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 LOGAN

CASE NO. 2023-00043

UPDATED RESPONSE TO COMMISSION STAFF'S FIRST REQUEST FOR INFORMATION

Cellco Partnership d/b/a Verizon Wireless (Applicant), response to PUBLIC SERVICE COMMISSION (PSC) regarding request for information.

APPENDIX B RESPONSE, please note updated responses in red.

Please see Exhibit 1; Certificate of attorney supervising the preparation of this response on behalf of the entity that the response is true and accurate to the best of that person's knowledge, information, and belief formed after reasonable inquiry.

- 1. Refer to the Application, Exhibits K and L.
 - a. State what date the notice letter (Exhibit L) was sent to property owners.

The certified mail notices were mailed on February 7, 2023.

b. Provide copies of all return receipts received as a result of mailing notice. This is a continuing request to file return receipts into the case record as they are received.

There were twenty (20) notices sent to property owners. As of June 7, 2023, we have received returned green cards for eighteen (17) of the twenty, in addition to the notice sent to the Judge Executive. Please see Exhibit 2 attached hereto which includes copies of the notification letter, location map, copies of the envelopes, copies of the green cards returned, 2 returned envelopes both for parcels owned by the Logan County Agricultural Extension District, and the USPS tracking documentation indicating one (1) notice to Whyte, Allen J & Savannah E, was delivered February 10, 2023. Verification of addresses was completed again today, June 7, 2023 via the Logan County PVA re-confirming that these two (2) parcels have not changed ownership

since the mailing.

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)(I).

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

DATED <u>JUNE 7, 2023</u>

Case No. 2023-00043

STATE OF INDIANA)) SS: COUNTY OF MARION)

AFFIDAVIT OF CERTIFICATION COMMONWEALTH OF KENTUCKY PUBLIC SERVICE COMMISSION

I Russell L. Brown, attorney for Cellco Partnership, d/b/a Verizon Wireless do hereby certify that as the person supervising the preparation of this application that the all statements and information contained herein are true and accurate to the best of that person's knowledge, information, and belief formed after a reasonable inquiry for all information within this application.

Russell L. Brown Attorney, for Cellco Partnership, d/b/a Verizon Wireless

STATE OF INDIANA, COUNTY OF MARION, SS: Subscribed and sworn to before me this 6th day of June 202

to litelle



Notary Public Printed Name of Notary: Elizabeth Bentz Williams My commission expires: November 18, 2028 My County of Residence: <u>Marion</u> Commission #: 0639620



Russell L. Brown Attorney at Law rbrown@clarkquinnlaw.com 320 N. Meridian St., Ste. 1100 Indianapolis, IN 46204 (317) 637-1321 main (317) 687-2344 fax

February 7, 2023

Notice of Proposed Construction of Wireless Communications Facility Site Name: Russellville Capacity

Cellco Partnership, d/b/a Verizon Wireless and Harmoni Towers, LLC have filed an application with the Kentucky Public Service Commission ("PSC") to construct a new wireless communications facility on a site located on Creekwood Drive, Russellville, KY 42276 (North Latitude: (36° 51' 50.30", West Longitude 86° 53' 09.85"). The proposed facility will include a 195-foot tall antenna tower, plus a 4-foot lightning arrestor, for a total height of 199 feet with related ground facilities. This facility is needed to provide improved coverage for wireless communications in the area.

This notice is being sent to you because the County Property Valuation Administrator's records indicate that you may own property that is within a 500' radius of the proposed tower site or contiguous to the property on which the tower is to be constructed. You have a right to submit testimony to the Kentucky Public Service Commission ("PSC"), either in writing or to request intervention in the PSC's proceedings on the application. You may contact the PSC for additional information concerning this matter at: Kentucky Public Service Commission, Executive Director, 211 Sower Boulevard, P.O. Box 615, Frankfort, Kentucky 40602. Please refer to docket number 2023-00043 in any correspondence sent in connection with this matter.

We have attached a map showing the site location for the proposed tower. Applicant's radio frequency engineers assisted in selecting the proposed site for the facility, and they have determined it is the proper location and elevation needed to provide quality service to wireless customers in the area. Please feel free to contact us at 317-637-1321 if you have any comments or questions about this proposal.

Sincerely, Russell L. Brown

Attorney for Applicant RLB/jdj enclosure

Site Location



11nn ark Quinn, Moses, Scott & Grahn, LLP





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TABOR JOHN & ELIZABETH 5349 BUENA VISTA RD RUSSELLVILLE, KY 42276





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CATES JOHN W & FRANCES 816 MEADOW LN RUSSELLVILLE,KY 42276





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HOLLAND RUSSELL ANDREW & DIANA 799 N MORGAN ST RUSSELLVILLE, KY 42276





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BRAY AUDIE G & SHARON L 205 CREEKWOOD DR RUSSELLVILLE, KY 42276





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SWEATT REGINA 204 CREEKWOOD DR RUSSELLVILLE, KY 42276





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BIG TIME PROPERTIES LLC 154 VANDERBILT CT BOWLING GREEN, KY 42103 Lark Quinn, Moses, Scott & Grahn, LLP



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BUETTNER KENDRA DAY 104 PLEASANT DR RUSSELLVILLE, KY 42276





CERTIFIED MAIL®

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WALKER CHRISTOPHER AND LINDSEY DOVER 102 PLEASANT DR RUSSELLVILLE, KY 42276









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BLUE MOUNTAIN LLC % JOHN & ADELA CORNES 100 PLEASANT DR RUSSELLVILLE, KY 42276

linn Quinn, Moses, Scott & Grahn, LLP Clark



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MCINTOSH GARY & KENNER **JARED** % JARED KENNER P O BOX 451 RUSSELLVILLE, KY 42276







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WHYTE ALLEN J & SAVANNAH E **102 CEDAR TREE RUSSELLVILLE, KY 42276**





2022 0410 0002 1299 1102

RESCUE INVESTMENTS LLC 1252 STATE ST BOWLING GREEN, KY 42101

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Clark Quinn, Moses, Scott & Grahn, LLP



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BGLG INVESTMENTS LLC 663 HOMER MURRAY RD BOWLING GREEN, KY 42104





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BAIZE J M 71 B JOHN PAUL AVE RUSSELLVILLE, KY 42276





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CATES JUDY 106 CEDAR TREE LN RUSSELLVILLE, KY 42276

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DENALI CAPITAL LLC P O BOX 1436 BOWLING GREEN, KY 42102



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1nnClark, Quinn, Moses, Scott & Grahn, LLP



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GET FIT PROPERTIES, LLC P O BOX 1436 BOWLING GREEN, KY 42102





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LOGAN COUNTY AGRICULTURAL EXTENSION DISTRICT P O BOX 660 RUSSELLVILLE, KY 42276





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LOGAN COUNTY AGRICULTURAL EXTENSION DISTRICT 121 S SPRING ST RUSSELLVILLE, KY 42276

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
 Complete items 1, 2, and 3. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 1. Article Addressed to: 	A. Signature X Agent B. Received by (Printed Name) Addressed C. Date of Delivery C. Date
Hon. Phil Bak er PO Box 365 200 W. Fourth Street Russellville, KY 42276	
9590 9402 5283 9154 4137 53 2. Article Number (Transfer from service label) 7020 1810 0002 1853 077	3. Service Type □ Priority Mail Express® □ Adult Signature □ Registered Mail™ □ Adult Signature Restricted Delivery □ Registered Mail™ □ Adult Signature Restricted Delivery □ Registered Mail™ □ Collect on Delivery □ Restricted Delivery □ Collect on Delivery □ Signature Confirmation™ □ Insured Mail □ Signature Confirmation™ □ Insured Mail □ Signature Confirmation™ □ 0 00
PS Form 3811, July 2015 PSN 7530-02-000-9053	Domestic Return Receipt









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PS Form 3811, July 2020 PSN 7530-02-000-9053	Domestic Return Receipt	



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PS Form 3811, July 2020 PSN 7530-02-000-9053	Domestic Return Receipt



Tracking Number:

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Copy Add to Informed Delivery (https://informeddelivery.usps.com/)

Latest Update

Your item was delivered to an individual at the address at 5:03 pm on February 10, 2023 in RUSSELLVILLE, KY 42276.

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USPS Tracking Plus[®]

Delivered Delivered, Left with Individual

RUSSELLVILLE, KY 42276 February 10, 2023, 5:03 pm

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Product Information

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Contact USPS Tracking support for further assistance.

FAQs