

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC APPLICATION OF CELLCO)
PARTNERSHIP D/B/A VERIZON WIRELESS 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 EDMONSON)

CASE NO.
2022-00332

RESPONSE TO ORDER

Cellco Partnership d/b/a Verizon Wireless (Applicant) response to PUBLIC SERVICE COMMISSION (PSC) as to whether Applicant provided sufficient notice to adjoining landowners as required by KRS 278.665(2) and 807 KAR 5:063, Section 1(1)(l).

APPENDIX B RESPONSE:

1. Exhibits K-L in original filing:

In Order dated February 16, 2023, Page 2, paragraph 4, PSC states:

“On February 1, 2023, the Commission received a public comment filed by Kathy Sasse. Ms. Sasse alleged that she is the owner of land adjoining the site of Verizon Wireless’s proposed wireless communications facility. Ms. Sasse argued that she did not receive notice of Verizon Wireless’s application because the notice was sent to her stepfather. Further, Ms. Sasse argued that other property owners in the vicinity of the proposed location of the wireless communications facility did not receive notice of Verizon Wireless’s application.”

Applicant’s Response: Applicant researched the Edmonson County Property Evaluation Administrator’s (PVA) records on February 17, 2023 finding that Ms. Kathy Sasse does not appear in searches to own any property in Edmonson County. The property adjacent to the east of the subject property shows ownership as Yvonne Watt Basham Estate with the address of PO Box

192, Brownsville, KY 42210; the green card was signed by Darrell Basham and returned. According to Ms. Sasse's email, Darrell Basham is her stepfather; Mr. Basham received and signed for the notice as mailed on behalf of the Yvonne Watt Basham Estate.

It was further found that one of the properties has experience an ownership change. Parcel 043-00-00-040.01 was previously owned by Sean M. and Fallon A. Willoughby; it is currently owned by Julie Skaggs Reep. All other ownerships and addresses were verified to be correct as of February 17, 2023.

2. Documentation of mailing addresses:

In Order dated February 16, 2023, Page 3, paragraph1, PSC states:

"In response to Ms. Sasse's comment, Verizon Wireless filed a supplement to its application on February 3, 2023. Verizon Wireless included in its February 3, 2023 filing, copies of the envelopes containing the letter to each of the 14 neighboring property owners. The envelopes included the certified mail tracking information. Verizon Wireless provided a copy of the letter sent to the neighboring property owners dated October 4, 2022. Verizon Wireless also included copies of the return receipts returned to its counsel and the tracking information for one of the mailings. Four of the return receipts sent certified mail to the adjoining property owners were returned signed to Verizon Wireless's counsel. Verizon Wireless provided copies of eight envelopes that were returned to Verizon Wireless's counsel unclaimed or unable to forward. By using the tracking information provided, the Commission was able to ascertain that the certified mail was successfully delivered to one additional landowner, while the tracking information for another mailing indicated no activity after October 12, 2022, when the mail was scheduled to arrive at its next destination from the regional distribution center."

Applicant's Response: Only seven envelopes were returned. Of those seven, six were marked "unclaimed" and one was marked "No such Street". See [Exhibit 1](#) hereto with picture from the PVA mapping site indicating both the existing street and the mailing address for David Keith, 1145 Shady Land Church Road, Bowling Green, KY 42101, matching the Notice List under

Exhibit K of Applicant's original application.

Two of the mailings were not returned to date. Applicant has conducted research using the tracking information from the original mailing. USPS Tracking shows successful delivery to Lisa K Lindsey and Randy Wilson, 101 Walnut Ridge Way, Bowling Green, KY 42104. Please see [Exhibit 2](#) attached hereto. USPS Tracking indicates the notice mailed to William B, and Dora A. Cowles, 383 Tuckertown Road, Oakland, KY 42159 is still in transit. This Tracking Report is also included in [Exhibit 2](#).

The original property owner research was certified by Mark E. Patterson, Licensed Professional Engineer, License #3136 in the Commonwealth of Kentucky on March 2, 2022, on sheet B-2 and B-2.1 of [Exhibit C](#) in the original filing. Attached hereto as [Exhibit 3](#).

(l) A statement that every person who, according to the records of the property valuation administrator, owns property within 500 feet of the proposed tower has been:

1. Notified by certified mail, return receipt requested, of the proposed construction;
2. Given the commission docket number under which the application will be processed; and
3. Informed of his right to request intervention;

Notice was provided utilizing the PVA records including the PCS docket number, right to intervene and copy of the aerial indicating the site was included in the original filing as [Exhibit L](#).

(m) A list of the property owners who received the notice, together with copies of the certified letters sent to listed property owners;

The List of Property Owners to receive notice was included in the original filing as [Exhibit K](#).

(n) A statement that the county judge executive has been:

1. Notified by certified mail, return receipt requested, of the proposed construction;
2. Given the commission docket number under which the application will be processed; and
3. Informed of his right to request intervention;

Notice provided to the Judge Executive including the PCS docket number, right to intervene and copy of the aerial indicating the site was included in the original filing as [Exhibit M](#).

(o) A copy of the notice sent to the county judge executive;

A copy of the notice to the Judge Executive was included in the original filing as Exhibit M.

3. Posted Notices

(p) A statement that:

1. Two (2) written notices meeting the requirements of subsection (2) of this section have been posted, one
(1) in a visible location on the proposed site and one
(1) on the nearest public road; and
2. The notices shall remain posted for at least two (2) weeks after the application has been filed;

Applicant's Response: a. The signs were posted on October 3, 2022.
b. Said statement was filed with the original file as Exhibit N. Attached as Exhibit 4 hereto are the photographs of the two signs; two by four feet in size with text printed in black letters at least one (1) inch in height against a white background, except for the word "tower," which is at least four (4) inches in height.

4. Newspaper Notice

(q) A statement that notice of the location of the proposed construction has been published in a newspaper of general circulation in the county in which the construction is proposed.

Applicant's Response: Statement regarding the published notice in the Bowling Green Daily News was included as Exhibit O in the original filing. The legal ad was published October 6, 2023. Attached as Exhibit 5 hereto is the tearsheet and the Affidavit of Publication

5. Exhibit S: Follow up **Applicant's Response:**

The original property owner research was certified by Mark E. Patterson, Licensed Professional Engineer, License #3136 in the Commonwealth of Kentucky on March 2, 2022, on sheet B-2 and B-2.1 of Exhibit C in the original filing. Attached hereto as Exhibit 3.

Verizon Wireless researched the Edmonson County Property Evaluation Administrator's (PVA) records on February 17, 2023 finding that Ms. Kathy Sasse does not appear in searches to own any property in Edmonson County. The property adjacent to the east of the subject property shows ownership as Yvonne Watt Basham Estate with the address of PO Box 192, Brownsville, KY 42210; the green card was signed by Darrell Basham and returned. According to Ms. Sasse's email, Darrell Basham, her stepfather received the notice as mailed and signed on behalf of the Estate. No notice was mailed to Darrell Basham.

The USPS verified that USPS Tracking shows successful delivery to Lisa K Lindsey and

Randy Wilson, 101 Walnut Ridge Way, Bowling Green, KY 42104. See Exhibit 2 attached hereto. USPS Tracking indicates the notice mailed to William B, and Dora A. Cowles, 383 Tuckertown Road, Oakland, KY 42159 is still in transit.

To date Applicant's counsel has evidence six notices have been delivered and accepted. Six notices were returned "unclaimed", of which one notice has updated ownership information. One notice was returned labeled "no such street" which Applicant verified is correct. Finally, one notice is still somewhere in transit or lost.

Applicant respectfully requests directions from PSC. If the PSC requests, Applicant can re-issue notice for the seven notices that were not accepted or delivered.

Applicant has met the requirements in terms of mailing, posting and publication as specified in KRS278.665(2) and KAR 5:063, Section 1(1)(1). These rules require that notices are sent to persons within 500' of the tower based on the public records by certified return mail receipt. Regulations do not require that all notice verifications are returned prior to filing. If the standard is being modified, theoretically an adjoining property owner could refuse service and stop the consideration and approval of said application. Applicant does not have the power to mandate receipt of service which is presumed to be why additional forms of notice are required, including newspaper publication and on site posting of signs 2 feet by 4 feet in size. Applicant would reiterate that the complaint comes from a resident that, according to the Edmonson County PVA does not currently own the adjoining property or any other property in the property record system.

WHEREFORE, Applicant respectfully request that the PSC accept the foregoing response to PUBLIC SERVICE COMMISSION (PSC) as to whether Applicant provided sufficient notice to adjoining landowners as required by KRS 278.665(2) and 807 KAR 5:063, Section 1(1)(l).

Respectfully submitted,
/s/ Russell L. Brown

Clark, Quinn, Moses, Scott & Grahn, LLP
320 North Meridian Street, Suite 1100
Indianapolis, IN 46204
Phone: (317) 637-1321 / FAX: (317) 687-2344
EdEmail: rbrown@clarkquinnlaw.com
Attorney for Cellco Partnership d/b/a Verizon Wireless

Exhibit 1



Copy from PVA Records showing street name, Property Owner Name and address.

USPS Tracking®

[FAQs >](#)

Tracking Number:

[Remove X](#)

70201810000218531340

[Copy](#)

[Add to Informed Delivery \(https://informedelivery.usps.com/\)](https://informedelivery.usps.com/)

Latest Update

Your item was delivered to an individual at the address at 5:10 pm on October 8, 2022 in BOWLING GREEN, KY 42104.

Get More Out of USPS Tracking:

[USPS Tracking Plus®](#)

Delivered

Delivered, Left with Individual

BOWLING GREEN, KY 42104

October 8, 2022, 5:10 pm

[See All Tracking History](#)

Feedback

[Text & Email Updates](#)



[USPS Tracking Plus®](#)



[Product Information](#)



[See Less ^](#)

Track Another Package

Enter tracking or barcode numbers

Need More Help?

Contact USPS Tracking support for further assistance.

[FAQs](#)

USPS Tracking®

[FAQs >](#)

Tracking Number:

[Remove X](#)

70201810000218531364

[Copy](#)

[Add to Informed Delivery \(https://informedelivery.usps.com/\)](https://informedelivery.usps.com/)

Latest Update

Your package is moving within the USPS network and is on track to be delivered to its final destination. It is currently in transit to the next facility.

Get More Out of USPS Tracking:

[USPS Tracking Plus®](#)

Feedback

Moving Through Network

In Transit to Next Facility

October 12, 2022

Departed USPS Regional Facility

NASHVILLE TN DISTRIBUTION CENTER

October 8, 2022, 12:13 am

[See All Tracking History](#)

[Text & Email Updates](#)



[USPS Tracking Plus®](#)



[Product Information](#)



[See Less ^](#)

Track Another Package

Enter tracking or barcode numbers

Need More Help?

Contact USPS Tracking support for further assistance.

[FAQs](#)

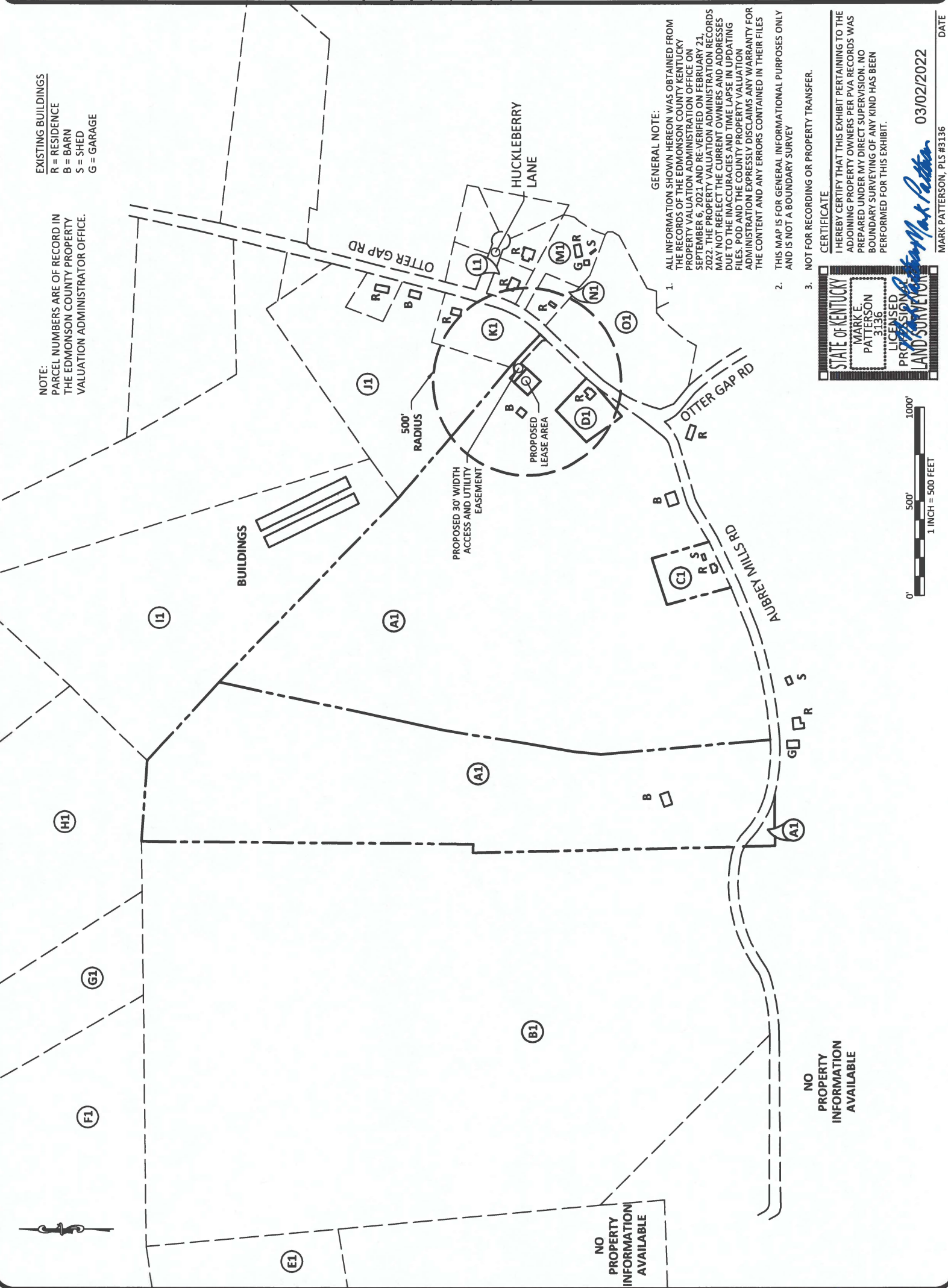
PREPARED BY:
POD
 POWER OF DESIGN
 11490 BLUEGRASS PARKWAY
 LOUISVILLE, KY 40299
 502-487-5432

PREPARED FOR:
CELCO
 PARTNERSHIP
 D/B/A
Verizon

EXHIBIT		
REV.	DATE	DESCRIPTION
A	2.21.22	ISSUED FOR REVIEW
D	3.2.22	FINAL

SITE INFORMATION:
CK
EDMONSON-WARREN
 OTTER GAP ROAD
 BOWLING GREEN, KY 42101
 EDMONSON COUNTY
 TAX PARCEL NUMBER:
 043-00-00-047.00
 PROPERTY OWNER:
 HAROLD & PATRICIA WATT
 278 AUBREY MILLS ROAD
 BOWLING GREEN, KY 42101
 SOURCE OF TITLE:
 DEED BOOK 172, PAGE 502
 POD NUMBER: 21-102891
 DRAWN BY: AJW
 CHECKED BY: MEP
 SURVEY DATE: 9.6.21
 PLAT DATE: 2.21.22

SHEET TITLE:
500' RADIUS AND
ABUTTERS MAP
 SHEET NUMBER: (2 pages)
B-2



ADJACENT PROPERTY OWNERS

- (A1)** PARCEL ID: 043-00-00-047.00
WATT HAROLD & PATRICA ELLA
278 AUBREY MILLS RD
BOWLING GREEN KY 42101
- (B1)** PARCEL ID: 043-00-00-048.00
WATT HAROLD & PATRICA ELLA
278 AUBREY MILLS RD
BOWLING GREEN KY 42101
- (C1)** PARCEL ID: 043-00-00-046.00
WATT PATRICIA E
278 AUBREY MILLS RD
BOWLING GREEN, KY 42101
- (D1)** PARCEL ID: 043-00-00-045.00
WATT LARRY JOE
4229 OTTER GAP RD
BOWLING GREEN KY 42101
- (E1)** PARCEL ID: 034-00-00-046.00
DUNCAN BOBBY JOE
1637 SHADYLAND CH RD
BOWLING GREEN KY 42101
- (F1)** PARCEL ID: 043-00-00-029.00
LINDSEY USA K &
WILSON RANDYS
101 WALNUT RIDGE WAY
BOWLING GREEN KY 42104
- (G1)** PARCEL ID: 043-00-00-031.00
DAVIS KEITH
1145 SHADY LAND CHURCH RD
BOWLING GREEN KY 42101
- (H1)** PARCEL ID: 043-00-00-032.00
COWLES WILLIAM B & DORA A
383 TUCKERTOWN RD
OAKLAND KY 42159
- (I1)** PARCEL ID: 043-00-00-033.01
MEREDITH JOHN W & LORI ANN
3975 OTTER GAP RD
BOWLING GREEN KY 42101
- (J1)** PARCEL ID: 043-00-00-033.00
BASHAM YVONNE WATT EST
PO BOX 192
BROWNSVILLE KY 42210

- (K1)** PARCEL ID: 043-00-00-045.02
WEBB TODD K & LISA MICHELLE
3300 OTTER GAP RD
BOWLING GREEN KY 42101
- (L1)** PARCEL ID: 043-50-00-002.00
MURPHY TARA L
15 HUCKLEBERRY LN
BOWLING GREEN KY 42101
- (M1)** PARCEL ID: 043-00-00-040.02
BOWLES STEVEN & KIMBERLY
4060 OTTER GAP RD
BOWLING GREEN KY 42101
- (N1)** PARCEL ID: 043-00-00-040.01
WILLOUGHBY SEAN M & FALLON A
4130 OTTER GAP RD
BOWLING GREEN KY 42101
- (O1)** PARCEL ID: 043-00-00-044.00
MASSET T J & ALEX
1099 DENHAM RD
SMITHS GROVE KY 42171

1. ALL INFORMATION SHOWN HEREON WAS OBTAINED FROM THE RECORDS OF THE EDMONSON COUNTY KENTUCKY PROPERTY VALUATION ADMINISTRATION OFFICE ON SEPTEMBER 6, 2021 AND RE-VERIFIED ON FEBRUARY 21, 2022. THE PROPERTY VALUATION ADMINISTRATION RECORDS MAY NOT REFLECT THE CURRENT OWNERS AND ADDRESSES DUE TO THE INACCURACIES AND TIME LAPSE IN UPDATING FILES. POD AND THE COUNTY PROPERTY VALUATION ADMINISTRATION EXPRESSLY DISCLAIMS ANY WARRANTY FOR THE CONTENT AND ANY ERRORS CONTAINED IN THEIR FILES.
2. THIS MAP IS FOR GENERAL INFORMATIONAL PURPOSES ONLY AND IS NOT A BOUNDARY SURVEY.
3. NOT FOR RECORDING OR PROPERTY TRANSFER.

NOTE:
PARCEL NUMBERS ARE OF RECORD IN
THE EDMONSON COUNTY PROPERTY
VALUATION ADMINISTRATOR OFFICE.



CERTIFICATE
I HEREBY CERTIFY THAT THIS EXHIBIT PERTAINING TO THE ADJOINING PROPERTY OWNERS PER PVA RECORDS WAS PREPARED UNDER MY DIRECT SUPERVISION. NO BOUNDARY SURVEYING OF ANY KIND HAS BEEN PERFORMED FOR THIS EXHIBIT.

Mark E. Patterson
03/02/2022

MARK PATTERSON, PLS #3136 DATE



PREPARED FOR:



EXHIBIT

REV.	DATE	DESCRIPTION
A	2.21.22	ISSUED FOR REVIEW
D	3.2.22	FINAL

SITE INFORMATION:

CK
EDMONSON-WARREN
OTTER GAP ROAD
BOWLING GREEN, KY 42101
EDMONSON COUNTY

TAX PARCEL NUMBER:
043-00-00-047.00

PROPERTY OWNER:
HAROLD & PATRICA WATT
278 AUBREY MILLS ROAD
BOWLING GREEN, KY 42101

SOURCE OF TITLE:
DEED BOOK 172, PAGE 502

POD NUMBER: 21-102891

DRAWN BY: AIW
CHECKED BY: MEP
SURVEY DATE: 9.6.21
PLAT DATE: 2.21.22

SHEET TITLE:

500' RADIUS AND
ABUTTERS MAP

SHEET NUMBER: (2 pages)

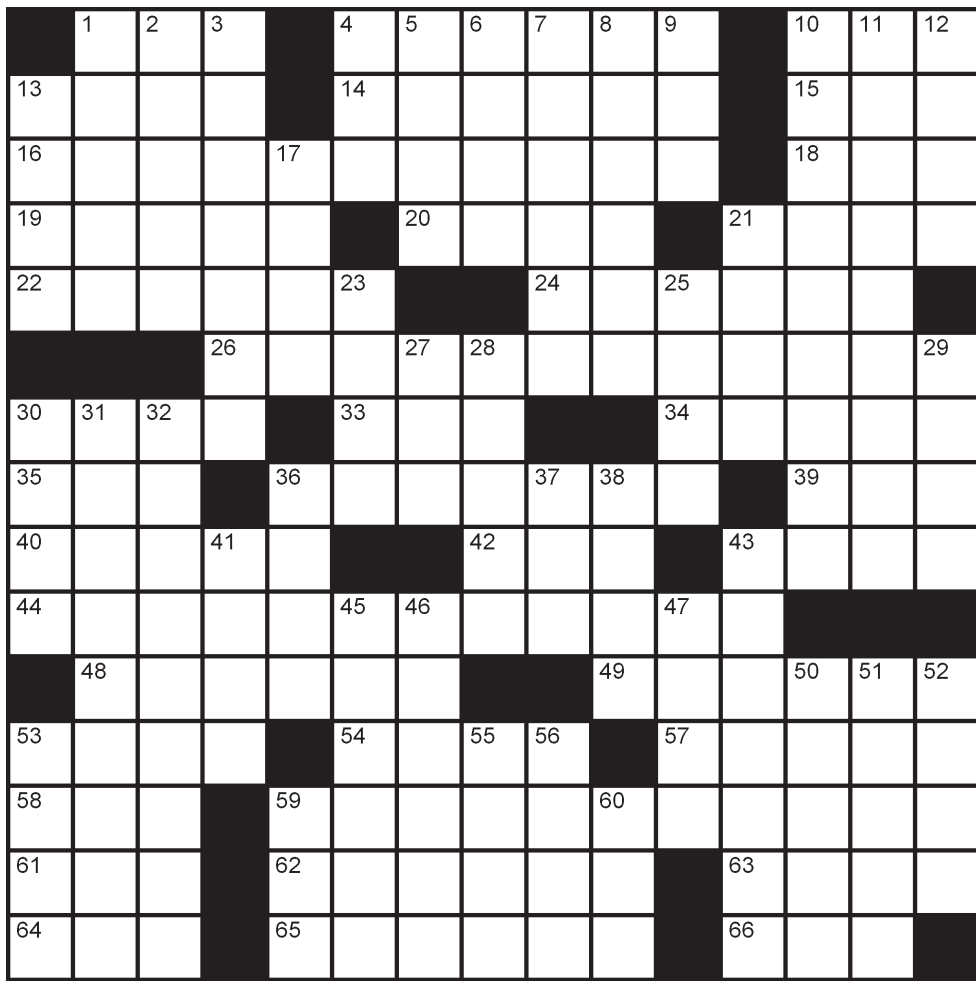
B-2.1

Exhibit 4
Photos of Posted Notices



Daily CROSSWORD / UNIVERSAL SYNDICATE

HOT LINKS
By Adrian Johnson



- ACROSS**
- 1 Future Ph.D. candidate's exam
 - 4 Superficial layer
 - 10 Tuna in poke
 - 13 "I feel ___ and heard!"
 - 14 Tool for a mountain climber
 - 15 Japanese title
 - 16 *Stringed instruments of Northwest Europe (In this answer, note letters 6-9)
 - 18 "FanMail" girl group
 - 19 From Thailand, perhaps
 - 20 Name that sounds like a car
 - 21 Greek cheese
 - 22 Rattle off
 - 24 Have big dreams
 - 26 *Failed attempt (letters 3-7)
 - 30 Use profanity
 - 33 The first "T" of TNT
 - 34 Buddhism, for one
 - 35 Toilet bowl cleaner, e.g., for Coke
 - 36 *Paintings on planes' fronts (letters 3-6)
 - 39 Unnamed John
 - 40 Shelter on a hot day
 - 42 Comedian Margaret
 - 43 "College GameDay" channel
 - 44 *Accompaniment to a musical (letters 3-7)
 - 48 Ice-cream parlor treat
 - 49 Universe
 - 53 To be, in Paris
 - 54 Alcohol paired with omakase
 - 57 "I love you, mi esposa"
 - 58 Turn bad
 - 59 Make irreversible decisions, and a theme hint
 - 61 Not just online, for short
 - 62 Stopped in
 - 63 "Er, forget it!"
 - 64 View finder?
 - 65 Monty Python member John
 - 66 Faux ___ (misstep)
- DOWN**
- 1 Birds in a gaggle
 - 2 Tutankhamun's mask, e.g.
 - 3 Involves
 - 4 Nickname that drops -tor
 - 5 "Anybody there? ...ere? ...ere?" effect
 - 6 "Cool!"
 - 7 Livestock ID
 - 8 Investigative journalist's piece
 - 9 Hi-___ imaging
 - 10 Bodies in big belts?
 - 11 Sleeveless summer wear
 - 12 Ancient Andean
 - 13 Mark from surgery
 - 17 Gung-ho about
 - 21 Women's World Cup org.
 - 23 Spanish for "this"
 - 25 (Yeah, right!)
 - 27 Grp. that gets a yearly pay cut?
 - 28 Sister's daughter, say
 - 29 At that time
 - 30 Zodiacal transition point
 - 31 Class covering the Civil War
 - 32 Endangered marine reptile
 - 36 One may know 15

- 3 Involves
- 4 Nickname that drops -tor
- 5 "Anybody there? ...ere? ...ere?" effect
- 6 "Cool!"
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- 29 At that time
- 30 Zodiacal transition point
- 31 Class covering the Civil War
- 32 Endangered marine reptile
- 36 One may know 15



- 37 Relaxed sounds
- 38 College mil. acronym
- 41 "Finished!"
- 43 Loosened, as restrictions
- 45 Like the dress code
- 46 "You listening?"
- 47 Bread with saag paneer
- 50 Underground soft rock?
- 51 Good or bad signs
- 52 Passable
- 53 Toledo's lake
- 55 Take a ___ (protest like an athlete)
- 56 Recedes
- 59 Email discreetly
- 60 Deli bread

HELP WANTED



LOCAL CLINIC
looking for a MA to multi-task in a fast pace environment. Monday - Friday 8 am - 5 pm. No weekends
Serious Enquires email resume to
Connie.Smith@thecenterforpainmanagement.org

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Part time Customer Service Rep
In search of an outgoing and dependable parttime customer service representative to answer phones, enter paperwork and handle general customer service issues. Experience a plus but will train the right candidate.

Hours are:
Tues. 12PM-6PM
Thurs. 12PM-6PM
Every other Sunday 6AM-10:30AM
On occasion may be asked to fill in for other shifts.

Candidate must have basic computer knowledge and be reliable. If interested, email your resume to
ssalata@bgdailynews.com
No phone calls.

Business Ventures



Carriers Wanted Multiple Routes Available!

Bowling Green
Call Circulation Department to make an appointment at 270-783-3200 270-943-4096
or fill out interest form online at <https://www.bgdailynews.com/contractor>

\$\$\$\$\$\$\$\$

To Place Your Ad Call 783-3232

Business Ventures



Carriers Wanted

Allen County Area.

Call Circulation Department to make an appointment at 270-783-3274
or fill out interest form online at <https://www.bgdailynews.com/contractor>

\$\$\$\$\$\$\$\$

TRANSPORTATION



Autos

1950 Chevrolet Custom Pickup. \$18,500 Call 270-646-5119

NEED IT?

Run a Daily News Classified "Wanted to Buy" Call 783-3232

Campers

28ft. Camper For Sale pull behind, sleeps 8 and ready to roll. Asking \$3200 obo. Call 270-392-1430.

NOTICES



General

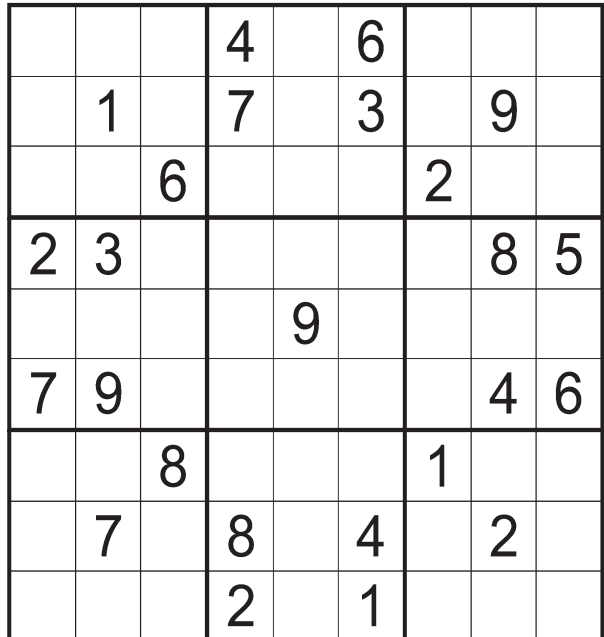
NOTICE

Cellco Partnership, d/b/a Verizon Wireless has filed an application with the Kentucky Public Service Commission ("PSC") to construct a new wireless communications facility on a site located east of 4229 Otter Gap Road, Bowling Green, KY 42101 (North Latitude: (37° 05' 02.74", West Longitude 86° 16' 10.91"). The proposed facility will include a 195-foot tall antenna tower, plus a 4-foot lightning arrester, for a total height of 199 feet with related ground facilities. You have a right to submit comments to the PSC or to request intervention in the PSC's proceedings on the application. You may contact the PSC at: Executive Director, Public Service Commission, 211 Sower Boulevard, P.O. Box 615, Frankfort, Kentucky 40602. Please refer to docket number 2022-00332 in any correspondence sent in connection with this matter.

The Daily News Accepts Visa, Mastercard & Discover.

Conceptis Sudoku

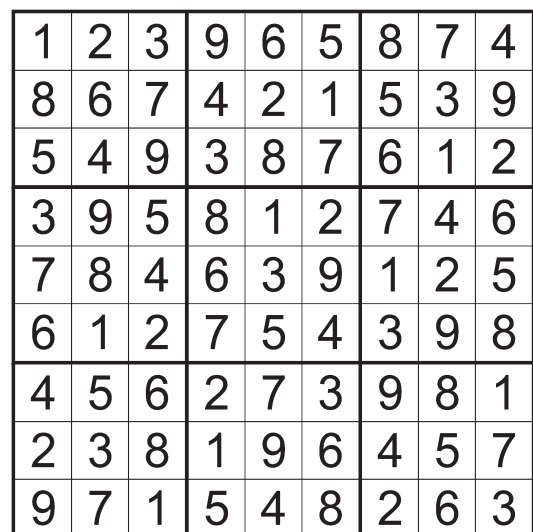
By Dave Green



Difficulty Level ★★★

10/06

INSTRUCTIONS: Sudoku is a number placing puzzle based on a 9x9 grid with several given numbers. The object is to place the numbers 1 to 9 in the empty squares so that each row, each column and each 3x3 box contains the same number only once. The difficulty level of the Conceptis Sudoku increases from Monday to Sunday.



Difficulty Level ★★★

10/05

Find It Here

Shop the Classifieds for the best local deals!



Homes



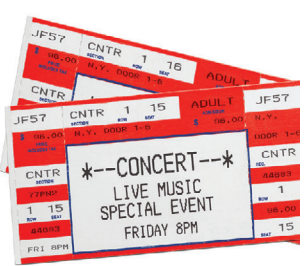
Cars



Jobs



Merchandise



& More

TO PLACE AN AD IN THE CLASSIFIEDS CALL 270-783-3232 OR ONLINE AT CLASSIFIEDS@BGDAILYNEWS.COM



P.O. Box 90012, Bowling Green, Ky., 42102 • (270) 781-1700

AFFIDAVIT OF PUBLICATION

Clark, Quinn, Moses, Scott & Grahn, LLC
320 N Meridian Street Suite 1100
Indianapolis, IN 46204

To Whom It May Concern:

This is to certify that on **Thursday, October 6, 2022**, a **PUBLIC NOTICE** ad ran in the classified of the Daily News, a publication in and for the county of Warren, city of Bowling Green, State of Kentucky.

I further certify that all of the foregoing facts are true on such date aforesaid.

Dated this 6th day of October, 2022.

Tiffany Z. [Signature]

Subscribed and sworn to before me this 6th day of October, 2022.

My Commission Expires: July 20, 2024.

Wendy Dawn Stewart
Notary Public, KY State-At-Large
Notary ID: KYNP9784

