

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

In the Matter of:

THE APPLICATION OF)	
APC TOWERS IV, LLC A DELAWARE)	
LIMITED LIABILITY COMPANY)	
AND CELLCO PARTNERSHIP D/B/A VERIZON WIRELESS)	
FOR ISSUANCE OF A CERTIFICATE OF PUBLIC)	CASE NO.: 2025-00115
CONVENIENCE AND NECESSITY TO CONSTRUCT)	
A WIRELESS COMMUNICATIONS FACILITY)	
IN THE COMMONWEALTH OF KENTUCKY)	
IN THE COUNTY OF LIVINGSTON)	

SITE NAME: EV SMITHLAND SOUTH

* * * * *

APPLICANTS' RESPONSE TO COMMISSION'S DATA REQUEST

APC Towers IV, LLC a Delaware limited liability company and Cellco Partnership d/b/a Verizon Wireless ("Joint Applicants"), by counsel, makes this Response to the Kentucky Public Service Commission Staff's First Request for Information to APC Towers IV LLC and Cellco Partnership d/b/a Verizon Wireless ("Data Request"). Applicant respectfully states, as follows:

Question 1: Provide a copy of all signed United States Postal Service Form 3811, otherwise known as "signed green cards," or a copy of the notice that the certified mail was returned to the Joint Applicants as undelivered by the United States Postal Service. Specifically, the certified letter with the tracking number 9589071052701616779648.

Consider this request ongoing and should be updated in a supplemental filing until all signed green cards and undelivered notices are returned to APC Towers, LLC.

Response 1: Since filing, Applicants have received both a signed green card and a returned undelivered certified mailing corresponding to the two outstanding notices discussed in paragraph 24 of the within Application. These documents are attached hereto as **Exhibit J-1**. All signed green cards and returned undelivered notice letters for landowners entitled to notice

have now been filed in this proceeding.

An Affidavit of Certification signed by the attorney supervising the preparation of the response on behalf of Applicants certifying that the response is true and accurate to the best of that person's knowledge, information, and belief formed after a reasonable inquiry is attached as **Exhibit 1**.

WHEREFORE, there being no ground for denial of the subject application, and there being substantial evidence in support of the requested CPCN in the case record, Applicant respectfully requests the Kentucky Public Service Commission:

- (a) Accept this Response for filing;
- (b) Issue a Certificate of Public Convenience and Necessity to construct and operate the WCF at the location set forth herein without further delay; and
- (c) Grant Applicant any other relief to which it is entitled.

Respectfully submitted,



David A. Pike
And



F. Keith Brown
Pike Legal Group, PLLC
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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

- 1 - Affidavit of Certification
- J-1 - Supplemental Proof of Notice

EXHIBIT 1

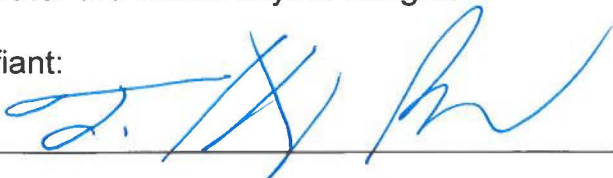
AFFIDAVIT OF CERTIFICATION

**AFFIDAVIT OF CERTIFICATION
COMMONWEALTH OF KENTUCKY
PUBLIC SERVICE COMMISSION
CASE #: 2025-00115**

I, F. Keith Brown, attorney for APC Towers IV, LLC a Delaware limited liability company and Cellco Partnership d/b/a Verizon Wireless (“Joint Applicants”), do hereby certify that I am the person supervising the preparation of this Response to Commission Staff’s Data Request on behalf of Joint Applicants, and that this response is true and accurate to the best of my knowledge, information, and belief formed after reasonable inquiry.

Further the affiant sayeth naught.

Affiant:



Date:

05/02/25

State of Kentucky

County of Bullitt

AFFIANT ACKNOWLEDGEMENT

On this, the 2nd day of May 2025 before me, the subscriber, a Notary Public in and for the above state, personally appeared to me F. Keith Brown and in due form of law, acknowledged, subscribed, and swore that he executed this instrument as his voluntary act and deed.

In testimony whereof, I have hereunto set my hand and affixed my seal in said County and State on the day and year last above written.

My commission expires on: July 13, 2026.



Joseph L. Rogers

Notary Public, State at Large

KYNP54888

EXHIBIT J-1

SUPPLEMENTAL PROOF OF NOTICE

Pike
P. O. Box 369
Shepherdsville, KY 40165-0369

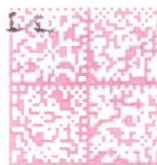
CERTIFIED MAIL®

LOUISVILLE KY 400



9589 0710 5270 1676 7796 48

FIRST-CLASS



US POSTAGE PITNEY BOWES

ZIP 40165 \$ 009.64⁰
02 7H 0006034260 APR 08 2025

793
BALLARD JU.
DANNIELLE
739 IUKA RD
SMITHLAND, KY 42081

-R-T-S- 42081-RFS-1N *95 04/25/25

RETURN TO SENDER
UNCLAIMED
UNABLE TO FORWARD
RETURN TO SENDER



4/15
*
R
F
S
*

FIRST NOTICE

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:

BALLARD JUSTIN & JESSIKA
DANNIELLE
739 IUKA RD
SMITHLAND, KY 42081



9590 9402 7926 2305 8916 86

2. Article Number (Transfer from service label)

9589 0710 5270 1676 7796 48

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? ☒ YesIf YES, enter delivery address below: ☐ No

793 Iuka Rd

3. Service Type

- | | |
|--|---|
| <input type="checkbox"/> Adult Signature | <input type="checkbox"/> Priority Mail Express® |
| <input type="checkbox"/> Adult Signature Restricted Delivery | <input type="checkbox"/> Registered Mail™ |
| <input checked="" type="checkbox"/> Certified Mail® | <input type="checkbox"/> Registered Mail Restricted Delivery |
| <input type="checkbox"/> Certified Mail Restricted Delivery | <input type="checkbox"/> Signature Confirmation™ |
| <input type="checkbox"/> Collect on Delivery | <input type="checkbox"/> Signature Confirmation Restricted Delivery |
| <input type="checkbox"/> Collect on Delivery Restricted Delivery | |
| <input type="checkbox"/> Insured Mail | |
| <input type="checkbox"/> 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.

1. Article Addressed to:

CON GILMAR & MARIE
2247 SUNSET DR
PADUCAH, KY 42003-2111



9590 9402 7926 2305 8915 56

2. Article Number (Transfer from service label)

9589 0710 5270 1676 7794 64

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X Gilmar CON

- ☐ Agent
☒ Addressee

B. Received by (Printed Name)

Gilmar CON

C. Date of Delivery

4/15/25

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

3. Service Type

- | | |
|--|---|
| <input type="checkbox"/> Adult Signature | <input type="checkbox"/> Priority Mail Express® |
| <input type="checkbox"/> Adult Signature Restricted Delivery | <input type="checkbox"/> Registered Mail™ |
| <input checked="" type="checkbox"/> Certified Mail® | <input type="checkbox"/> Registered Mail Restricted Delivery |
| <input type="checkbox"/> Certified Mail Restricted Delivery | <input type="checkbox"/> Signature Confirmation™ |
| <input type="checkbox"/> Collect on Delivery | <input type="checkbox"/> Signature Confirmation Restricted Delivery |
| <input type="checkbox"/> Collect on Delivery Restricted Delivery | |
| <input type="checkbox"/> Insured Mail | |
| <input type="checkbox"/> Insured Mail Restricted Delivery (over \$500) | |

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

Domestic Return Receipt