisor's Office - Winchester, KY

The Forest Supervisor's office houses various program managers and resources used by districts in managing the Forest. This office is an administrative office located outside of the Forest; it does not sell forest product permits or event and commercial permits.

Address

1700 Bypass Road, Winchester, KY 40391

Phone

859-745-3100

Hours

Monday through Friday 8 a.m. to 4:30 p.m.

Cumberland Ranger District Office - Morehead, KY

London Ranger District Office - London, KY

Stearns Ranger District Office - Whitley City, KY

Redbird Ranger District Office - Big Creek, KY

Gladie Visitor Center - Stanton, KY

Interagency Offices

Kentucky Interagency Coordination Center - Winchester, KY

Southern Area Incident Support Cache - London, KY

Frenchburg Job Corps Civilian Conservation Center - Frenchburg, KY

Pine Knot Job Corps Civilian Conservation Center - Pine Knot, KY

Great Onyx Job Corps Civilian Conservation Corps - Mammoth Cave, KY

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- Return Receipt (hardcopy) \$
- Return Receipt (electronic) \$
- Certified Mail Restricted Delivery \$
- Adult Signature Required \$
- Adult Signature Restricted Delivery \$

Postage

\$

Total Daniel Boone National Forest

Sent Supervisor's Office

Street 1700 Bypass Road

City Winchester, KY 40391

