### 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	)	CASE NO.
CONVENIENCE AND NECESSITY TO	)	2023-00043
CONSTRUCT A WIRELESS COMMUNICATIONS	)	
FACILITY IN THE COMMONWEALTH OF	)	
KENTUCKY IN THE COUNTY OF LOGAN	)	

## 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 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.

Please see Exhibit 2 attached hereto which includes copies of the notification letter, location map, copies of the envelopes and copies of the green cards returned to date. There were twenty (20) notices sent to property owners. To date, we have received returned green cards for eighteen (17) of the twenty, in addition to the notice sent to the Judge Executive. USPS tracking shows one (1) notice to Whyte, Allen J & Savannah E, as delivered February 10, 2023. Two (2) notices yet to be returned are both for parcels owned by the Logan County Agricultural Extension District, which have different addresses. The USPS tracking lists these two parcels as "moving through network". Verification of addresses was re-confirmed today 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,
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

Email: rbrown@clarkquinnlaw.com

Attorney for Cellco Partnership d/b/a Verizon Wireless

DATED <u>MAR 09 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 person supervising the preparation of the response on behalf of the person that I am the person supervising the preparation of the response and that the response is true and accurate to the best of our knowledge, information, and belief formed after a reasonable inquiry for each response to Verizon Wireless's response to Staff's First Request for Information.

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 9th day of March, 2023.

Notary Public

Printed Name of Notary: Elizabeth Bentz Williams

My commission expires: November 18, 2028

My County of Residence: Marion

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

Via Certified Mail, Return Receipt Requested 7020 1810 0002 1853 0770

Hon. Phil Baker PO Box 365 200 W. Fourth Street Russellville, KY 42276

RE: Notice of Proposal to Construct Wireless Communications Facility Kentucky Public Service Commission Docket No. 2023-00043 Site Name: Russellville Capacity

Dear Judge Baker:

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.

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 2023-00043 in any correspondence sent in connection with this matter.

We have attached a map showing the site location for the proposed tower. Verizon Wireless' 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 with any comments or questions you may have.

Sincerely,

Russell L. Brown

Attorney for Applicant

RLB/jdj Enclosures

### **Site Location**



### Clark Quinn Clark, Quinn, Moses, Scott & Grahn, LLP

### CERTIFIED MAIL®



7020 1810 0002 1853 0770

US POSTAGE MIPITNEY BOWES

FEB 07 2023

Hon. Phil Baker PO Box 365 200 W. Fourth Street Russellville, KY 42276



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**











7022 0410 0002 1799 0990

FIRST-CLASS



02 7H 0006035028

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



### CERTIFIED MAIL



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FIRST-CLASS

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

# Clark, Quinn, Moses, Scott & Grahn, LLP

### IFIED MAIL®



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FIRST-CLASS

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







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FIRST-CLASS

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BRAY AUDIE G & SHARON L 205 CREEKWOOD DR

RUSSELLVILLE, KY 42276





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FIRST-CLASS

204 CREEKWOOD DR RUSSELLVILLE, KY 42276

### CERTIFIED MAIL®





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FIRST-CLASS

**BIG TIME PROPERTIES LLC** 154 VANDERBILT CT **BOWLING GREEN, KY 42103** 







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BUETTNER KENDRA DAY 104 PLEASANT DR RUSSELLVILLE, KY 42276 FIRST- CLASS

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# Clark Quinn Clark, Quinn, Moses, Scott & Grahn, LLP

## CERTIFIED MAIL®



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FEB 07 2023

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

# Clark Quinn Clark, Quinn, Moses, Scott & Grahn, LLP

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RESCUE INVESTMENTS LLC 1252 STATE ST BOWLING GREEN, KY 42101





LEKTIFIED MAIL

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FIRST-CLASS





**BGLG INVESTMENTS LLC** 663 HOMER MURRAY RD

**BOWLING GREEN, KY 42104** 

Clark, Quinn, Moses, Scott & Grahn, LLP



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

Clark, Quinn, Moses, Scott & Grahn, LLP



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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** 

Clark, 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 POBOX 660** RUSSELLVILLE, KY 42276



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LOGAN COUNTY AGRICULTURAL EXTENSION DISTRICT 121 S SPRING ST RUSSELLVILLE, KY 42276 US POSTAGE MIPITNEY BOWES

FEB 07 2023

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SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
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PS Form 3811, July 2015 PSN 7530-02-000-9053	Domestic Return Receipt

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
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1252 STATE ST	
BOWLING GREEN, KY 42101	
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or on the front if space permits.  1. Article Addressed to:	Kendra Buettner 2/14/23
I. Article Addressed to:	D. Is delivery address different from item 1? Yes If YES, enter delivery address below: No
BUETTNER KENDRA DAY	
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RUSSELLVILLE, KY 42276	
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### COMPLETE THIS SECTION ON DELIVERY **SENDER: COMPLETE THIS SECTION** A. Signature ■ Complete items 1, 2, and 3. Agent ■ Print your name and address on the reverse ☐ Addresse so that we can return the card to you. C. Date of Deliver B. Received by (Printed Name) Attach this card to the back of the mailpiece, DANNY BUIZE or on the front if space permits. 1. Article Addressed to: D. Is delivery address different from item 1? Yes If YES, enter delivery address below: No **BAIZE J M** 71 B JOHN PAUL AVE RUSSELLVILLE, KY 42276 3. Service Type ☐ Priority Mail Express® Adult Signature Adult Signature Restricted Delivery Certified Mail® Certified Mail Restricted Delivery □ Registered Mail™ □ Registered Mail Restrict □ Delivery □ Signature Confirmation □ Signature Confirmation 9590 9402 7743 2152 5090 61 Collect on Delivery Collect on Delivery Collect on Delivery Collect on Delivery Restricted Delivery Restricted Delivery 2. Article Number (Transfer from service label) Incurred Mail Mail Restricted Delivery 00) 7022 0410 0002 1799 1126 PS Form 3811, July 2020 PSN 7530-02-000-9053 **Domestic Return Receipt**

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so that we can return the card to you.	B. Received by (Printed Name)  C. Date of Delivery
Attach this card to the back of the mailpiece, or on the front if space permits.	Tasorfunda
Article Addressed to:	D. Is delivery address different from item 12 12 Yes
TOTAL A CARPETAL A CO	If YES, enter delivery address below:
DENALI CAPITAL LLC	FED 20
P O BOX 1436	FEB 2 2 2023
BOWLING GREEN, KY 42102	
	370(11808)
	2 Consider Times
	3. Service Type ☐ Priority Mail Express® ☐ Adult Signature ☐ Registered Mail™
	Adult Signature Restricted Delivery  Certified Mail®  Thegistered Mail Restrict Delivery
9590 9402 7743 2152 5090 85	☐ Certified Mail Restricted Delivery ☐ Signature Confirmation ☐ Collect on Delivery ☐ Signature Confirmation
2. Article Number (Transfer from service lahel)	☐ Collect on Delivery Restricted Delivery Restricted Delivery
7022 0410 0002 1799 1140	Viail Restricted Delivery
PS Form 3811, July 2020 PSN 7530-02-000-9053	Domestic Return Receipt
SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
	A. Signature
Complete items 1, 2, and 3.  Print your name and address on the reverse	☐ Agent
se that we can return the card to you.	☐ Addressed
Attach this card to the back of the mailpiece,	B. Received by (Printed Name) C. Date of Delivery
or on the front if space permits.	Jasa Hansa JBGRE
1. Article Addressed to:	D. Is delivery address different from item 1?  If YES, enter delivery address below:
GET FIT PROPERTIES, LLC	FEB 2 2 2023
P O BOX 1436	LB 2 2 2020
BOWLING GREEN, KY 42102	65/
	2/01 US1
	· ·
11 0 MINISTERNAL AND A SANGE NO. 100 100 100 100 100 100 100 100 100 10	3. Service Type
	Adult Signature Restricted Delivery     Registered Mail Restricted Delivery
9590 9402 7743 2152 5090 92	☐ Certified Mail Restricted Delivery ☐ Signature Confirmation™
2. Article Number (Transfer from service label)	☐ Collect on Delivery Restricted Delivery Restricted Delivery
7020 1810 0002 1853 0787	Mall Mall Restricted Delivery
PS Form 3811, July 2020 PSN 7530-02-000-9053	Domestic Return Receipt
The state of the s	
SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
■ Complete items 1, 2, and 3.	A. Signature
■ Print your name and address on the reverse	X Agent
so that we can return the card to you.	B. Received by (Printed Name) C. Date of Deliver
Attach this card to the back of the mailpiece, or on the front if space permits.	Raine Sweath colle 123
1. Article Addressed to:	D. Is delivery address different from item 1? ☐ Yes
CANADA COM DE DE CONTRA	If YES, enter delivery address below:   No
SWEATT REGINA	
204 CREEKWOOD DR	
RUSSELLVILLE, KY 42276	
	3. Service Type ☐ Priority Mail Express®
	☐ Adult Signature ☐ Registered Mail™
	☐ Certified Mail® Delivery
9590 9402 7743 2152 5089 72	☐ Certified Mail Restricted Delivery ☐ Signature Confirmation ☐ Collect on Delivery ☐ Signature Confirmation
2. Article Number (Transfer from service label)	Collect on Delivery Restricted Delivery Restricted Delivery
7022 0410 0002 1799 103	Uall Restricted Delivery
PS Form 3811, July 2020 PSN 7530-02-000-9053	Domestic Return Receipt

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY	
<ul> <li>Complete items 1, 2, and 3.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> <li>1. Article Addressed to:</li> </ul>	A. Signature  X B. Received by (Printed Name)  D. Is delivery address different from If YES, enter delivery address	
TABOR JOHN & ELIZABETH 5349 BUENA VISTA RD RUSSELLVILLE, KY 42276		
9590 9402 7743 2152 5089 34 2. Article Number ( <i>Transfer from service label</i> )	3. Service Type  Adult Signature  Adult Signature Restricted Delivery  Certified Mail®  Certified Mail Restricted Delivery  Collect on Delivery  Collect on Delivery Restricted Delivery  Insurant Mail	□ Priority Mail Express® □ Registered Mail™ □ Registered Mail Restric ∫ Delivery □ Signature Confirmation Restricted Delivery
7022 0410 0002 1799 099( PS Form 3811, July 2020 PSN 7530-02-000-9053	Mail Restricted Delivery	
		Domestic Return Receip