

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

In the Matter of:

THE APPLICATION OF)
CELLCO PARTNERSHIP D/B/A VERIZON WIRELESS &)
TAG TOWERS, LLC FOR ISSUANCE OF A CERTIFICATE) CASE NO. 2023-00265
OF PUBLIC CONVENIENCE AND NECESSITY TO)
CONSTRUCT A WIRELESS COMMUNICATIONS)
FACILITY IN THE COMMONWEALTH OF KENTUCKY)
IN THE COUNTY OF METCALFE)

SITE NAME: CUMBERLAND PARKWAY

* * * * *

**RESPONSE TO DEFICIENCY
APPLICATION FOR
CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY
FOR CONSTRUCTION OF A WIRELESS COMMUNICATIONS FACILITY**

Cellco Partnership, d/b/a Verizon Wireless and TAG Towers, 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 Applicant with wireless communications services.

In support of this Application, Co-Applicants respectfully provide and state the following information in response to November 15, 2023 Notice of Deficiency (**Key information shown in red.**):

1. 807 KAR 5:063 Section 1(1)(d): Applicant **did** provide “a finding as to the proximity of the proposed site to flood hazard areas” by a professional engineer or prepared by

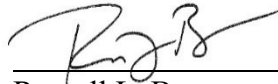
a land surveyor. Exhibit C **does** contain a statement regarding flood hazard areas as indicated on page 5 of the application. **Page 2 of the Development Site Plan is labeled 1 of 4 of the Site Survey. For convenience, we have attached this sheet as Exhibit 1 hereto and highlighted the Floodplain Statement.**

2. Attached hereto as **Exhibit 2** please find an Affidavit of Certification for all information contained in this application.
3. All Exhibits to this 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

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

Dated : November 16, 2023

LIST OF EXHIBITS

- 1 Sheet 1 of 4 of the Site Survey with Flood Hazard Statement highlighted (Page 2 of original Exhibit C of Application)
- 2 Affidavit of Certification

GENERAL NOTES:

- This Survey is prepared exclusively to show site conditions and/or for use in support of instruments related to Leases and Easements as may be shown hereon. Any property boundary information shown hereon is a composite of information gathered from current or previous Surveys, Plat & Deed Description and/or Assessor's Tax Maps as may be referenced hereon. This Survey is not a Boundary Survey of any Tax Parcels or Deed Tracts, and does not create, combine, or divide any existing properties.
- Survey shown hereon was performed under the supervision of a state-registered Land Surveyor and conforms to all applicable State Board Requirements.
- Instruments Used: One or more of: Topcon Total Station, Topcon Hiperlite Plus GPS, Carlson Surveyor Data Collector, DJI UAV.
- Where shown, improvements (utilities, buildings, trees, fences, etc.) are based on field Survey and/or aerial mapping.
- Any Underground Utilities shown according to surface markings made by others, found at time of survey. Additional marked utilities outside the area covered by this survey map may be shown in provided CAD Files. Utility Markings may not be comprehensive: this survey does not relieve design and construction personnel of the responsibility to determine the locations of underground utilities prior to land disturbance activities.
- This Survey is presented in the format required by Clients. Clients are advised that Official Jurisdictions may require the Survey to be presented in another format with additional notes and certifications. In the event other formats, notes or certifications are requested by applicable jurisdictions, it is the responsibility of the Client to request same be prepared by Surveyor. Survey as published is not intended to be suitable for recording as a Subdivision Plat.
- This survey may have been reduced or enlarged in size due to subsequent reproduction. This should be taken into consideration when obtaining scaled data.
- Geographic Coordinates, if published, meet FAA Accuracy Code 1A, and are accurate to within ± 20 feet horizontally and to within ± 3 feet vertically.
- Any Flood Zone information presented hereon is according to current FEMA Flood Map information as may be referenced hereon. No Flood Elevation Survey of Certification performed.
- This survey is not valid without the original signature seal of a State-Licensed Land Surveyor, and is not complete without the total of sheets as specified in Survey Title Blocks.

PROPOSED TOWER LOCATION DATA

Latitude: NORTH: 37.031217° 37° 01' 52.38"
 Longitude: WEST: 85.517523° 85° 31' 03.08"
 Ground Elev: 770.6 FEET AMSL (NAVD88)
 Benchmark: DH7217 KYCP

PARENT TAX PARCEL

TAX PARCEL: 075-00-00-008.06
 Ownership per Tax Assessor:
 MICHAEL A. SEXTON, SHIELA F. SEXTON
 MATTHEW A. SEXTON, AIMEE M. SEXTON

NORTH ORIENTATION

KENTUCKY SOUTH STATE PLANE COORDINATE SYSTEM
 Based on GPS Survey relative to NGS CORS Network, NAD83 (2011)
 ELEVATION DATUM: NAVD88, GEOID 12B
 DATE OF SURVEY: 05-11-2022
 Method: RTK (CORS); Confidence Level: 95%
 Positional Accuracy: HZ ± 0.10'
 EPOCH 2010.0000

FLOOD DATA

FEMA FLOOD MAP PANEL: 21169C0125C, Effective Date: 05-03-2010
 Surveyed Area appears to lie within: ZONE X (Areas of Minimal Flood Hazard)

TITLE EXAMINATION:

Not available

SURVEYOR'S CERTIFICATION

To: Verizon Wireless:
 I hereby certify (or state) that all parts of this survey and drawing have been completed in accordance with the current requirements of the Standards of Practice for Surveying in the State of Kentucky to the best of my knowledge, information, and belief.

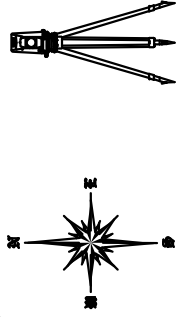
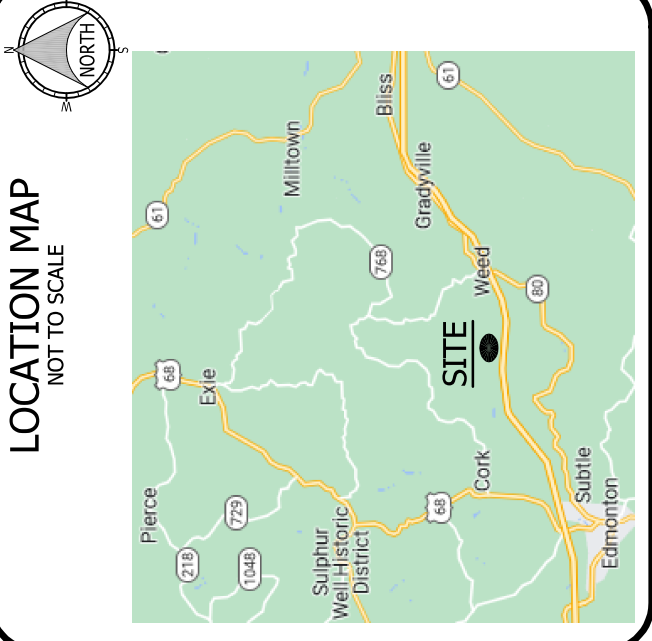


Travis L. Shields
 Kentucky PLS
 License No. 4246

SURVEY ISSUE DATA

#	DETAILS	DATE	DRAWN	APP
0	Original Survey Issue	05-24-2022	NB	TLS

LOCATION MAP
 NOT TO SCALE



THE
LAND CONSULTANTS
 LLC
 5449 Highway #41
 Jasper, TN 37347
 (423) 304-6722



(Not a Boundary Survey of Parent Lands. Not intended for fee simple Land Transfer)
SITE SURVEY
 CK CUMBERLAND PARKWAY
 Location Code: 714526
 East Fork Road, Edmonson, KY 42129
 Metcalfe County, Kentucky

LEGEND

⊙	IRON ROD FOUND (AS NOTED)	R/W	RIGHT-OF-WAY	—	PAVEMENT EDGE
⊙	UTILITY POLE	C/L	CENTER LINE	—	ROAD CENTERLINE
⌋	GUY ANCHOR	AU	ACCESS & UTILITY	—	OVERHEAD UTILITY LINES
*	PROPOSED TOWER CENTER	ESMT	EASEMENT	—	DITCH
⬮	SITE BENCHMARK	P.O.C.	POINT OF COMMENCEMENT	—	TREE LINE
		P.O.B.	POINT OF BEGINNING	—	PUBLIC R/W
		Sq Ft	SQUARE FEET	—	TAX PARCEL BOUNDARY
				—	LESSEE'S PREMISES
				—	LESSEE'S EASEMENTS

COVER SHEET

DWG#: 22134
 ISSUE #: 0
 ISSUE DATE: 05-24-2022
 SEE SHEET #1

SHEET **1** OF 4

