

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

In the Matter of:

THE APPLICATION OF)	
CELLCO PARTNERSHIP D/B/A VERIZON WIRELESS)	
AND HARMONI TOWERS, LLC FOR ISSUANCE)	
OF A CERTIFICATE OF PUBLIC)	CASE NO. 2023-00111
CONVENIENCE AND NECESSITY TO CONSTRUCT)	
A WIRELESS COMMUNICATIONS FACILITY)	
IN THE COMMONWEALTH OF KENTUCKY)	
IN THE COUNTY OF PULASKI)	

SITE NAME: NW SOMERSET

* * * * *

**AMENDED APPLICATION FOR
CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY
FOR CONSTRUCTION OF A WIRELESS COMMUNICATIONS FACILITY**

Cellco Partnership, d/b/a Verizon Wireless and VB BTS II, LLC d/b/a Vertical Bridge, LLC (“Co-Applicants”), 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 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 Co-Applicants with wireless communications services.

In support of this Application, Co-Applicants respectfully provide and state the following additional information in response to the May 26, 2023 notice of filing deficiencies:

1. 807 KAR 5:063 Section 1(1)(i) and 807 KAR 5:063 Section 1(1)(m): Co-Applicants have notified every person who, according to the records of the County Property Valuation Administrator, owns property which is within 500 feet of the proposed

tower or contiguous to the site property, by certified mail, return receipt requested, of the proposed construction. Each notified property owner has been provided with a map of the location of the proposed construction, the PSC docket number for this application, the address of the PSC, and informed of his or her right to request intervention. **An amended** list of the notified property owners and a copy of the form of the notice sent by certified mail to each landowner are attached as **Exhibit 1 and Exhibit 2**, respectively. **Twelve (12) notices** were sent to surrounding property owners; to date one (1) notice was returned, seven (7) notice green cards have been returned and the USPS tracking data shows one (1) notice was delivered, but no green card was returned. **Upon further review, it was determined that three (3) property owners were not mailed notice. Therefore three (3) notices for the following parcels numbers were mailed May 30, 2023.**

a. **048-7-1-01.2 and 048-7-1-01.1**

HUMBLE RICHARD G & SANDRA A

84 FRIENDSHIP DR SOMERSET KY 42503, and

b. **048-8-0-03.1**

SWEARINGEN KENNETH & JIL E

1344 HWY 3091 SOMERSET KY 42503

c. **048-8-0-04**

SWEARINGEN KENNY

1344 HWY 3091 SOMERSET KY 42503

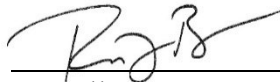
Copies of the **additional** certified, mailed envelopes are included as part of **Exhibit 3**.

2. Attached hereto as **Exhibit 4** please find an Affidavit of Certification for all information contained in this application.
3. All Exhibits to this **Amended** Application are hereby incorporated by reference as if fully set out as part of the Application.
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
Attorney for Cellco Partnership d/b/a Verizon Wireless

WHEREFORE, Co-Applicants respectfully request that the PSC accept the foregoing 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. Notification Listing
2. Copy of Property Owner Notification
3. Copy of Certified mailing envelopes
4. Affidavit of Certification

McGlothlin, Danny
1659 W Hwy 80
Somerset, KY 42503

KJS Properties, LLC
1344 Hwy 3091
Somerset, KY 42503

Trimble, Timothy A. and Joey M. and
Ellis, Jeffrey Lee
c/o Timothy Trimble
119 Lewis Brown Drive
Somerset, KY 42503

Heavenly 1, LLC & Heavenly 2, LLC
99 Lancaster Street
Stanford, KY 40484

City of Somerset
104 College Street
Somerset, KY 42501

Turpen, Elizabeth L.
PO Box 12
Nancy, KY 42544

Dykes, Stephen A.
1201 Shopville Road
Somerset, KY 42503

Boggs, Odella Lafon & Sandra GA
407 Poinsettia Avenue
Titusville, FL 32796

Warner Fertilizer Co., Inc.
PO Box 796
Somerset, KY 42502

Hon. Marshall Todd
100 N. Main Street, Ste 202
Somerset, Ky 42501

Humble, Richard G. & Sandra A.
84 Friendship Drive
Somerset, KY 42503

Swearingen, Kenny
1344 HWY 3091
Somerset, KY 42503

Swearingen, Kenneth & Jil E.
1344 HWY 3091
Somerset, KY 42503



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

May 30, 2023

**Notice of Proposed Construction of
Wireless Communications Facility
Site Name: NW Somerset**

Cellco Partnership, d/b/a Verizon Wireless and VB BTS II, LLC / Vertical Bridge is filing an application with the Kentucky Public Service Commission ("PSC") to construct a new wireless communications facility on a site located at 1730 N. Highway 27, Somerset, KY 42503 (North Latitude: (37° 07' 05.73", West Longitude 84° 53' 53.79"). The proposed facility will include a 280-foot tall antenna tower, plus a 5-foot lightning arrester, for a total height of 285 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 2023-00111 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



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

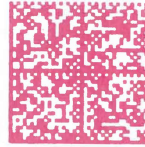
CERTIFIED MAIL



9589 0710 5270 0167 3919 63

Humble, Richard G. & Sandra A.
84 Friendship Drive
Somerset, KY 42503

FIRST-CLASS



US POSTAGETMPITNEY BOWES



ZIP 46204 \$ 008.10⁰⁰
02 7H
0006035028 MAY 30 2023

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

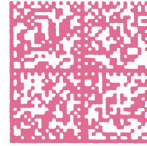
CERTIFIED MAIL[®]



9589 0710 5270 0167 3919 70

Swearingen, Kenneth & Jil E.
1344 HWY 3091
Somerset, KY 42503

FIRST-CLASS



US POSTAGETMPITNEY BOWES



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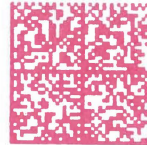
CERTIFIED MAIL[®]



9589 0710 5270 0167 3919 56

Swearingen, Kenny
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Somerset, KY 42503

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