

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

In the Matter 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

* * * * *

**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.

In support of this Application, Applicant respectfully provides and states the following additional information in response to the April 26, 2023 notice of filing deficiencies:

1. 807 KAR 5:001 Section 14(3): attached please find the (2023) certificate of good standing from the State of Delaware (the state of Organization) as Exhibit 1.
 - a. We expect to receive the current (2023) Certificate of Authorization from the Commonwealth of Kentucky and will file upon receipt.

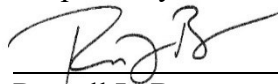
2. 807 KAR 5:063 Section 1(1)(b): The utility's application to the Kentucky Airport Zoning Commission (KAZC) is attached under Exhibit 2.
 - a. We expect to receive the utilities application to the Federal Aviation Administration (FAA) and will file upon receipt.
3. 807 KAR 5:063 Section 1(1)(c): The Federal Communications Commission (FCC) registration is attached as Exhibit 3.
4. 807 KAR 5:063 Section 1(1)(r): The a description of the existing land is attached as Exhibit 4.

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.

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. 2023 certificate of good standing from the State of Delaware (the state of Organization) Applicant Entity.
2. Application to the Kentucky Airport Zoning Commission (KAZC)
3. Federal Communications Commission (FCC) registration
4. Description of Existing Land Use

Delaware

The First State

I, JEFFREY W. BULLOCK, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY "CELLCO PARTNERSHIP" IS DULY FORMED UNDER THE LAWS OF THE STATE OF DELAWARE AND IS IN GOOD STANDING AND HAS A LEGAL EXISTENCE SO FAR AS THE RECORDS OF THIS OFFICE SHOW, AS OF THE TWENTY-SEVENTH DAY OF APRIL, A.D. 2023.

AND I DO HEREBY FURTHER CERTIFY THAT THE ANNUAL TAXES HAVE BEEN PAID TO DATE.




Jeffrey W. Bullock, Secretary of State

3341134 8300

SR# 20231665976

You may verify this certificate online at corp.delaware.gov/authver.shtml

Authentication: 203227418

Date: 04-27-23



APPLICATION FOR PERMIT TO CONSTRUCT OR ALTER A STRUCTURE

JURISDICTION

602 KAR 50:030

Section 1. The commission has zoning jurisdiction over that airspace over and around the public use and military airports within the Commonwealth which lies above the imaginary surface that extends outward and upward at one (1) of the following slopes:

- (1) 100 to one (1) for a horizontal distance of 20,000 feet from the nearest point of the nearest runway of each public use airport and military airport with at least one (1) runway 3,200 feet or more in length; or
- (2) fifty (50) to one (1) for a horizontal distance of 10,000 feet from the nearest point of the nearest runway of each public use and military airport with its longest runway less than 3,200 feet in length.

Section 2. The commission has zoning jurisdiction over the use of land and structures within public use airports within the state.

Section 3. The commission has jurisdiction from the ground upward within the limits of the primary and approach surfaces of each public use airport and military airport as depicted on airport zoning maps approved by the Kentucky Airport Zoning Commission.

Section 4. The Commission has jurisdiction over the airspace of the Commonwealth that exceeds 200 feet in height above the ground.

Section 5. The owner or person who has control over a structure which penetrates or will penetrate the airspace over which the Commission has Jurisdiction shall apply for a permit from the Commission in accordance with 602 KAR 50:090.

INSTRUCTIONS

1. "Alteration" means to increase or decrease the height of a structure or change the obstruction marking and lighting.
2. "Applicant" means the person who will own or have control over the completed structure.
3. "Certification by Applicant" shall be made by the individual who will own or control the completed structure; or a partner in a partnership; or the president or authorized officer of a corporation company, or association; or the authorized official of a body politic; or the legally designated representative of a trustee, receiver, or assignee.
4. Prepare the application and forward to the Kentucky Dept. of Aviation, ATTN: Airport Zoning Commission, 90 Airport Drive, Frankfort KY 40601. For questions, telephone 502-782-4043.
5. The statutes applicable to the Kentucky Airport Commission are KRS 183.861 to 183.990 and the administrative regulations are 602 KAR Chapter 50.
6. When applicable, attach the following appendices to the application:

Appendix A. A 7.5 minute quadrangle topographical map prepared by the U.S. Geological Survey and the Kentucky Geological Survey with the exact location of the structure which is the subject of the application indicated thereon. (*The 7.5 minute quadrangle map may be obtained from the Kentucky Geological Survey, Department of Mines and Minerals, Lexington, KY 40506.*)

Appendix B. For structures on or very near to property of a public use airport, a copy of the airport layout drawing (ALP) with the exact location of the structure which is the subject of this application indicated thereon. (*The ALP may be obtained from the Chairperson of the local airport board or the Kentucky Airport Zoning Commission.*)

Appendix C. Copies of Federal Aviation Administration Applications (*FFA Form 7460-1*) or any orders issued by the manager, Air Traffic Division, FAA regional office.

Appendix D. If the applicant has indicated in item number 7 of the application that the structure will not be marked or lighted in accordance with the regulations of the Commission, the applicant shall attach a written request for a determination by the commission that the marking and lighting are not necessary. The applicant shall specifically state the reasons that the absence of marking and lighting will not impair the safety of air navigation.

Appendix E. The overall height in feet of the overhead transmission line or static wire above ground level or mean water level with span length 1,000 feet and over shall be depicted on a blueprint profile map.

PENALTIES

1. Persons failing to comply with the Airport Zoning Commission statutes and regulations are liable for a fine or imprisonment as set forth in KRS 183.990(3).
2. Applicants are cautioned: Noncompliance with Federal Aviation Administration Regulations may provide for further penalties.



KENTUCKY TRANSPORTATION CABINET
 KENTUCKY AIRPORT ZONING COMMISSION

APPLICATION FOR PERMIT TO CONSTRUCT OR ALTER A STRUCTURE

APPLICANT (name) Verizon Wireless		PHONE 770-797-1233	FAX	KY AERONAUTICAL STUDY #	
ADDRESS (street) 5055 North Point Parkway		CITY Alpharetta		STATE GA	ZIP 30022
APPLICANT'S REPRESENTATIVE (name) Crystal Swanson		PHONE 770-797-1233	FAX		
ADDRESS (street) 5055 North Point Parkway		CITY Alpharetta		STATE GA	ZIP 30022
APPLICATION FOR <input checked="" type="checkbox"/> New Construction <input type="checkbox"/> Alteration <input type="checkbox"/> Existing				WORK SCHEDULE	
DURATION <input checked="" type="checkbox"/> Permanent <input type="checkbox"/> Temporary (months days)				Start End	
TYPE <input type="checkbox"/> Crane <input type="checkbox"/> Building <input checked="" type="checkbox"/> Antenna Tower <input type="checkbox"/> Power Line <input type="checkbox"/> Water Tank <input type="checkbox"/> Landfill <input type="checkbox"/> Other		MARKING/PAINTING/LIGHTING PREFERRED <input type="checkbox"/> Red Lights & Paint <input type="checkbox"/> White- medium intensity <input type="checkbox"/> White- high intensity <input checked="" type="checkbox"/> Dual- red & medium intensity white <input type="checkbox"/> Dual- red & high intensity white <input type="checkbox"/> Other			
LATITUDE 36°53'16.14"		LONGITUDE 084°02'55.85"		DATUM <input checked="" type="checkbox"/> NAD83 <input type="checkbox"/> NAD27 <input type="checkbox"/> Other	
NEAREST KENTUCKY City Corbin County Knox		NEAREST KENTUCKY PUBLIC USE OR MILITARY AIRPORT 1449Williamsburg-Whitley County (BYL)			
SITE ELEVATION (AMSL, feet) 1144		TOTAL STRUCTURE HEIGHT (AGL, feet) 305		CURRENT (FAA aeronautical study #) 2022-ASO-29486-OE work in progress	
OVERALL HEIGHT (site elevation plus total structure height, feet) 1449				PREVIOUS (FAA aeronautical study #)	
DISTANCE (from nearest Kentucky public use or Military airport to structure) 9.14 nm				PREVIOUS (KY aeronautical study #)	
DIRECTION (from nearest Kentucky public use or Military airport to structure) NNW					
DESCRIPTION OF LOCATION (Attach USGS 7.5 minute quadrangle map or an airport layout drawing with the precise site marked and any certified survey.) Near 5375 KY 3436 Liberty Road, Corbin, KY 40701 (LV Wilton Lake - C - 16811523)					
DESCRIPTION OF PROPOSAL Proposed 305' Antenna Tower. If marking/lighting is required, dual/medium intensity is requested. For questions contact Crystal Swanson 770-797-1233. Crystal.Swanson@verizonwireless.com					
FAA Form 7460-1 (Has the "Notice of Construction or Alteration" been filed with the Federal Aviation Administration?) <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes, when? 7/28/2022					
CERTIFICATION (I hereby certify that all the above entries, made by me, are true, complete, and correct to the best of my knowledge and belief.)					
PENALTIES (Persons failing to comply with KRS 183.861 to 183.990 and 602 KAR 050 are liable for fines and/or imprisonment as set forth in KRS 183.990(3). Noncompliance with FAA regulations may result in further penalties.)					
NAME Crystal Swanson	TITLE Regulatory Eng.	SIGNATURE <i>Crystal Swanson</i>		DATE 7/28/22	
COMMISSION ACTION <input type="checkbox"/> Chairperson, KAZC <input type="checkbox"/> Administrator, KAZC					
<input type="checkbox"/> Approved <input type="checkbox"/> Disapproved	SIGNATURE		DATE		



Antenna Structure Registration

[FCC](#) > [WTB](#) > [ASR](#) > [Online Systems](#) > ASR Search

[FCC Site Map](#)

ASR Registration Search

Registration 1324054

[? HELP](#)

[New Search](#) [Return to Results](#) [Printable Page](#) [Reference Copy](#) [Map Registration](#)

Registration Detail

Reg Number	1324054	Status	Granted
File Number	A1240191	Constructed	
EMI	No	Dismantled	
NEPA			

Antenna Structure

Structure Type L TOWER - Lattice Tower

Location (in NAD83 Coordinates - [Convert to NAD27](#))

Lat/Long	36-53-16.1 N 084-02-55.8 W	Address	Near 5375 KY 3436- Liberty Road - 16811523
City, State	Corbin , KY		
Zip	40701	County	KNOX
Center of AM Array		Position of Tower in Array	

Heights (meters)

Elevation of Site Above Mean Sea Level	348.6	Overall Height Above Ground (AGL)	92.9
Overall Height Above Mean Sea Level	441.5	Overall Height Above Ground w/o Appurtenances	91.4

Painting and Lighting Specifications

FAA Chapters 4, 8, 15
 Paint and Light in Accordance with FAA Circular Number [70/7460-1M](#)

FAA Notification

FAA Study	2022-ASO-29486-OE	FAA Issue Date	02/01/2023
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Owner & Contact Information

FRN	0023395601	Owner Entity Type	Limited Liability Company
Assignor FRN	0003290673	Assignor ID	L00000722

Owner

PI Tower Development LLC 15105 John J Delaney Drive Suite D-3 Charlotte , NC 28277	P: (585)330-0211 F: E: michael.wilson@pitowers.com
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Contact

Attention To: LV Wilton Lake 15105 John J Delaney Drive	P: (585)330-0211 F: E: michael.wilson@pitowers.com
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Suite D-3
Charlotte , NC 28277

Last Action Status

Status	Granted	Received	03/15/2023
Purpose	Change Owner	Entered	03/14/2023
Mode	Interactive		

Related Applications

Description of the Site and Land Use

The objective of LV Wilton Lake is to provide new coverage to the area. The search ring is primarily located near Wilton Lake. This entire area has lots of terrain and elevation changes throughout because of the mountain ranges. The property is both used for agricultural purposes and existing tree cover. There are residential uses in the area.

To the south, north and east is treed area and to the west is tilled land used for agricultural uses. Because of the tree cover on site the proposed placement of the tower can utilize the trees as screening for adjacent properties.