

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

RESPONSE TO ORDER AND ADDITIONAL INFORMATION

Cellco Partnership d/b/a Verizon Wireless (Applicant) response to PUBLIC SERVICE COMMISSION (PSC) ORDER granted a CPCN to construct a wireless on August 16, 2023. The proposed facility consists of a tower not to exceed 199 feet in height, with attached antennas, to be located at Creekwood Drive, Russellville, Kentucky 42276. The coordinates for the proposed facility are North Latitude 36° 51' 50.30", West Longitude 86° 53' 09.85".

BACKGROUND

1. Applicant submitted an application requesting issuance of a Certificate of Public Convenience and Necessity to construct a wireless communication facility in the Commonwealth of Kentucky in the County of Logan on February 8, 2023.
2. The Public Service Commission (PSC) granted a Certificate of Convenience for this site on August 16, 2023.
3. An anonymous public comment was entered into the record on July 28, 2023 alleging that Applicant ignored the Logan Joint Cities/County Planning Commission.

RESPONSE

4. In response, Applicant contacted the Logan County Judge Executive, Phil Baker and the Logan Joint Cities/County Planning Commission Director, Victor Shifflett. While it was determined the Applicant's site is located outside the boundary jurisdiction of the Plan Commission, Applicant filed for review before the Plan Commission out of an abundance of caution.
5. The Logan Joint Cities/County Planning Commission heard and approved the application on September 7, 2023. Attached hereto as **Exhibit A** are the minutes of said hearing and approval.
6. Attached hereto as **Exhibit B** please find an Affidavit of Certification for all information contained in this RESPONSE.
7. All Exhibits to this Application are hereby incorporated as if fully set out as part of this application.

Applicant respectfully requests that the PSC accept the additional documentation and enter into the PSC 2023-00043 filing.

All responses and requests associated with this Application may be directed to:

Respectfully submitted,

/s/ Russell L. Brown

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Indianapolis, IN 46204
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Email: rbrown@clarkquinnlaw.com
Attorney for Cellco Partnership
d/b/a Verizon Wireless

List of Exhibits

- A. Logan Joint Cities/County Planning Commission September 7, 2023 minutes
- B. Affidavit of Certification

1 LOGAN JOINT CITIES/COUNTY PLANNING COMMISSION
2 MINUTES
3 September 7, 2023
4

5 The meeting was called to order at 6:00 p.m. by Jim Trimble Chairman. Those present were
6
7 Connie Pearson, Co-Chairman, Will Gregory, Roger Martin, Justin Hopkins, James Milam, Attorney
8
9 for Planning & Zoning, and Victor Shifflett, Zoning Administrator.
10

11 The **consideration of** the Minutes and Treasurer's Report for August will be taken up at the
12 next
13
14 meeting.
15

16 **OLD BUSINESS**
17

18 Mr. Shifflett noted that there would be no public meeting for the month of October because
19
20 Sharon Armstrong would be giving her training session for the board to obtain the hours needed.
21

22 **NEW BUSINESS**
23

24 A Motion was made by Will Gregory to open a hearing for the Commission to consider the
25
26 request of Verizon to put a proposed cell tower on property located on Creekwood Drive, Russellville,
27
28 KY 42276, seconded by Roger Martin.
29

30 The Motion passed unanimously on roll call vote.
31

32 Mr. Russell Brown, Attorney for Verizon, was present at the meeting. Mr. Brown informed the
33
34 Commission that Verizon was requesting to place a 195ft. Self-Support Tower on Creekwood Drive,
35
36 Russellville, Ky. Mr. Brown states that the current area was experiencing poor service and there was a
37
38 high demand for wireless high-speed data. Mr. Brown noted that this tower is needed to provide all
39
40 Verizon customers in the area the best experience with their wireless devices. Mr. Brown noted the
41
42 tower would have room for 2 co-locators. Mr. Shifflett informed the Commission that Verizon had
43
44 advertised in the Democrat and Leader, sent out letters to adjoining landowners and put signage up on
45
46 the property. Mr. Shifflett also noted that Verizon had paid all their fees. **Mr. Brown presented a
47 folder containing a narrative of his presentation, which in made a part of the record.**
48

49 After some discussion amongst the Commission, a Motion was made by Roger Martin to close

50
51 The **hearing** regarding the request from Verizon to consider the installation **present tense** of a cell tower
52 on
53
54 property located on Creekwood Drive, Russellville, KY 42276, seconded by Connie Pearson.

55
56 The Motion passed unanimously on roll call vote.

57
58 A Motion was made by Connie Pearson to approve the request of Verizon to install a cell tower
59
60 on Creekwood Drive, Russellville, KY 42276, seconded by Will Gregory.

61
62 The Motion passed unanimously on roll call vote.

63
64 The Commission reviewed a Plat Modification on the Delores Harris Subdivision, owned by B
65
66 & B Builders, LLC, located on Spa Road, Lewisburg, KY 42256. Mr. Shifflett informed the
67
68 Commission that B & B Builders would be Modifying Tract 1 into Tract 1A and Tract 1 B. Mr.
69
70 Shifflett also noted that the fees have been paid.

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72 A Motion was made by Will Gregory to approve the Plat Modification on the Delores Harris
73
74 Subdivision, owned by B & B Builders, LLC, located on Spa Road, Lewisburg, KY 42256, seconded
75
76 by Roger Martin.

77
78 The Motion passed unanimously on roll call vote.

79
80 The Commission reviewed a preliminary/final plat of the J.R. Claypool Subdivision, owned by
81
82 J.R. Claypool, located on Taylor Barrow Road, Auburn, KY 42206. Will Gregory informed the
83
84 Commission that Mr. Claypool had a total of 42.233 acres and had divided it into 4 separate tracts. Mr.
85
86 Shifflett noted that all fees had been paid. Mr. Gregory left the room while the Commission discussed
87
88 and voted on the preliminary/final of the J.R. Claypool Subdivision. The Commission noted that
89
90 everything looked good.

91
92 A Motion was made by Roger Martin to approve the preliminary/final plat of the J.R. Claypool
93
94 Subdivision, owned by J.R. Claypool, located on Taylor Barrow Road, Auburn, KY 42206, seconded
95
96 by Connie Pearson.

97
98 The Motion passed on roll call vote with Will Gregory **absent** due to his position with Haley

99
100 Auctions and Realty.

101
102 The Commission reviewed a preliminary/final plat on the Curtis Coursey Subdivision, owned
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104 by Brenda Coursey, located on Parker Road, Lewisburg, KY 42256. Will Gregory informed the
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106 Commission that Ms. Coursey had a total of 70.233 acres and had divided it into 5 separate tracts. Mr.
107
108 Shifflett informed the Commission that all fees had been paid. Mr. Gregory left the room while the
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110 Commission discussed and voted on the preliminary/final of the Curtis Coursey Subdivision. The
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112 Commission noted that everything looked good.

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114 A Motion was made by Roger Martin to approve the preliminary/final plat of the Curtis Coursey
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116 Subdivision, owned by Brenda Coursey, located on Park Road, Lewisburg, KY 42256, seconded by
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118 Justin Hopkins.

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120 The Motion passed on roll call vote with Will Gregory **absent** due to his position with Haley
121
122 Auction and Realty.

123
124 The Commission reviewed a preliminary/final on the Boyd Wright Subdivision Section 3,
125
126 owned by Boyd Earl Wright and Lavance Wright, located on Chandlers Road, Auburn, KY 42206.
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128 Will Gregory informed the Commission that Mr. and Mrs. Wright had a total of 32.555 acres and had
129
130 divided it into 3 separate tracts. Mr. Shifflett also informed the Commission that all fees were paid.
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132 Mr. Gregory left the room while the Commission discussed and voted on the preliminary/final of the
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134 Boyd Wright Subdivision, Section 3. The Commission noted that everything looked good.

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136 A Motion was made by Roger Martin to approve the preliminary/final plat of the Boyd Wright
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138 Subdivision, Section 3, owned by Boyd Earl Wright and Lavance Wright, located on Chandlers Road,
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140 Auburn, KY 42206, seconded by Justin Hopkins.

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142 The Motion passed on roll call vote with Will Gregory **absent** due to his position with Haley
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144 Auction and Realty.

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146 Motion was made by Justin Hopkins to adjourn the meeting, seconded by Roger Martin.
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148 Motion passed unanimously on roll call vote.

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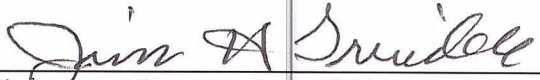
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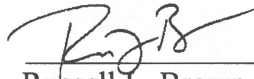


Chairman, Planning Commission

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 30th day of October, 2023.



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

