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

In t	he	M	atter	of

THE APPLICATION OF	)	
CELLCO PARTNERSHIP D/B/A VERIZON WIRELESS	)	
FOR ISSUANCE OF A CERTIFICATE OF PUBLIC	)	CASE NO. 2023-00075
CONVENIENCE AND NECESSITY TO CONSTRUCT	)	
A WIRELESS COMMUNICATIONS FACILITY	)	
IN THE COMMONWEALTH OF KENTUCKY	)	
IN THE COUNTY OF KNOX	)	

SITE NAME: WILTON LAKE

\* \* \* \* \* \* \*

# RESPONSE TO FIRST REQUEST FOR INFORMATION TO SECOND AMENDED APPLICATION FOR CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY FOR CONSTRUCTION OF A WIRELESS COMMUNICATIONS FACILITY

Cellco Partnership, d/b/a Verizon Wireless ("Applicant"), by counsel, pursuant to (i) KRS §§278.020, 278.040, 278.650, 278.665, and other statutory authority, and the rules and regulations applicable thereto, and (ii) the Telecommunications Act of 1996, respectfully submits this Second Amended Application requesting issuance of a Certificate of Public Convenience and Necessity ("CPCN") from the Kentucky Public Service Commission ("PSC") to construct, maintain, and operate a Wireless Communications Facility ("WCF") to serve the customers of the Applicant with wireless communications services. Responses are denoted in red:

In support of this Application, Applicant respectfully provides and states the following additional information in response to the May 31, 2023 request for additional information:

1. Refer to KRS 278.665(2) and 807 KAR 5:063, Section 1(1)(a)(1)(1). Also refer to Verizon Wireless' application. Provide all documentation, including the original documents obtained from the Knox County Property Valuation Administrator, that

Verizon Wireless relied upon to create the list of adjacent property owners entitled to notification:

**Exhibit 1** includes a map drawn to an appropriate scale that shows the location of the proposed tower and identifies every owner of real estate within 500 feet of the proposed tower (according to the records maintained by the County Property Valuation Administrator). This map and the associated Notice List are accompanied by a certificate signed and stamped by the registered surveyor that said information is from the PVA records, dated May 16, 2022. In addition, our office verified and updated the notification list with the Knox County PVA on March 9, 2023 at <a href="https://www.qpublic.net/ky/knox/index.html">https://www.qpublic.net/ky/knox/index.html</a>.

2. Refer to KRS 278.665(2) and 807 KAR 5:063, Section 1(1)(a)(l)(1). Also refer to Verizon Wireless' application. Provide all signed United States Postal Service Form 3811, otherwise known as "signed green cards," which were not included in the application and that correspond to the notice list in Exhibit K and Exhibit L and referenced on page 5, paragraph 20 of the application:

Exhibit 2 includes a list of the notified property owners as updated March 9, 2023. Exhibit 3 includes a copy of the form of the notice sent by certified mail to each landowner, copies of the mailed envelopes, the United States Postal Service Forms 3811, (signed green cards) which have been returned, the returned envelopes received and the USPS tracking information. Twenty-two (22) notices were sent to surrounding property owners on March 9, 2023; to date ten (14) notice green cards have been returned, 7 of the mailed notice envelopes have been returned and according to USPS Tracking one (1) mailed notice was delivered, but no green card

returned. Therefore, there are no notices unaccounted for. 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.

3. Attached hereto as Exhibit 4 please find an Affidavit of Certification for all

information contained in this application.

4. All Exhibits to this Application are hereby incorporated by reference as if fully set

out as part of the Application.

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

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

WHEREFORE, Applicant respectfully request that the PSC accept the foregoing Amended

Application for filing and having met the requirements of KRS §§278.020(1), 278.650, and 278

.665 and all applicable rules and regulations of the PSC, grant a Certificate of Public Convenience

and Necessity to construct and operate the WCF at the location set forth herein.

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Respectfully submitted,

Russell L. Brown

Clark, Quinn, Moses, Scott & Grahn, LLP 320 North Meridian Street, Suite 1100

Indianapolis, IN 46204

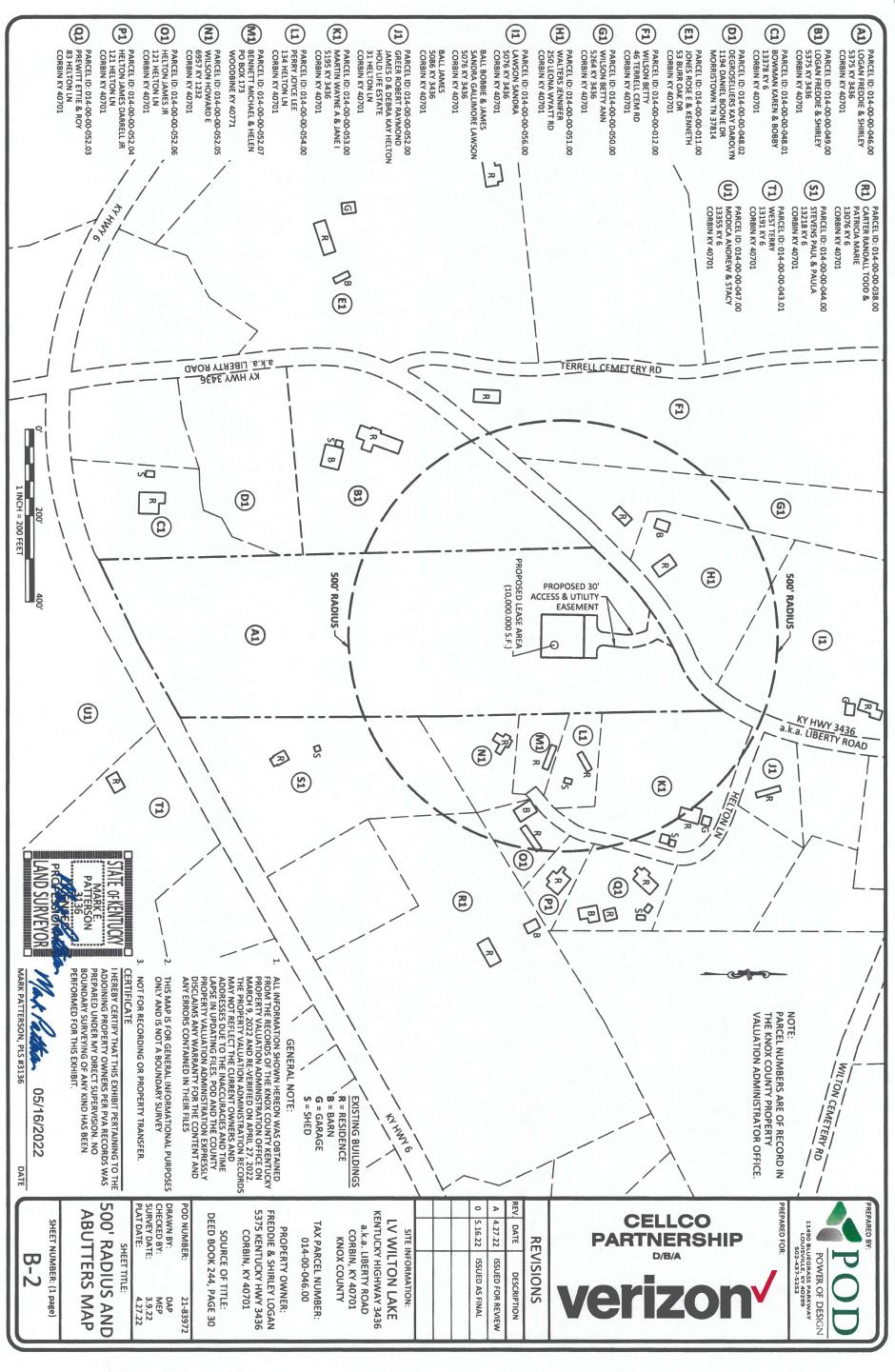
Phone: (317) 637-1321 / FAX: (317) 687-2344

Email: rbrown@clarkquinnlaw.com

Attorney for Cellco Partnership d/b/a Verizon Wireless

#### LIST OF EXHIBITS

- 1. Map with Surveyor Certification
- 2. List of the notified property owners as updated March 9, 2023
- 3. Property Owner Notification and updates
- 4. Affidavit of Certification



#### **Notification List**

PARCEL ID: 014-00-00-046.00 LOGAN FREDDIE & SHIRLEY 5375 KY 3436 CORBIN KY 40701

PARCEL ID: 014-00-00-049.00 LOGAN FREDDIE & SHIRLEY 5375 KY 3436 CORBIN KY 40701

PARCEL ID: 014-00-00-048.01 BOWMAN KAREN & BOBBY 13378 KY 6 CORBIN KY 40701

PARCEL ID: 014-00-00-048.02 DEGROSELLIERS KAY DAROLYN 1194 DANIEL BOONE DR MORRISTOWN TN 37814

PARCEL ID: 014-00-00-011.00 JONES ROSE E & KENNETH 53 BURR OAK DR CORBIN KY 40701

PARCEL ID: 014-00-00-012.00 WILSON BETTY C/O SUSANNE GRIFFIN 814 W. 4<sup>TH</sup> STREET CORBIN KY 40701

PARCEL ID: 014-00-00-050.00 WILSON BETTY ANN C/O SUSANNE GRIFFIN 814 W. 4TH STREET CORBIN KY 40701

PARCEL ID: 014-00-00-051.00 DONNIE LOGAN 5236 KY 3436 CORBIN KY 40701

PARCEL ID: 014-00-00-052.00 GREER ROBERT RAYMOND JAMES D & DEBRA KAY HELTON HOLD LIFE ESTATE 31 HELTON LN

#### CORBIN KY 40701

PARCEL ID: 014-00-00-053.00 MARTIN WAYNE A & JANE I 5195 KY 3436 CORBIN KY 40701

PARCEL ID: 014-00-00-054.00 PERRY JOYCE LEE 134 HELTON LN CORBIN KY 40701

PARCEL ID: 014-00-00-052.07 BENNETT MICHAEL & HELEN PO BOX 173 WOODBINE KY 40771

PARCEL ID: 014-00-00-052.05 WILSON HOWARD E 6957 KY 1232 CORBIN KY 40701

PARCEL ID: 014-00-00-052.06 HELTON JAMES JR 121 HELTON LN CORBIN KY 40701

PARCEL ID: 014-00-00-052.04 HELTON JAMES DARRELL JR 121 HELTON LN CORBIN KY 40701

PARCEL ID: 014-00-00-052.03 PREWITT ETTIE & ROY 83 HELTON LN CORBIN KY 40701

PARCEL ID: 014-00-00-038.00 CARTER RANDALL TODD & PATRICIA MARIE 13076 KY 6 CORBIN KY 40701

PARCEL ID: 014-00-00-044.00 STEVENS PAUL & PAULA 13218 KY 6

#### CORBIN KY 40701

PARCEL ID: 014-00-00-043.01 WEST TERRY 13191 KY 6 CORBIN KY 40701

PARCEL ID: 014-00-00-047.00 MODICA ANDREW & STACY 13355 KY 6 CORBIN KY 40701

PARCEL ID: 014-00-00-056.00 LAWSON SANDRA 5076 KY 3436 CORBIN KY 40701

BALL BOBBIE & JAMES SANDRA GALLIMORE LAWSON 5076 KY 3436 CORBIN KY 40701

BALL JAMES 5086 KY 3436 CORBIN KY 40701



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

March 9, 2023

#### Notice of Proposed Construction of Wireless Communications Facility Site Name: Wilton Lake

Cellco Partnership, d/b/a Verizon Wireless is filing an application with the Kentucky Public Service Commission ("PSC") to construct a new wireless communications facility on a site located on Liberty Road, Corbin KY 40701 (North Latitude: (36° 53' 16015", West Longitude 84° 02' 55.85"). The proposed facility will include a 300-foot tall antenna tower, plus a 5-foot lightning arrestor, for a total height of 305 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 2023-00075 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

#### **Location Map**







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LOGAN FREDDIE & SHIRLEY 5375 KY 3436 CORBIN KY 40701

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# ClarkQuinn ark, Quinn, Moses, Scott & Grahn, LLP

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DEGROSELLIERS KAY DAROLYN 1194 DANIEL BOONE DR MORRISTOWN TN 37814





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JONES ROSE E & KENNETH 53 BURR OAK DR CORBIN KY 40701



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



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WILSON BETTY C/O SUSANNE GRIFFIN 814 W. 4<sup>TH</sup> STREET CORBIN KY 40701



ark, Quinn, Moses, Scott & Grahn, LLP

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9590 9402 5283 9154 4140 57  2. Article Number (Transfer from service label) 7022 0410 0002 1799 128	Service Type     Adult Signature     Adult Signature Restricted Delivery     Certified Mail®     Certified Mail Restricted Delivery     Collect on Delivery     Collect on Delivery Restricted Delivery     Mail Restricted Delivery     Mail Restricted Delivery     10)	☐ Priority Mail Express®☐ Registered Mail™☐ Registered Mail Restricted Delivery ☐ Return Receipt for Merchandise☐ Signature Confirmation™☐ Signature Confirmation Restricted Delivery
PS Form 3811, July 2015 PSN 7530-02-000-9053		Domestic Return Receipt

- ORG		
SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON I	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> </ul>	A. Signature  X  B. Received by (Printed Name)	C. Date of Deliver
BOWMAN KAREN & BOBBY 13378 KY 6 CORBIN KY 40701	D. Is delivery address different from If YES, enter delivery address b	
9590 9402 5283 9154 4141 49  2. Article Number (Transfer from service label) 7022 0410 0002 1799 118	3. Service Type  Adult Signature Adult Signature Restricted Delivery Certified Mail® Certified Mail Restricted Delivery Collect on Delivery Collect on Delivery Restricted Delivery lail Restricted Delivery	☐ Priority Mail Express® ☐ Registered Mail™ ☐ Registered Mail Restric Delivery ☐ Remail Restric Delivery ☐ Registered Mail Restric Delivery ☐ Signature Confirmation ☐ Signature Confirmation Restricted Delivery
PS Form 3811, July 2015 PSN 7530-02-000-9053		omestic Return Receip



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Clark Quinn, Moses, Scott & Grahn, LLP

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# **USPS Tracking®**

FAQs >

**Tracking Number:** 

Remove X

#### 70220410000217991195

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

#### **Latest Update**

Your item was picked up at the post office at 10:32 am on March 14, 2023 in MORRISTOWN, TN 37813.

**Get More Out of USPS Tracking:** 

**USPS Tracking Plus®** 

Feedbac

#### **Delivered**

**Delivered, Individual Picked Up at Post Office** 

MORRISTOWN, TN 37813 March 14, 2023, 10:32 am

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Text & Email Updates	~
USPS Tracking Plus®	~
Product Information	~

#### See Less ∧

Track Another Package

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# **Need More Help?**

Contact USPS Tracking support for further assistance.

FAQs

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 12th day of June, 2023.

Notary Public

Printed Name of Notary: Elizabeth Bentz Williams My commission expires: November 18, 2028

My County of Residence: Marion

Commission #: 0639620