

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

In the Matter of:

THE APPLICATION OF)
CELLCO PARTNERSHIP D/B/A VERIZON WIRELESS)
AND TVT II, LLC (TOWER VENTURES) FOR ISSUANCE) CASE NO. 2024-00065
OF A CERTIFICATE OF PUBLIC CONVENIENCE AND)
NECESSITY TO CONSTRUCT A WIRELESS)
COMMUNICATIONS FACILITY IN THE)
COMMONWEALTH OF KENTUCKY IN THE COUNTY)
OF OHIO)

SITE NAME: DUNDEE

* * * * *

**RESPONSE TO PSC APRIL 19, 2024, FIRST REQUEST FOR INFORMATION
TO CELLCO PARTNERSHIP D/B/A VERIZON WIRELESS AND TVT 11, LLC**

Public Service Commission (PSC) Staff's Request:

1. For each of the following documents, clarify and explain the inconsistencies on the final height of the proposed lightening arrestor attached at the top of the 255-foot- tall tower.
 - a. Co-Applicants have confirmed that the proposed construction height of the tower is 255 feet and the lightening arrestor is 11 feet, for a total height of 266 feet.
 - b. The application, detailed site plan, and notice given to the Ohio County Judge Executive of the proposed construction height of the lightening arrestor at 11 feet, for a total height of 266 feet is correct.
 - c. Corrected notice to adjoining property owners was mailed April 19, 2024, indicating the 11 foot lightning assessor. The PVA records were verified on April 19, 2024 and no ownerships had changed. Attached hereto as **Exhibit 1** is the form of corrected notice with copies of the mailed envelopes.

- d. Corrected legal notice was submitted to the Ohio County Times New indicating the 11 foot lightning arrestor was submitted for publication on April 19, 2024.

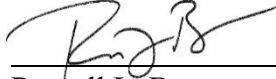
Please find a copy of the corrected legal notice attached as **Exhibit 2**.

2. The original application included the application to the Kentucky Airport Zoning Commission. The approval letter will be submitted as soon as received.
3. Attached hereto as **Exhibit 3** 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.
5. 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

LIST OF EXHIBITS

1. Corrected Mailing to Property Owners
2. Corrected Newspaper Legal Notice
3. 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

April 19, 2024

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

Cellco Partnership, d/b/a Verizon Wireless and Tower Ventures are filing an application with the Kentucky Public Service Commission ("PSC") to construct a new wireless communications facility on the west side of State Highway 69, just south of unincorporated Dundee, KY, 42238 (North Latitude: (37° 33' 21.13", West Longitude 86° 46' 26.17"). The proposed facility will include a 255-foot tall antenna tower, plus a 11-foot lightning arrestor and related ground facilities. Site name is Dundee. 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 2024-00065 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.

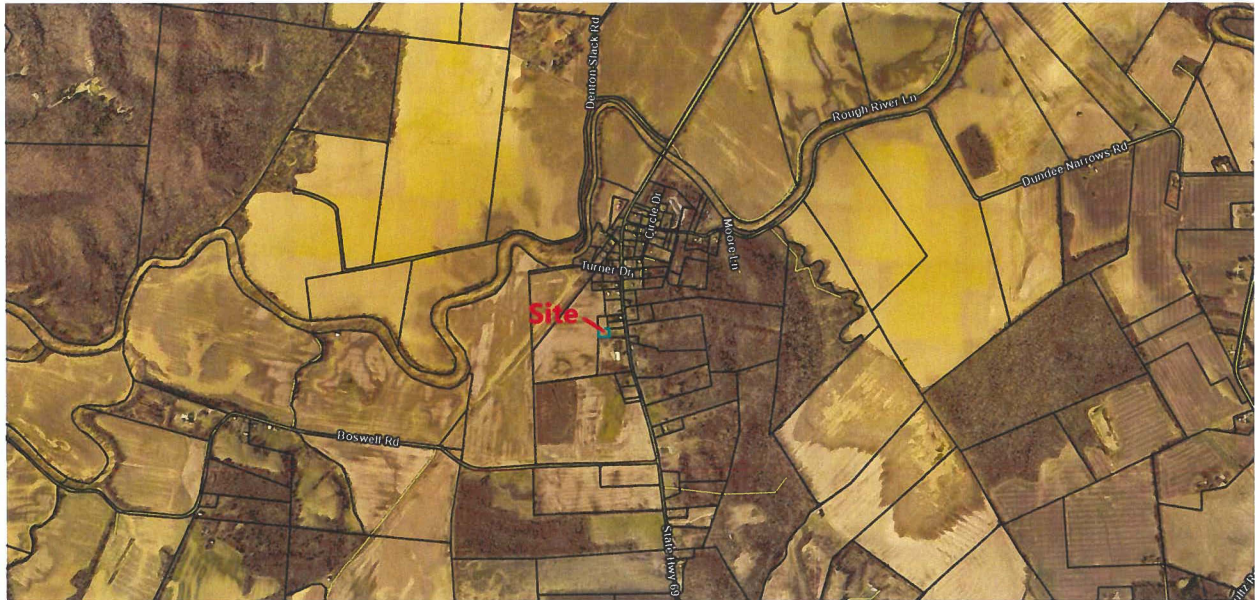
Sincerely,
Russell L. Brown

Attorney for Applicant

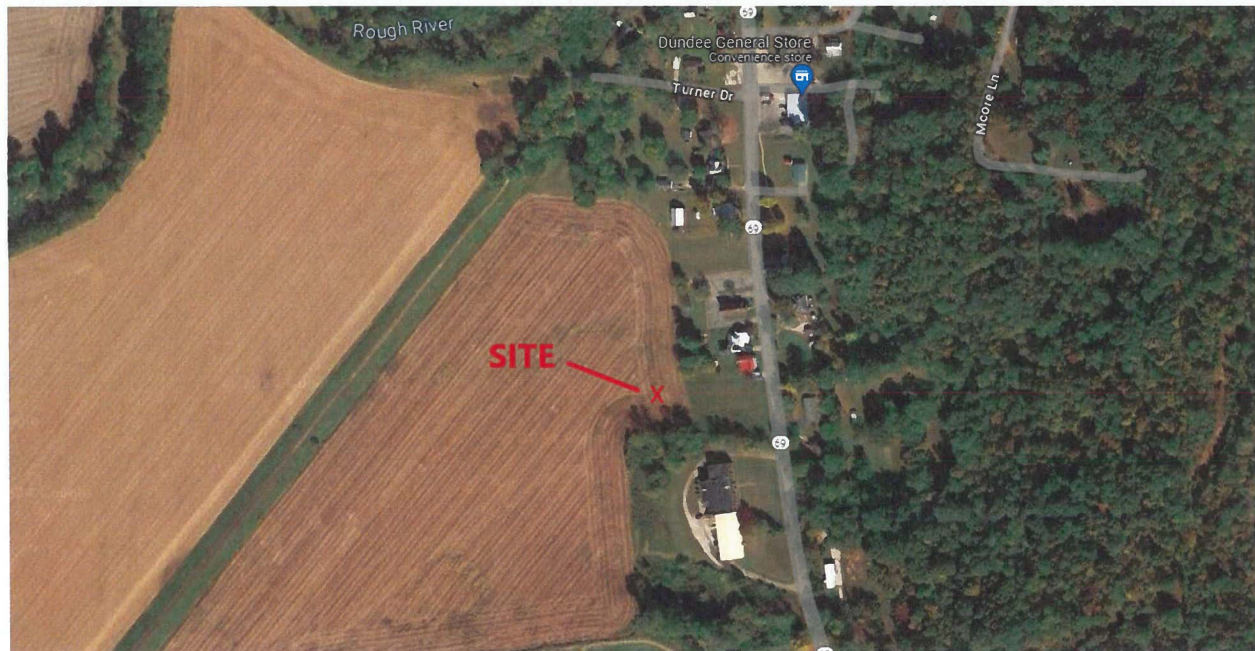
RLB/mnw

enclosure

Location Maps



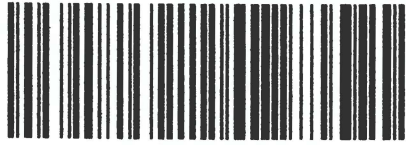
Vicinity Map



Focused Location

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

CERTIFIED MAIL™



7012 0470 0001 8048 3937

LUTTRELL BLAINE & FARRAH
PO BOX 144
DUNDEE, KY 42338

FIRST-CLASS



US POSTAGE™IMIPITNEY BOWES
ZIP 46204 \$ **008.69⁰**
02 7H
0006035028 APR 19 2024

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

CERTIFIED MAIL™



7012 0470 0001 8048 3944

LUTTRELL FARMS INC
5276 CEDAR GROVE RD
OLATON, KY 42361

FIRST-CLASS



US POSTAGE™IMIPITNEY BOWES
ZIP 46204 \$ **008.69⁰**
02 7H
0006035028 APR 19 2024

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

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LUTTRELL BLAINE
PO BOX 144
DUNDEE, KY 42338

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0006035028 APR 19 2024

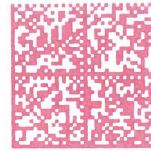
ClarkQuinn
Clark, Quinn, Moses, Scott & Grahn, LLP



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JOHNSON TIMOTHY NEIL & IRIS
P O BOX 172
BEAVER DAM, KY 42320

FIRST-CLASS



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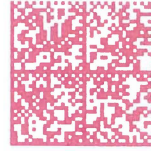
ClarkQuinn
Clark, Quinn, Moses, Scott & Grahn, LLP



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LUTTRELL PAUL
2065 GROVE BLUFF RD
JACKSONVILLE, FL 32259

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Clark, Quinn, Moses, Scott & Grahn, LLP



7012 0470 0001 8048 3982

KENT JAMES G & HATTIE J
P O BOX 568
HARTFORD, KY 42347

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02 7H
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Clark, Quinn, Moses, Scott & Grahn, LLP



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CLAYTON JOSEPH D & HEATHER R
11525 STATE RT 69 N
DUNDEE, KY 42338

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



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GOSPEL OF THE KINGDOM CHURCH
AT DUNDEE
503 UTLEY DR
HARTFORD, KY 42347

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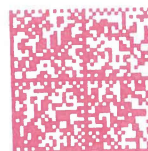
ClarkQuinn
Clark, Quinn, Moses, Scott & Grahn, LLP



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DUNDEE COMMUNITY DAY, INC
C/O RUSH MIDKIFF
228 FOSTER RD
HARTFORD, KY 42347

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BEVIL SYLVIA & ETAL
660 C BECK RD
CROMWELL, KY 42320

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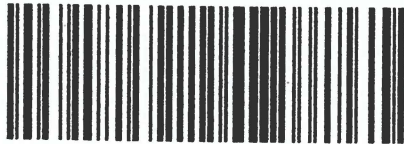


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OF THE RETURN ADDRESS, FOLD AT DOTTED LINE

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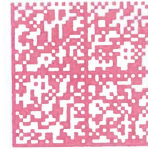
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Clark, Quinn, Moses, Scott & Grahn, LLP



7012 0470 0001 8048 4033

PRIEST EDDIE
2683 WELDON RD
MARION, KY 42064

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



7012 0470 0001 8048 4040

TALLEY BOBBY L & DONNA J
11476 STATE RTE 69 N
DUNDEE, KY 42338

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Clark, Quinn, Moses, Scott & Grahn, LLP



7012 0470 0001 8048 4057

MERRITT RENTALS LLC
9399 HERBERT RD
WHITESVILLE, KY 42378

FIRST-CLASS



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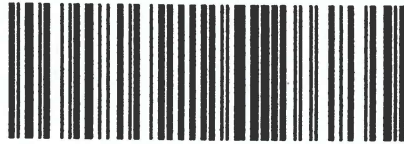


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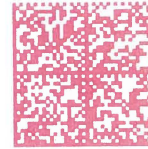
ClarkQuinn
Clark, Quinn, Moses, Scott & Grahn, LLP



7012 0470 0001 8048 4064

EDGE LAWRENCE W & TERESA S
11446 STATE RT 69
DUNDEE, KY 42338

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ZIP 46204 \$ 008.69⁰
02 7H
0006035028 APR 19 2024



Robert B. Scott
Charles R. Grahn
Frank D. Otte*
John "Bart" Herriman
William W. Gooden**
Michael P. Maxwell
Russell L. Brown**†
Jennifer F. Perry
Keith L. Beall
N. Davey Neal
Travis W. Cohron
Maggie L. Sadler
Kristin A. McIlwain
Olivia A. Hess

VIA EMAIL: ads@octimesnews.com

Land Use Consultant
Elizabeth Bentz Williams, AICP

Ohio County Times-News
P.O. Box 226
Hartford, KY 42347

*Also admitted in Montana
†Also admitted in Kentucky
**

Registered Civil Mediator

RE: Legal Notice Advertisement
Site Name: Dundee

To Whom It May Concern,

Please publish the following legal notice advertisement in the next available edition of the Ohio County Times-News:

NOTICE

Cellco Partnership, d/b/a Verizon Wireless and Tower Ventures are filing an application with the Kentucky Public Service Commission ("PSC") to construct a new wireless communications facility on the west side of State Highway 69, just south of unincorporated Dundee, KY, 42238 (North Latitude: (37° 33' 21.13", West Longitude 86° 46' 26.17"). The proposed facility will include a 255-foot tall antenna tower, plus a 11-foot lightning arrestor and related ground facilities. Site name is Dundee. You have a right to submit comments to the PSC or to request intervention in the PSC's proceedings on the application. You may contact the PSC at: Executive Director, Public Service Commission, 211 Sower Boulevard, P.O. Box 615, Frankfort, Kentucky 40602. Please refer to docket number 2024-00065 in any correspondence sent in connection with this matter.

After this advertisement has been published, please forward a tearsheet copy, affidavit of publication, and invoice to Clark, Quinn, Moses, Scott & Grahn, LLC, 320 N. Meridian Street, Indianapolis, IN 46204 or by email to ebw@clarkquinnlaw.com. Please call me on my cell with any questions at 317-902-2187 if you have any questions. Thank you for your assistance.

Sincerely,

A handwritten signature in cursive script that reads 'Elizabeth Bentz Williams'.

Elizabeth Bentz Williams, AICP

