

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

In the Matter of:

THE APPLICATION OF)	
CELLCO PARTNERSHIP D/B/A VERIZON WIRELESS)	
AND SOUTHERN TOWERS BTS, LP)	
FOR ISSUANCE OF A CERTIFICATE OF PUBLIC)	CASE NO. 2023-00337
CONVENIENCE AND NECESSITY TO CONSTRUCT)	
A WIRELESS COMMUNICATIONS FACILITY)	
IN THE COMMONWEALTH OF KENTUCKY)	
IN THE COUNTY OF CALLOWAY)	

SITE NAME: KIRKSEY

* * * * *

**RESPONSE TO STAFF’S FIRST REQUEST FOR INFORMATION TO APPLICATION
FOR CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY
FOR CONSTRUCTION OF A WIRELESS COMMUNICATIONS FACILITY**

Cellco Partnership, d/b/a Verizon Wireless and Southern Towers, LP (“Co-Applicants”), submitted an application requesting a Certificate of Public Convenience and Necessity to construct a Wireless Communications Facility in the Commonwealth of Kentucky, in the County of Calloway on October 25, 2023.

In support of this Application, Applicant respectfully provides and states the following information in response to Public Service Commission (PSC) Staff’s First Request for information dated November 3, 2023. **Responses are denoted in red:**

1. Request: Refer to KRS 278.665(2) and 807 KAR 5:063, Section 1(1)(l)(1). Provide all updated information pertaining to the status of a signed U.S. Postal Service Form 3811, otherwise known as “signed green cards,” or a copy of the notice reflecting that the certified mail was returned to Verizon Wireless as undelivered for the six remaining unaccounted notices to the below

landowners. This request is continuing and should be updated in a supplemental filing until all signed green cards and undelivered notices are returned to Verizon Wireless.

- a. Leslie, Aileen and Danny M.
- b. Johnston, Darren
- c. Ransey, Carlos D. & Noraa U.
- d. Edmonson, Randall & Christy
- e. Lax, Anthony Neil and Lax, April Leigh

2. Refer to the Application, Exhibit K, which lists Robert O. Waters III and Amanda Colon as adjoining property owners. Provide a copy of the notice sent to Robert O. Waters III and Amanda Colon and a copy of the U.S. Postal Service Certified Mail Receipt.

3. Provide a copy of the signed U.S. Postal Service Form 3811, otherwise known as “signed green card,” or a copy of the notice that the certified mail was returned to Verizon Wireless as undelivered by the U.S. Postal Service for Robert O. Waters III and Amanda Colon. This request is continuing and should be updated in a supplemental filing until all signed green cards and undelivered notices are returned to Verizon Wireless.

A. Exhibit 1 contains copies of the notices and map sent, copies of all envelopes, and USPS Tracking information:

Reference 1 a. in request above: In regard to the notice for Leslie, Aileen and Danny M., new notice was sent November 8, according to the United States Postal Service Tracking Number 9589071052700730188914, evidence updated November 20, the notice was delivered November 16, 2023, but no green card has been returned.

Reference 1 b. in request above: In regard to the notice for Johnston, Darren,

new notice was sent November 8, according to the United States Postal Service Tracking Number 9589071052700730188907, evidence updated November 20, the notice was delivered November 14, 2023, but no green card has been returned.

Reference 1 c. in request above: In regard to the notice for Ransey, Carlos D. & Noraa U., new notice was sent November 8, according to the United States Postal Service Tracking Number 9589071052700730188891, evidence updated November 20, the notice was attempted to be delivered on November 10, 2023, with request to schedule redelivery.

Reference 1 e. in request above: In regard to the notice for Lax, Anthony Neil and Lax, April Leigh Johnston, Darren, new notice was sent November 8, according to the United States Postal Service Tracking Number 9589071052700730188884, evidence updated November 20, the notice was attempted to be delivered on November 10, 2023, with request to schedule redelivery.

B. Exhibit 2 contains a copy of the notice and map sent, a copy of envelopes, and returned green card.

Reference 1 d. in request above: In regard to the notice for Edmonson, Randall & Christy, according to the United States Postal Service Tracking Number 9589071052701403362624, evidence updated November 20, the green card has been returned.

C. Exhibit 3 - Robert O. Waters III and Amanda Colon Notice Documentation

Reference 2 & 3. in request above: In regard to the notice for Robert O. Waters

III and Amanda Colon, new notice was sent November 8, according to the United States Postal Service Tracking Number 9589071052701623260700, evidence updated November 20, the notice was delivered November 14, 2023, but no green card has been returned.

There are no unaccountable notices. Applicant would suggest that the Tracking information from the United States Postal Service is sufficient to meet the requirements of KRS 278.665(2) and 807 KAR 5:063, Section 1(1)(a)(1)(1).

D. Exhibit 4 Affidavit of Certification for all information contained in this application.


E. All Exhibits to this Application are hereby incorporated by reference as if fully set out as part of the Application.

F. 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 Celco 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

DATED NOVEMBER 20, 2023

Case No. 2023-00337

LIST OF EXHIBITS

1. Notice Documents with USPS Tracking Information for:
Leslie, Aileen and Danny M.
Johnston, Darren
Ransey, Carlos D. & Noraa U.
Lax, Anthony Neil and Lax, April Leigh
2. Notice Document with Returned Green Card for Edmonson, Randall & Christy
3. Notice Documentation Notice Documents with USPS Tracking Information for -
Robert O. Waters III and Amanda Colon
4. Affidavit of Certification



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

November 8, 2023

**Notice of Proposed Construction of
Wireless Communications Facility
Site Name: Kirksey**

Southern Towers and Cellco Partnership, d/b/a Verizon Wireless are filing an application with the Kentucky Public Service Commission ("PSC") to construct a new wireless communications facility on a site located on the east side of Fire Station Drive, Kirksey, KY 42054. (North Latitude: (36° 40' 52.46, West Longitude 88° 23' 53.22"). The proposed facility will include a 265-foot tall antenna tower, plus a 5-foot lightning arrestor and related ground facilities. This facility is needed to provide improved coverage for wireless communications in the area.

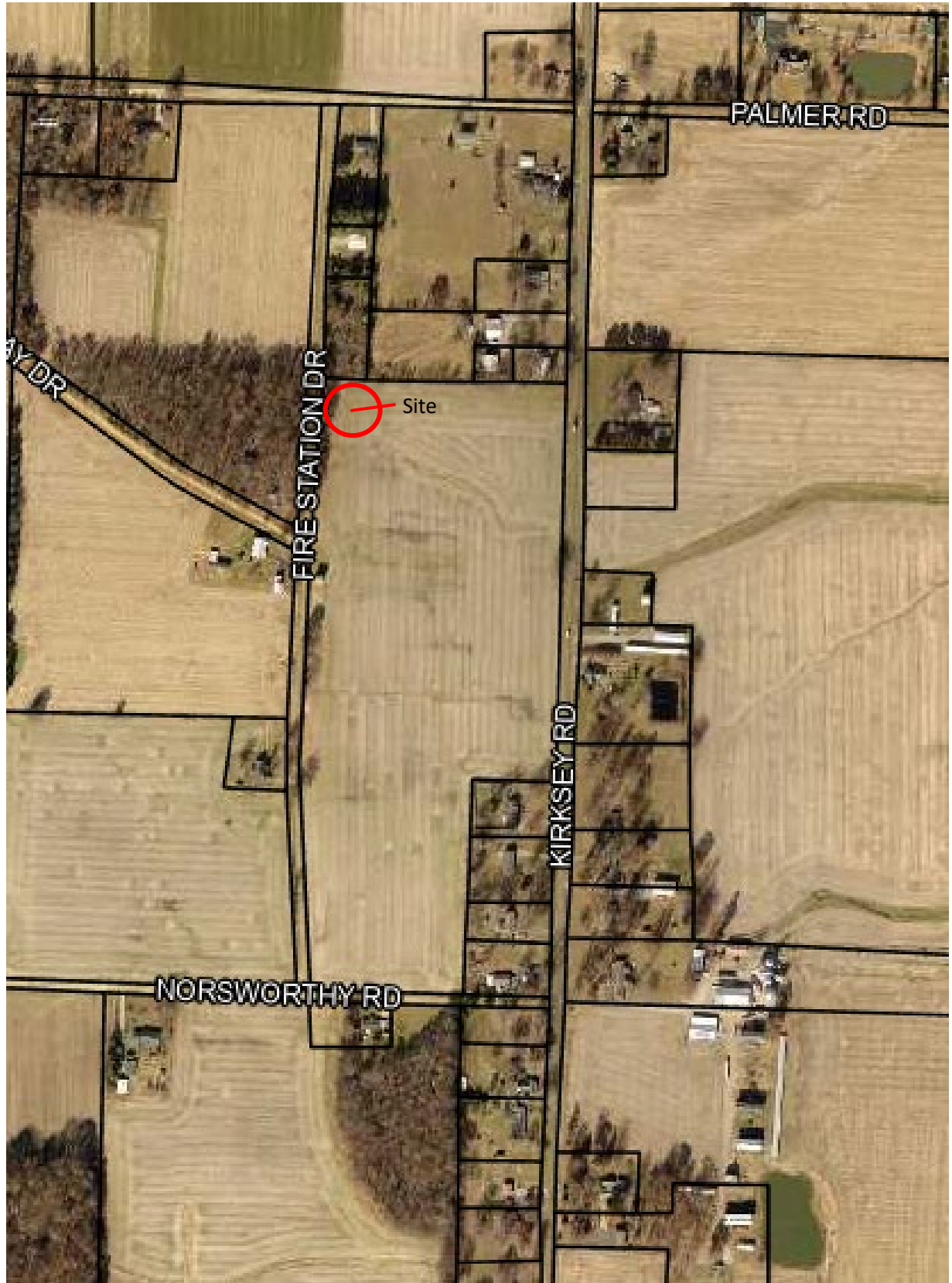
This notice is being sent to you because the County Property Valuation Administrator's records indicate that you may own property that is within a 500' radius of the proposed tower site or contiguous to the property on which the tower is to be constructed. You have a right to submit testimony to the 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 2023-00337 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/mnw
enclosure

Location Map



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



9589 0710 5270 0730 1889 14

LESLIE AILEEN & DANNY M
249 WASHER ROAD
KIRKSEY, KY 42054

FIRST-CLASS



US POSTAGE^{IMI}PITNEY BOWES



ZIP 46204 \$ 008.53⁰
02 7H
0006035028 NOV 08 2023

CERTIFIED MAIL[®]

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



9589 0710 5270 0730 1889 07

JOHNSTON DARREN W
105 NORSWORTHY ROAD
KIRKSEY, KY 42054

FIRST-CLASS



US POSTAGE^{IMI}PITNEY BOWES



ZIP 46204 \$ 008.53⁰
02 7H
0006035028 NOV 08 2023

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



9589 0710 5270 0730 1888 91

RANSEY CARLOS D & NORAA U
2397 KIRKSEY ROAD
MURRAY, KY 42071

FIRST-CLASS



US POSTAGE^{IMI}PITNEY BOWES



ZIP 46204 \$ 008.53⁰
02 7H
0006035028 NOV 08 2023

CERTIFIED MAIL[®]



9589 0710 5270 0730 1888 84

LAX ANTHONY NEIL & LAX APRIL LEIGH
2546 KIRKSEY ROAD
MURRAY, KY 42071

FIRST-CLASS



US POSTAGE^{IMI}PITNEY BOWES



ZIP 46204 \$ 008.53⁰
02 7H
0006035028 NOV 08 2023

Tracking Number:

[Remove X](#)

9589071052700730188914

[Copy](#)

[Add to Informed Delivery \(https://informedelivery.usps.com/\)](https://informedelivery.usps.com/)

Latest Update

Your item was delivered to an individual at the address at 3:26 pm on November 16, 2023 in KIRKSEY, KY 42054.

Get More Out of USPS Tracking:

USPS Tracking Plus®

Delivered

Delivered, Left with Individual

KIRKSEY, KY 42054

November 16, 2023, 3:26 pm

[See All Tracking History](#)

Feedback

[What Do USPS Tracking Statuses Mean? \(https://faq.usps.com/s/article/Where-is-my-package\)](https://faq.usps.com/s/article/Where-is-my-package)

Text & Email Updates



USPS Tracking Plus®



Product Information



See Less ^

Track Another Package

Enter tracking or barcode numbers

Need More Help?

Contact USPS Tracking support for further assistance.

[FAQs](#)

Tracking Number:

[Remove X](#)

9589071052700730188907

[Copy](#)

[Add to Informed Delivery \(https://informedelivery.usps.com/\)](https://informedelivery.usps.com/)

Latest Update

Your item was picked up at a postal facility at 1:39 pm on November 14, 2023 in KIRKSEY, KY 42054.

Get More Out of USPS Tracking:

USPS Tracking Plus®

Delivered

Delivered, Individual Picked Up at Postal Facility

KIRKSEY, KY 42054

November 14, 2023, 1:39 pm

[See All Tracking History](#)

Feedback

[What Do USPS Tracking Statuses Mean? \(https://faq.usps.com/s/article/Where-is-my-package\)](https://faq.usps.com/s/article/Where-is-my-package)

Text & Email Updates



USPS Tracking Plus®



Product Information



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Track Another Package

Enter tracking or barcode numbers

Need More Help?

Contact USPS Tracking support for further assistance.

[FAQs](#)

Tracking Number:

Remove X

9589071052700730188891

Copy

Schedule a Redelivery (<https://tools.usps.com/redelivery.htm>)

Latest Update

This is a reminder to arrange for redelivery of your item before November 24, 2023 or your item will be returned on November 25, 2023. You may arrange redelivery by using the Schedule a Redelivery feature on this page or may pick up the item at the Post Office indicated on the notice.

Get More Out of USPS Tracking:

USPS Tracking Plus®

Feedback

Delivery Attempt: Action Needed

Reminder to Schedule Redelivery of your item before November 24, 2023

November 15, 2023

Notice Left (No Authorized Recipient Available)

MURRAY, KY 42071

November 10, 2023, 2:27 pm

See All Tracking History

[What Do USPS Tracking Statuses Mean? \(https://faq.usps.com/s/article/Where-is-my-package\)](https://faq.usps.com/s/article/Where-is-my-package)

Text & Email Updates



Schedule Redelivery



USPS Tracking Plus®





Product Information

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Track Another Package

Enter tracking or barcode numbers

Need More Help?

Contact USPS Tracking support for further assistance.

FAQs

Tracking Number:

[Remove X](#)

9589071052700730188884

[Copy](#)

[Schedule a Redelivery \(https://tools.usps.com/redelivery.htm\)](https://tools.usps.com/redelivery.htm)

Latest Update

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Get More Out of USPS Tracking:

[USPS Tracking Plus®](#)

Feedback

Delivery Attempt: Action Needed

Reminder to Schedule Redelivery of your item before November 24, 2023

November 15, 2023

Notice Left (No Authorized Recipient Available)

MURRAY, KY 42071

November 10, 2023, 2:18 pm

[See All Tracking History](#)

[What Do USPS Tracking Statuses Mean? \(https://faq.usps.com/s/article/Where-is-my-package\)](https://faq.usps.com/s/article/Where-is-my-package)

[Text & Email Updates](#)



[Schedule Redelivery](#)



[USPS Tracking Plus®](#)





Product Information

See Less ^

Track Another Package

Need More Help?

Contact USPS Tracking support for further assistance.

FAQs



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

October 5, 2023

**Notice of Proposed Construction of
Wireless Communications Facility
Site Name: Kirksey**

Southern Towers and Cellco Partnership, d/b/a Verizon Wireless are filing an application with the Kentucky Public Service Commission ("PSC") to construct a new wireless communications facility on a site located on the east side of Fire Station Drive, Kirksey, KY 42054. (North Latitude: (36° 40' 52.46, West Longitude 88° 23' 53.22"). The proposed facility will include a 265-foot tall antenna tower, plus a 5-foot lightning arrestor and related ground facilities. This facility is needed to provide improved coverage for wireless communications in the area.

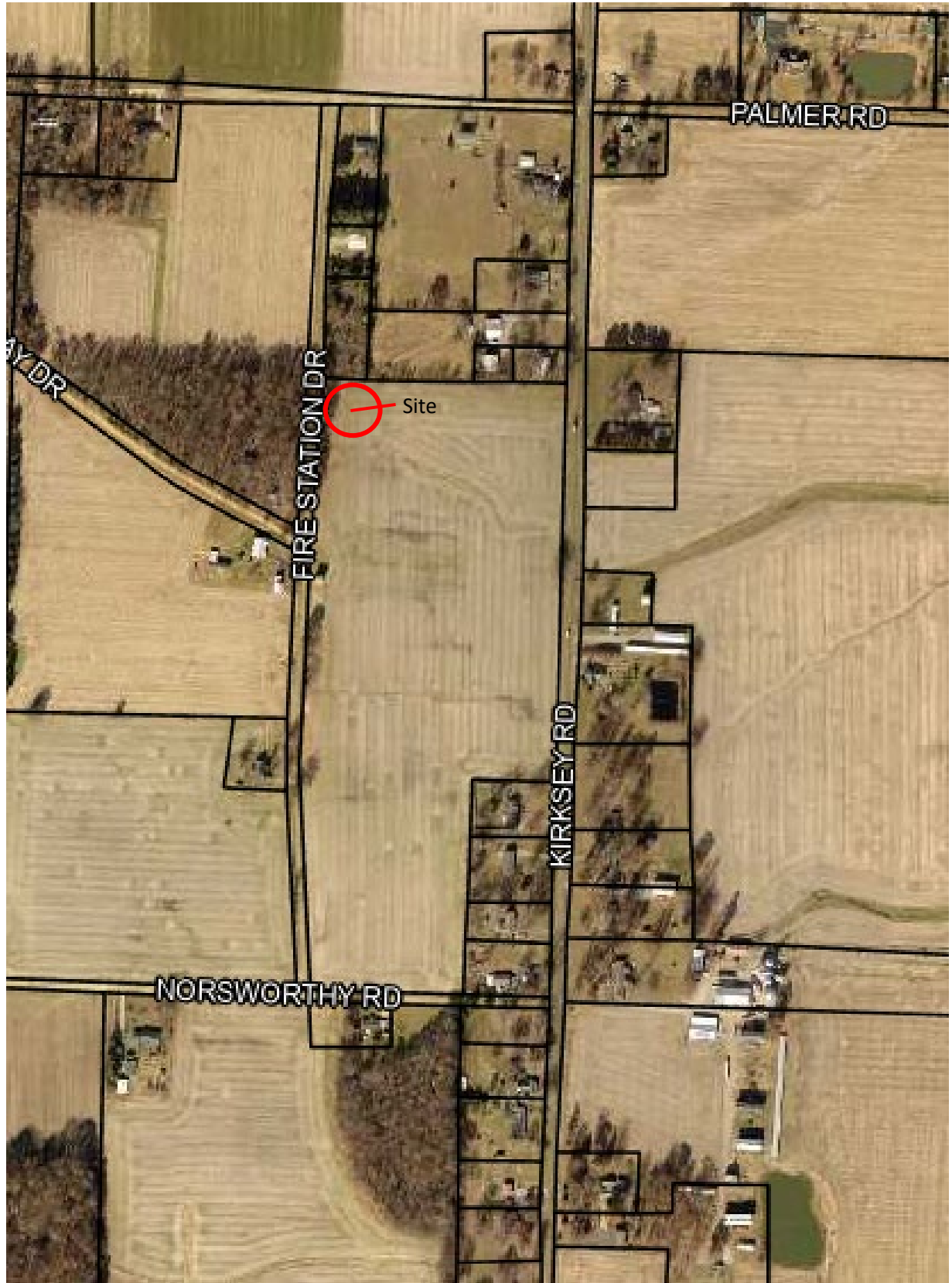
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Sincerely,
Russell L. Brown

Attorney for Applicant
RLB/mnw
enclosure

Location Map



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



9589 0710 5270 1403 3626 17

COCHRAN STEVE
2453 KIRKSEY ROAD
MURRAY, KY 42071

FIRST-CLASS



US POSTAGESM PITNEY BOWES



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



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EDMONSON RANDALL & CHRISTY
2487 KIRKSEY ROAD
MURRAY, KY 42071

FIRST-CLASS



US POSTAGESM PITNEY BOWES



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0006035028 OCT 05 2023

CERTIFIED MAIL[®]

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



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ENGLAND VALARIE
1751 HALE ROAD
MURRAY, KY 42071

FIRST-CLASS



US POSTAGESM PITNEY BOWES



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02 7H
0006035028 OCT 05 2023

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

EDMONSON RANDALL & CHRIS
2487 KIRKSEY ROAD
MURRAY, KY 42071



9590 9402 8538 3186 2567 99

2. Article Number (Transfer from service label)

9589 0710 5270 1403 3626 24

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

- Agent
- Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1? Yes
If YES, enter delivery address below: No

3. Service Type

- Adult Signature
- Adult Signature Restricted Delivery
- Certified Mail®
- Certified Mail Restricted Delivery
- Collect on Delivery
- Collect on Delivery Restricted Delivery
- Insured Mail
- Registered Mail™
- Registered Mail Restricted Delivery
- Signature Confirmation™
- Signature Confirmation Restricted Delivery
- Priority Mail Express®

PS Form 3811, July 2020 PSN 7530-02-000-9053

Domestic Return Receipt



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

November 8, 2023

**Notice of Proposed Construction of
Wireless Communications Facility
Site Name: Kirksey**

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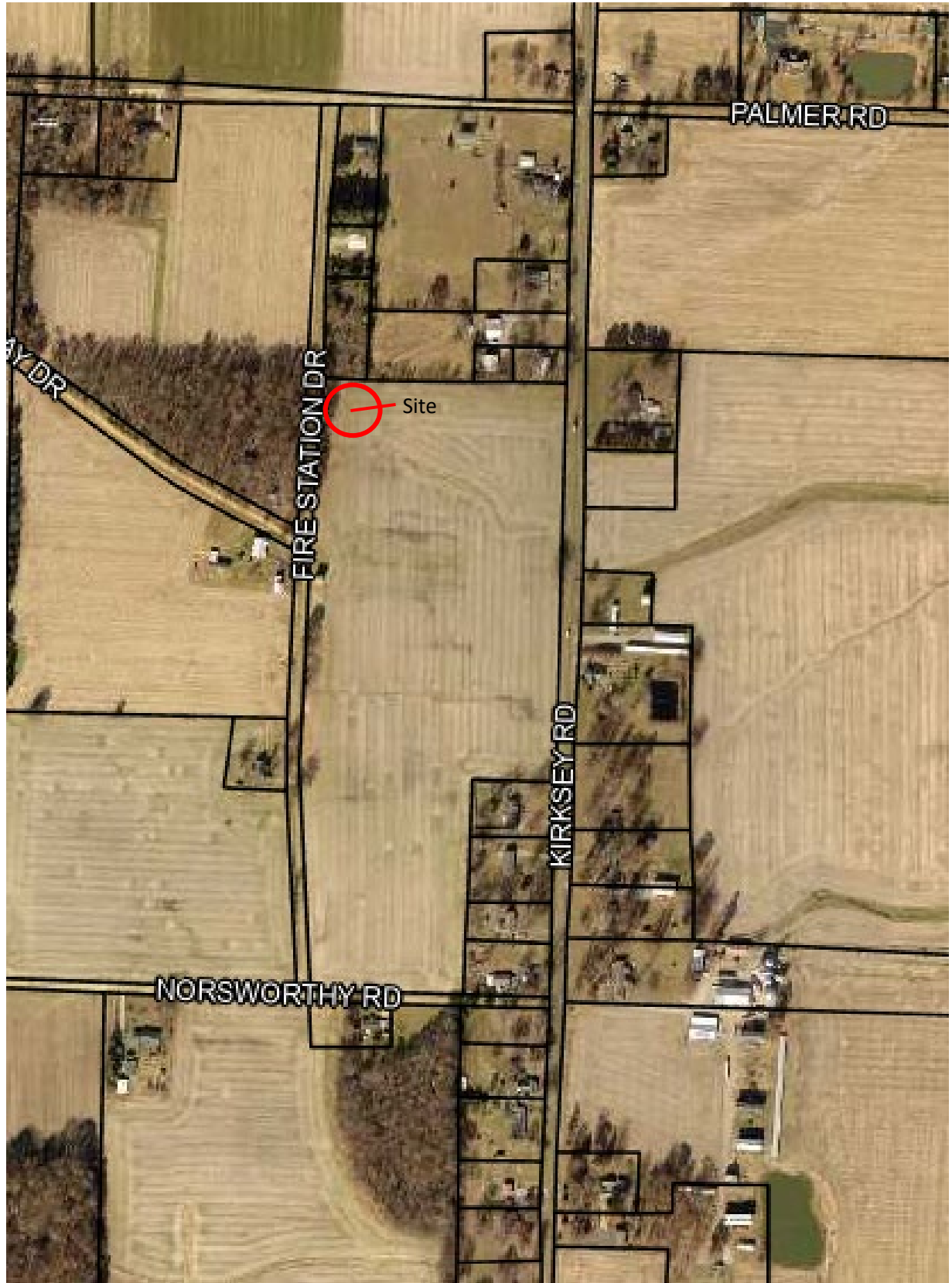
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Sincerely,
Russell L. Brown

Attorney for Applicant
RLB/mnw
enclosure

Location Map



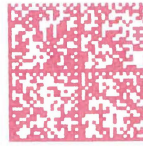
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ClarkQuinn
Clark, Quinn, Moses, Scott & Grahn, LLP



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US POSTAGETM PITNEY BOWES



ZIP 46204 \$ 008.53⁰
02 7H
0006035028 NOV 08 2023

WATERS ROBERT O III &
COLON AMANDA L
127 WASHER ROAD
KIRKSEY, KY 42054

Tracking Number:

[Remove X](#)

9589071052701623260700

[Copy](#)

[Add to Informed Delivery \(https://informedelivery.usps.com/\)](https://informedelivery.usps.com/)

Latest Update

Your item was delivered to an individual at the address at 3:20 pm on November 16, 2023 in KIRKSEY, KY 42054.

Get More Out of USPS Tracking:

USPS Tracking Plus®

Delivered

Delivered, Left with Individual

KIRKSEY, KY 42054

November 16, 2023, 3:20 pm

[See All Tracking History](#)

Feedback

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Text & Email Updates



USPS Tracking Plus®



Product Information



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Enter tracking or barcode numbers

Need More Help?

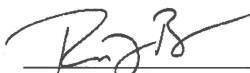
Contact USPS Tracking support for further assistance.

[FAQs](#)

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

**AFFIDAVIT OF CERTIFICATION
COMMONWEALTH OF KENTUCKY
PUBLIC SERVICE COMMISSION**

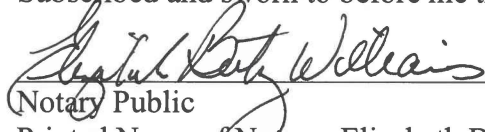
I Russell L. Brown, attorney for Cellco Partnership, d/b/a Verizon Wireless do hereby certify that as the person supervising the preparation of this application that the all statements and information contained herein are true and accurate to the best of that person’s knowledge, information, and belief 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 20th day of November, 2023.


Notary Public

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