

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

In the Matter of:

THE APPLICATION OF)
THE TOWERS, LLC D/B/A VERTICAL BRIDGE)
AND KENTUCKY RSA 1 PARTNERSHIP BY CELLCO)
PARTNERSHIP D/B/A VERIZON WIRELESS, ITS)
MANAGING PARTNER)
FOR ISSUANCE OF A CERTIFICATE OF PUBLIC) CASE NO.: 2025-00302
CONVENIENCE AND NECESSITY TO CONSTRUCT)
A WIRELESS COMMUNICATIONS FACILITY)
IN THE COMMONWEALTH OF KENTUCKY)
IN THE COUNTY OF MARSHALL)

SITE NAME: TIM ROAD

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**MOTION TO STAY PROCEEDING FOR SIXTY (“60”) DAYS TO FACILITATE
SETTLEMENT WITH JENNIFER FISK**

The Towers, LLC D/B/A Vertical Bridge and Kentucky RSA 1 Partnership By Cellco Partnership D/B/A Verizon Wireless, its Managing Partner (“Applicants”), by counsel, hereby make a Motion to Stay this Proceeding for Sixty (“60”) Days to facilitate a settlement with Movant for Intervention Jennifer Fisk (“Fisk”).

Applicants and Fisk have verbally and preliminarily agreed, by counsel, that Applicants will amend the pending Application in this proceeding to reduce the proposed cellular antenna tower height to no more than 195' (with a 4' lightening rod above such height) and for such tower not to be lighted except as may be required by regulation of the Federal Aviation Administration (“FAA”) or Kentucky Airport Zoning

Commission (“KAZC”). In addition, the tower height is not to be extended further in the future. In connection with such height limitation and commitment to the absence of lighting, Fisk is to agree to irrevocably withdraw her pending Motion to Intervene and release any claims against Applicants with such release running with the chain of title of her property in the vicinity of the proposed cellular antenna tower. The preliminary verbal agreement between Applicants and Fisk contemplates that the settlement shall not constitute an admission on any issue.

It will take a reasonable time for Applicants and Fisk to complete and execute the contemplated final written settlement agreement and for Applicants to complete new exhibit drawings and to amend the pending Application for a Certificate of Public Convenience and Necessity (“CPCN”). It would also not be in the interest of administrative economy and the interest of the public convenience and necessity for the existing procedural schedule to begin running prior to the contemplated amendment of the Application.

Any Data Requests or assessment or argument as to the proposed tower should reasonably be based on a 195' unlighted tower rather than a 255' lighted tower as originally proposed with appropriate documentation of such significantly shorter tower as required by PSC regulations being of record. Compilation of such a record is in the interest of due process for all parties and should allow the Public Service Commission to make a non-arbitrary final decision in compliance with all applicable law and consistent with the public convenience and necessity. Accordingly, good cause supports this Motion.

WHEREFORE, Applicants request the Public Service Commission STAY the within proceeding for all purposes for a period of 60 days, including refraining from rendering a decision on the Fisk Request for Intervention in such period and suspending the existing procedural schedule for such time.

Applicants further request any other relief to which they are entitled.

Respectfully submitted,

David A. Pike

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and

F. Keith Brown

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on this 29th day of December 2025, a true and accurate copy of the foregoing was electronically filed with the PSC and sent by U.S. Postal Service first class mail, postage prepaid, to Tom Blankenship, Attorney at Law, P.O. Box 571 Benton, KY 42025 (Attorney for Jennifer Fisk) and emailed to him at tom@bedlaw.com.

Respectfully submitted,

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