COMMONWEALTH OF KENTUCKY BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

THE APPLICATION OF)
HARMONI TOWERS ASSETCO, LLC, A DELAWARE)
LIMITED LIABILITY COMPANY)
AND CELLCO PARTNERSHIP D/B/A VERIZON WIRELESS)
FOR ISSUANCE OF A CERTIFICATE OF PUBLIC	CASE NO.: 2024-00194
CONVENIENCE AND NECESSITY TO CONSTRUCT)
A WIRELESS COMMUNICATIONS FACILITY)
IN THE COMMONWEALTH OF KENTUCKY)
IN THE COUNTY OF METCALFE)

SITE NAME: CK GLOVER CREEK

* * * * * * *

RESPONSE TO NOTICE OF FILING DEFICIENCY

Applicant, by counsel and in response to the Kentucky Public Service Commission's ("PSC") letter dated August 12, 2024 requesting additional information to cure a deficiency in the within matter, states as follows:

- 1. In Response to the PSC's finding of a deficiency with respect to 807 KAR 5:063 Section 1(1)(k), Applicant hereby submits the map attached as **Exhibit A**.
- 2. In Response to the PSC's finding of a deficiency with respect to 807 KAR 5:063 Section 1(1)(I)(1) and (n)(1), Applicant re-sent notice to the landowners listed in Exhibit J of the filed application and the County Judge Executive on August 12, 2024. The revised letters reference a total structure of 255'.
- 3. A copy of the revised letter (with the applicable enclosure) sent to landowners on August 12, 2024 has been attached as **Exhibit B**.
- 4. The notice list attached as Exhibit J of the filed application was reviewed by a representative of the Metcalfe County Property Valuation Office on August 12, 2024.

The accuracy of the list was confirmed via email and a copy of that email is attached as **Exhibit C**.

- 5. Seventeen notice letters were sent to landowners on August 12, 2024. Copies of the "Certified Mail Receipts" confirming the dates on which the letters were sent are attached as part of **Exhibit D**.
- 6. To date, twelve signed United States Postal Service Form 3811 "green cards" have been returned. Copies of the returned "green cards" are attached as a part of **Exhibit D**. One notice letter is marked "delivered, individual picked up at postal facility" according to United States Postal Service (USPS) tracking data, which is attached as part of **Exhibit D**. Four notice letters are marked "delivery attempt" according to USPS tracking data, which is attached as part of **Exhibit D**. There are no unaccountable notices.
- 7. A copy of the letter (with the applicable enclosure) sent to the County Judge Executive has been attached as **Exhibit E**. A copy of the "Certified Mailing Receipt" and a copy of the USPS Form 3811 "green card" for this mailing are also attached as a part of **Exhibit E**.

WHEREFORE, Applicant respectfully request that the PSC accept the foregoing information 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, find the application non-deficient and proceed to grant a Certificate of Public Convenience and Necessity to construct and operate the WCF at the location set forth in the subject application.

Respectfully submitted,

David A. Pike

And

F. Keith Brown

Pike Legal Group, PLLC 1578 Highway 44 East, Suite 6

I a Pelse

P. O. Box 369

Shepherdsville, KY 40165-0369 Telephone: (502) 955-4400

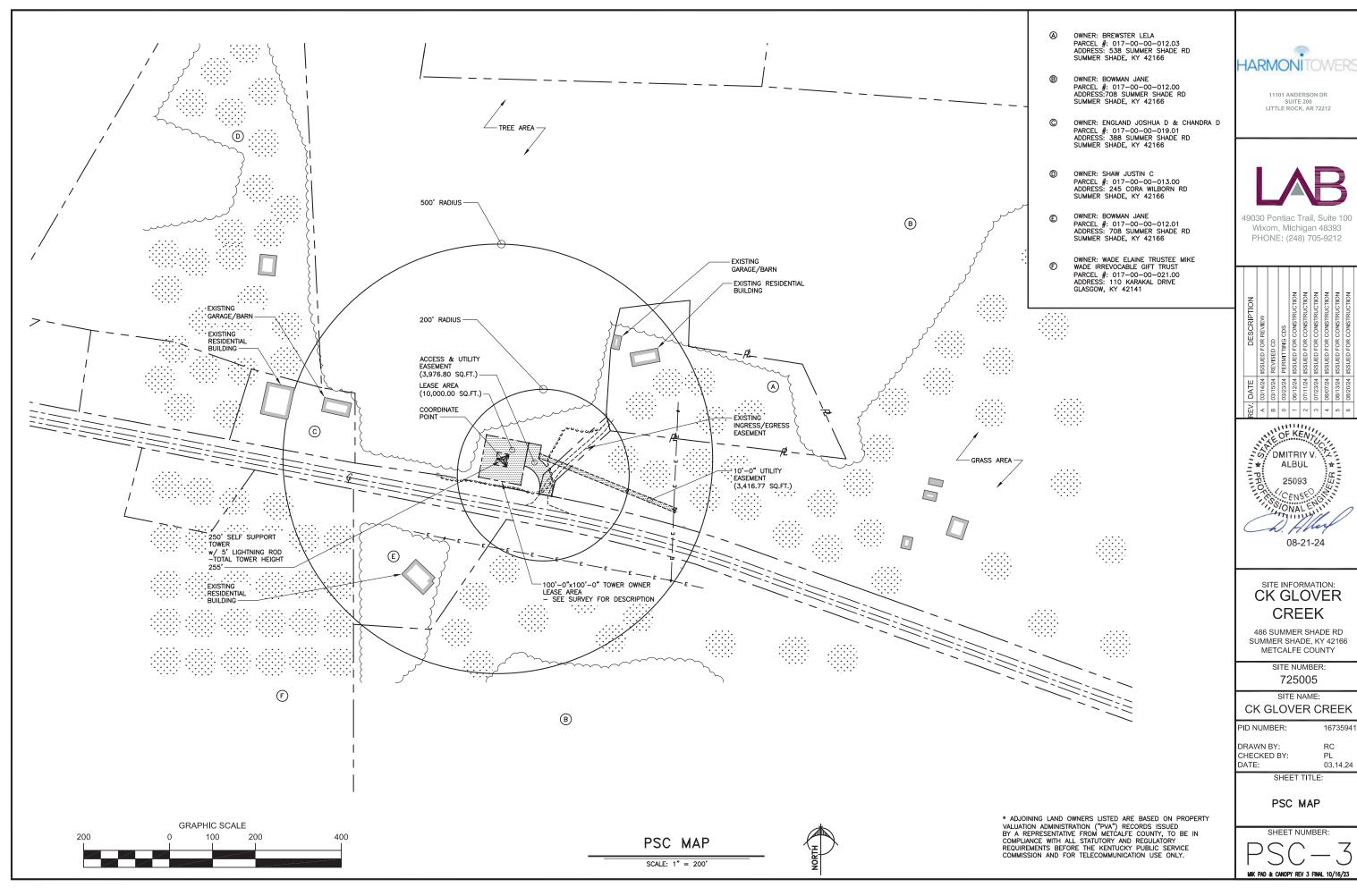
Telefax: (502) 543-4410 Email: dpike@pikelegal.com Email: kbrown@pikelegal.com

Attorneys for Applicant

LIST OF EXHIBITS

- A Map depicting landowners and structures within 500' of the site
- B Revised Notice Letter Sent to Landowners
- C Correspondence with Metcalfe County Property Valuation Administration Official
- D Proof of Notice Materials
- E Revised Notice Letter Sent to County Judge Executive Proof of Notice Materials

EXHIBIT A Map depicting landowners and structures within 500' of the site



DESCRIPTION	03/14/24 ISSUED FOR REVIEW	REVISED CD	PERMITTING CDS	06/12/24 ISSUED FOR CONSTRUCTION	07/11/24 ISSUED FOR CONSTRUCTION	07/23/24 ISSUED FOR CONSTRUCTION	08/07/24 ISSUED FOR CONSTRUCTION	08/13/24 ISSUED FOR CONSTRUCTION	08/20/24 ISSUED FOR CONSTRUCTION	
EV DATE	03/14/24	03/15/24	03/23/24 F	06/12/24	07/11/24	07/23/24	08/07/24	08/13/24	08/20/24	
EV	A	8	0	-	2	m	4	2	9	

EXHIBIT B

Revised Notice Letter Sent to Landowners



PIKE LEGAL GROUP PLLC

1578 Highway 44 East, Unit 6
PO Box 369

Shepherdsville, KY 40165-0369 Phone: 502-955-4400

Fax: 502-543-4410

VIA CERTIFIED MAIL

Re-Notice of Proposed Construction of Wireless Communications Facility Site Name: GLOVER CREEK

Dear Landowner:

Harmoni Towers AssetCo LLC, a Delaware limited liability company, 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 Sumer Shade Road (Parcel Address: 708 Summer Shade Road / E911 address: 486 Summer Shade Road), Summer Shade, KY 42166 (36° 53' 46.16" North latitude, 85° 44' 03.79" West longitude). The proposed facility will include a 250-foot tall tower with a 5-foot tall lightning arrestor attached at the top for a total height of 255 feet, plus related ground facilities. This facility is needed to provide improved service 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 <u>or</u> contiguous to the property on which the tower is to be constructed. You have a right to submit testimony to the 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 2024-00194 in any correspondence sent in connection with this matter.

We have attached a map showing the site location for the proposed tower. Verizon Wireless 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 toll free at (800) 516-4293 if you have any comments or questions about this proposal.

Sincerely, David A. Pike Attorney for Applicant

enclosures



EXHIBIT C Correspondence with Metcalfe County Property Valuation Administration	Official

RE: Metcalfe County, KY - PVA Records

Firkins, Nicholas (Metcalfe Co PVA) < nicholas.firkins@ky.gov>

Mon 8/12/2024 12:46 PM

To:Aaron Roof <aroof@pikelegal.com>

Looked over your list it appears to have all the correct names & numbers...

Nick Firkins

Metcalfe County P.V.A.

Deputy PVA & Mapping Tech

Phone: 270-432-3162 Fax: 270-432-3163

From: Aaron Roof <aroof@pikelegal.com> Sent: Monday, August 12, 2024 11:38 AM

To: Firkins, Nicholas (Metcalfe Co PVA) < nicholas.firkins@ky.gov>

Subject: Metcalfe County, KY - PVA Records

TO: Nick Firkins

FROM: Aaron L. Roof, Pike Legal Group, PLLC

RE: Metcalfe County, KY - PVA Records

Mr. Firkins,

Thank you for taking the time to discuss this matter with me this morning. As we discussed, please confirm that the attached notice list for each parcel listed still matches the landowner names and mailing addresses shown in the County's official records.

Thank you for your attention to this matter, and please feel free to contact me with any questions.

Aaron L. Roof Pike Legal Group PLLC 1578 Highway 44 East, Suite 6 PO Box 369 Shepherdsville, KY 40165-0369

Telephone: 502-955-4400 or 800-516-4293

Telefax: 502-543-4410 or 800-541-4410

Mobile: 270-564-6906

Email: aroof@pikelegal.com

Pike Legal Group, PLLC - Kentucky, Indiana, Ohio, Tennessee, West Virginia, Georgia, Florida, Arkansas & Alaska licensed attorneys - no charge for travel time _

Proud supporter of the Alaskan dog-sledding tradition, mushing families, and canine athletes since 2000 - The Pike Legal Group, PLLC is a diverse workplace.

NOTICE: The information contained in this email message and any and all attachments may contain confidential information. This information is the property of Pike Legal Group PLLC. If you are not the

intended recipient of this information, any disclosure, copying, distribution, or the taking of any action in reliance on this information is strictly prohibited. If you have received this email message in error, please reply immediately informing us of the error in transmitting this email. Thank you!

CK Glover Creek - Notice List

017-00-00-012.00

Bowman Jane 708 Summer Shade Rd Summer Shade, KY 42166

017-00-00-012.03

Brewster Lela 538 Summer Shade Rd Summer Shade, KY 42166

017-00-00-019.01

England Joshua D & Chandra D 388 Summer Shade Rd Summer Shade, KY 42166

017-00-00-013.00

Shaw Justin C 245 Cora Wilborn Rd Summer Shade, KY 42166

017-00-00-012.01

Bowman Jane 708 Summer Shade Rd Summer Shade, KY 42166

017-00-00-021.00

Wade Elaine Trustee Mike Wade Irrevocable Gift Trust 110 Karakal Drive Glasgow, KY 42141

017-00-00-001.03

Hurt Jerry Estate 200 Froedge Dubree Rd Summer Shade, KY 42166

017-00-00-001.00

Froggett Bonnie & Henry Allen 498 Froedge Dubree Rd Summer Shade, KY 42166

017-00-00-002.00

Shaw Chad E & Kelly A P O Box 1150 Edmonton, KY 42129

017-00-00-002.02

Shaw Donnie 355 Pitcock Rd Summer Shade, KY 42166

017-00-00-003.04

Pitcock Joshua 635 Tarter Jessie Rd Summer Shade, KY 42166

017-00-00-003.09

Hicks Karen Sue 5217 E 200 N Greenfield, IN 46140

017-00-00-003.08

Pitcock Joshua & Fantom 635 Tarter Jessie Rd Summer Shade, KY 42166

017-00-00-012.02

Sizemore Leonard & Cornelia Louise 474 Summer Shade Rd Summer Shade, KY 42166

017-00-00-003.01

Dickerson Lumber Co PO Box 125 Summer Shade, KY 42166

017-00-00-022.00

Dickerson Lumber Co PO Box 125 Summer Shade, KY 42166

017-00-00-030.01 (D01)

Young Timmy M 450 Guy Young Rd Summer Shade, KY 42166

017-00-00-030.01 (D02)

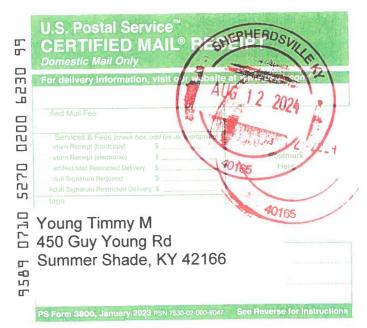
Young Timothy 305 Guy Young Rd Summer Shade, KY 42166

EXHIBIT D

Proof of Notice Materials















SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
 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: Bowman Jane 708 Summer Shade Rd Summer Shade, KY 42166 	A. Signature Addressee B. Received by (Printed Name) C. Date of Delivery Ane Downan B-14-J4 D. Is delivery address different from item 1? Yes If YES, enter delivery address below: No
9590 9402 7926 2305 8562 58 2. Article Number (<i>Transfer from service label</i>) 9589 0710 5270 0200 6267 17 PS Form 3811, July 2020 PSN 7530-02-000-9053	3. Service Type □ Adult Signature □ Adult Signature Bestricted Delivery □ Certified Mail® □ Certified Mail® □ Certified Mail Restricted Delivery □ Collect on Delivery □ Collect on Delivery □ Insured Mail □ Insured Soulowery (over \$500) □ Priority Mail Express® □ Registered Mail™ □ Registered Mail Restricted Delivery □ Signature Confirmation™ □ Signature Confirmation™ □ Signature Confirmation™ ■ Restricted Delivery □ Domestric Return Receipt
 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: Shaw Justin C 245 Cora Wilborn Rd Summer Shade, KY 42166 	A. Signature A. Signature A. Signature Addressee B. Received by (Printed Name) D. Is delivery address different from item 17 C. Date of Delivery D. Is delivery address below: No
9590 9402 7926 2305 8562 34 2. Article Number (Transfer from service label) 9589 0710 5270 0200 6267 24	3. Service Type □ Adult Signature □ Adult Signature Restricted Delivery □ Certified Mail® □ Certified Mail® □ Collect on Delivery □ Collect on Delivery □ Insured Mail □ Insured Mail □ Insured Mail □ Insured Mail Restricted Delivery □ (over \$500)
PS Form 3811, July 2020 PSN 7530-02-000-9053	Domestic Return Receipt
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. Article Addressed to: Young Timmy M 450 Guy Young Rd Summer Shade, KY 42166	A. Signature A. Signature Agent Addressee B. Received by (Pinted Name) C. Date of Delivery D. Is delivery address different from item 1? If YES, enter delivery address below: No
9590 9402 7926 2305 8565 55 2. Article Number (Transfer from service label) 9589 0710 5270 0200 6230 95	3. Service Type ☐ Adult Signature ☐ Adult Signature Restricted Delivery ☐ Certified Mail® ☐ Certified Mail Restricted Delivery ☐ Collect on Delivery ☐ Insured Mail ☐ Insured Mail ☐ Insured Mail Restricted Delivery (over \$500)

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Summer Shade, KY 42166	11	
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Article Number (Transfer from service label)	☐ Collect on Delivery ☐ Collect on Delivery Restricted Delivery	☐ Signature Confirmation Restricted Delivery
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Article Addressed to:	D. Is delivery address different from	
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PS Form 3811, July 2020 PSN 7530-02-000-9053

Domestic Return Receipt

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

FAQs >

Tracking Number:

Remove X

9589071052700200623051

Copy Add to Informed Delivery (https://informeddelivery.usps.com/)

Latest Update

Your item was picked up at a postal facility at 9:34 am on August 20, 2024 in GREENFIELD, IN 46140.

Get More Out of USPS Tracking:

USPS Tracking Plus®

Delivered

Delivered, Individual Picked Up at Postal Facility

GREENFIELD, IN 46140 August 20, 2024, 9:34 am

See All Tracking History

What Do USPS Tracking Statuses Mean? (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

FAQs >

Tracking Number:

Remove X

9589071052700200622993

Copy Add to Informed Delivery (https://informeddelivery.usps.com/)

Latest Update

This is a reminder to arrange for redelivery of your item or your item will be returned to sender.

Get More Out of USPS Tracking:

USPS Tracking Plus®

Delivery Attempt

Reminder to Schedule Redelivery of your item

August 19, 2024

Notice Left (No Authorized Recipient Available)

SUMMER SHADE, KY 42166 August 14, 2024, 9:19 am

See All Tracking History

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

Text & Email Updates	~
USPS Tracking Plus®	~
Product Information	~

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FAQs >

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Latest Update

This is a reminder to arrange for redelivery of your item or your item will be returned to sender.

Get More Out of USPS Tracking:

USPS Tracking Plus®

Delivery Attempt

Reminder to Schedule Redelivery of your item

August 19, 2024

Notice Left (No Authorized Recipient Available)

SUMMER SHADE, KY 42166 August 14, 2024, 9:22 am

See All Tracking History

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

Text & Email Updates	~
USPS Tracking Plus®	~
Product Information	~

See Less ∧

FAQs >

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Copy Add to Informed Delivery (https://informeddelivery.usps.com/)

Latest Update

This is a reminder to arrange for redelivery of your item or your item will be returned to sender.

Get More Out of USPS Tracking:

USPS Tracking Plus®

Delivery Attempt

Reminder to Schedule Redelivery of your item

August 19, 2024

Notice Left (No Authorized Recipient Available)

SUMMER SHADE, KY 42166 August 14, 2024, 8:53 am

See All Tracking History

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

Text & Email Updates	~
USPS Tracking Plus®	~
Product Information	~

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FAQs >

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Latest Update

This is a reminder to arrange for redelivery of your item or your item will be returned to sender.

Get More Out of USPS Tracking:

USPS Tracking Plus®

Delivery Attempt

Reminder to Schedule Redelivery of your item

August 19, 2024

Notice Left (No Authorized Recipient Available)

SUMMER SHADE, KY 42166 August 14, 2024, 8:53 am

See All Tracking History

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

Text & Email Updates	~
USPS Tracking Plus®	~
Product Information	~

See Less ∧

EXHIBIT E

Revised Notice Letter Sent to County Judge Executive
Proof of Notice Materials



PIKE LEGAL GROUP PLLC

1578 Highway 44 East, Unit 6 PO Box 369 Shepherdsville, KY 40165-0369

Phone: 502-955-4400

Fax: 502-543-4410

VIA CERTIFIED MAIL

Larry Wilson County Judge Executive P.O. Box 149 Edmonton, KY 42129

RE: Re-Notice of Proposal to Construct Wireless Communications Facility

Kentucky Public Service Commission Docket No. 2024-00194

Site Name: GLOVER CREEK

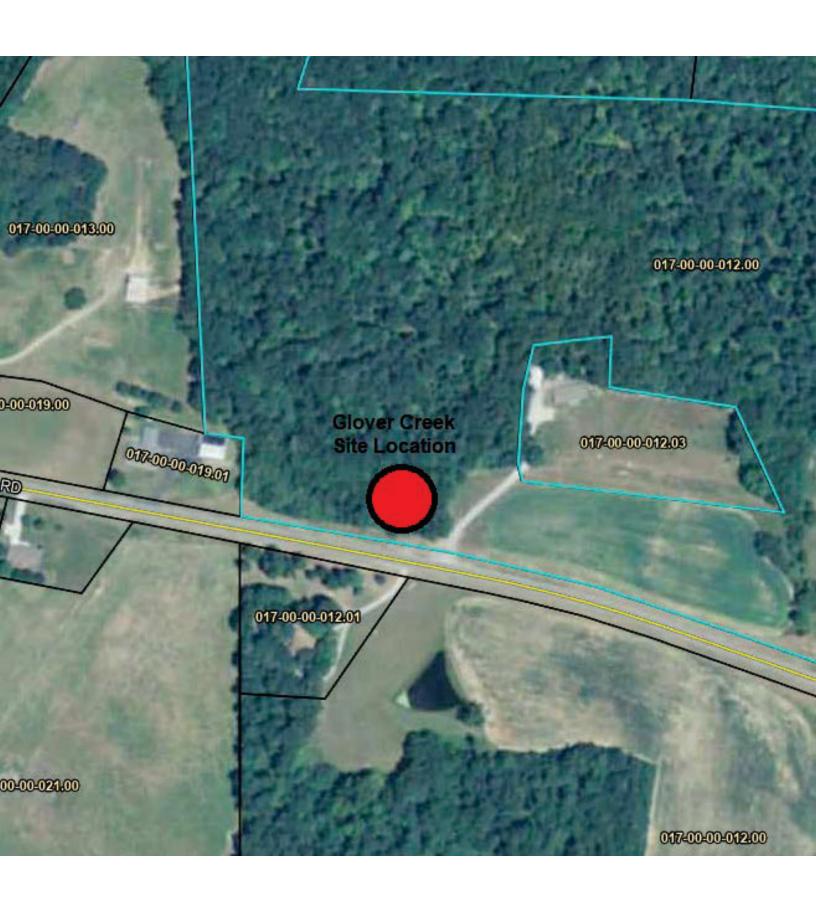
Dear Judge/Executive:

Harmoni Towers AssetCo, LLC, a Delaware limited liability company, 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 Sumer Shade Road (Parcel Address: 708 Summer Shade Road / E911 address: 486 Summer Shade Road), Summer Shade, KY 42166 (36° 53' 46.16" North latitude, 85° 44' 03.79" West longitude). The proposed facility will include a 250-foot tall tower with a 5-foot tall lightning arrestor attached at the top for a total height of 255 feet, plus related ground facilities. This facility is needed to provide improved service for wireless communications in the area.

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 2024-00194 in any correspondence sent in connection with this matter.

We have attached a map showing the site location for the proposed tower. Verizon Wireless' 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 with any comments or questions you may have.

Sincerely,
David A. Pike
Attorney for Applicant
enclosures





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SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
■ 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 Addressed to: LARRY WILSON COUNTY JUDGE EXECUTIVE P. O. BOX 149 EDMONTON, KY 42129	A. Signature Addressee B. Received by (Printed Name) C. Date of Delivery D. Is delivery address different from item 1? If YES, enter delivery address below:
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PS Form 3811, July 2020 PSN 7530-02-000-9053	Domestic Return Receipt