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.: 2026-00157
CONVENIENCE AND NECESSITY TO CONSTRUCT	)	
A WIRELESS COMMUNICATIONS FACILITY	)	
IN THE COMMONWEALTH OF KENTUCKY	)	
IN THE COUNTY OF ROCKCASTLE	)	

SITE NAME: LV TURKEYTOWN

* * * * * * *

APPLICANTS' RESPONSE TO PUBLIC COMMENT OF JUDY BAKER

APC Towers IV, LLC, a Delaware limited liability company and Cellco Partnership d/b/a Verizon Wireless ("Applicants"), by counsel, make this Response to the comments submitted by Judy Baker, via counsel, in the within proceeding. Applicants respectfully state, as follows:

1. Ms. Baker has raised generalized concerns to the Kentucky Public Service Commission regarding the wireless communications facility proposed in the filed Application. As discussed herein, there is no ground for denial of the subject application, and substantial evidence supports approval of the requested Certificate of Public Convenience and Necessity ("CPCN").

2. In response to Ms. Baker's generalized concerns regarding property values, Applicants refer Ms. Baker to paragraphs 2 and 3 with associated exhibits of the Applicants' filing on August 3, 2026. Exhibit 1 to the August 3, 2026 filing is a report from Glen D. Katz, MAI, SRA, AI-GRS, AI-RRS, a property valuation expert, concluding that the proposed tower will not have a negative impact on surrounding property values. In

fact, since public utilities provide a platform for economic sustainability, community growth, safety and education, they support positive influences on value and demand for real estate.

3. In response to Ms. Baker's generalized concerns regarding radio frequency emissions, Applicants refer Ms. Baker to paragraphs 4, 5, 6 and 7 of the Applicants' filing on August 3, 2026.

4. In response to Ms. Baker's generalized concerns regarding environmental effects, Applicants refer Ms. Baker to the paragraph 8 with associated exhibits of the Applicants' filing on August 3, 2026.

5. In response to Ms. Baker's generalized concerns regarding aesthetics, Applicants refer Ms. Baker to paragraph 9 of the Applicants' filing on August 3, 2026.

6. In response to Ms. Baker's generalized concerns regarding less intrusive alternatives, Applicants refer Ms. Baker to the paragraph numbered 10 from the Applicants' filing on August 3, 2026. As further documentation of the Applicants' site selection process, please find attached as **Exhibit 1**, a report signed by Mat Brooks, the Site Acquisition Agent for the proposed site. Mr. Brooks' report confirms that co-location was appropriately explored and ruled out, that alternate rawland locations were appropriately explored and rule out, and that the proposed site location is the most suitable location reasonably available for cell tower placement.

7. Additionally, a report prepared by Verizon Wireless Radio Frequency Engineer Steven Belcher is attached as **Exhibit 2**. Mr. Belcher's report addresses Ms. Baker's generalized concerns regarding co-location and alternate methods of resolving the service gap. Specifically, Mr. Belcher confirms that co-location is not available within the search area and that the tower's height is the minimum height necessary to resolve the existing service gap in this area.

8. In response to Ms. Baker's assertion that Kentucky law requires submission of

a grid map showing the location of existing towers within the planning unit's jurisdiction and within one-half mile of the boundary of the planning unit's jurisdiction, the Applicants refer Ms. Baker to the plain language of KRS 100.987(2), which specifies that the grid map requirement applies to utilities or companies proposing to construct towers "within the jurisdiction of **a planning unit that has adopted planning and zoning regulations**" (emphasis added). The unincorporated portion of Rockcastle County has not adopted planning and zoning regulations, nor has it adopted regulations regarding the placement, construction or modification of wireless communications facilities.

9. The public comment of Judy Baker does not present issues or develop facts that will assist the Commission in fully considering this matter.

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

(a) Accept this Response for filing;

(b) Deny the request for intervention;

(c) Issue a Certificate of Public Convenience and Necessity to construct and operate the WCF at the location set forth herein without further delay; and

(d) Grant Applicant any other relief to which it is entitled.

Respectfully submitted,

David A. Pike
and

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Attorneys for Applicants

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on this 26th day of August 2026, a true and accurate copy of the foregoing was electronically filed with the PSC and sent by U.S.P.S. Priority mail, postage prepaid, to

Brian D. Bailey (counsel for Judy Baker)
426 S 4th St
Danville, KY 40422

David A. Pike
and

F. Keith Brown
Attorneys for Applicants

EXHIBIT 1

SITE SELECTION REPORT

August 25, 2026

Kentucky Public Service Commission
211 Sower Boulevard
Frankfort, KY

RE: Site Selection Report
Application for New Communications Facility
Applicants: APC Towers IV, LLC and Cellco Partnership d/b/a Verizon Wireless
Site Location: 9311 Dysart Way, Crab Orchard, KY
Site Name: LV Turkeytown

Dear Commission Members:

This report is provided to explain the site development process used by the Applicants to identify the site selected for the new wireless communications facility proposed in the filed Application.

Verizon Wireless and APC Towers
Site Development Process

Step 1: Problem Identification. Verizon Wireless radio frequency engineers first identified a growing service gap in western Rockcastle County along Dysart Way (US Highway 150).

Step 2: Search Area. To help guide the site development team's task of identifying a suitable location for a new wireless communications facility site, Verizon Wireless' radio frequency engineers identified the geographic area where the antenna site must be located in order to close the gap and issued a map (called a Search Area) that identified the general area in which a new site must be located. In this instance, the Search Area is centered approximately 0.4 miles east of the county line separating Rockcastle County and Lincoln County with a radius of 0.5 miles. A map of the Search Area is included here.

Step 3: Co-location Review. The site development team first reviewed the area within the Search Area for a suitable tall structure for co-location. In this case, there are no FCC-registered towers constructed within the Search Area. There were no other structures in the Search Area capable of supporting Verizon Wireless' antenna equipment at the height necessary to resolve the service gap in this area. The proposed facility must be located within the Search Area and the antenna equipment must be placed at the requested height to adequately address the radio frequency need in this area. Because there is no adequate existing infrastructure available for co-location in the area, a rawland tower must be constructed to resolve the radio frequency need in this area.

Step 4: Review of the Area's Zoning Regulations. Once the site development team determined that there are no available existing towers or other tall structures which are technically feasible and suitable for co-location, the team next reviewed local zoning requirements to identify parcels located within the Search Area that might be suitable from a land use perspective to host an antenna site. The Applicant prioritizes compliance with applicable local regulations and also locates towers in the least intrusive location available while effectively resolving the service gap identified by radio frequency engineers.

In this case, most of the search area is located in unincorporated Rockcastle County. Unincorporated Rockcastle County does not have zoning regulations or a Planning Commission. In areas where specific zoning regulations do not apply, the Applicant applies general siting guidelines to locate the site at the least intrusive and most suitable location available. The extreme western portion of the search area is located in Lincoln County. Unincorporated Lincoln County has planning and zoning regulations which govern the placement of cell towers.

The Site Acquisition Agent eliminated from consideration any parcel too small to accommodate tower placement. Several parcels along Fort Harrod Way in the northwestern portion of the Search Area and extending into the southern portion of the search area and several parcels northeast of Dysart Way are either too small to accommodate tower placement or are occupied by an existing use.

Construction feasibility is also a critical factor in site selection. Site locations without access to public roads or far removed from public roads are less suitable for hosting wireless sites. Topographical variations make tower construction infeasible in some instances. In some instances, the existing conditions or use on a parcel make it inappropriate for tower placement. Accordingly, the Site Acquisition Agent removed parcels from consideration when construction on the parcel was not feasible.

Additionally, parcels in the eastern portion of the Search Area lie within a flood zone, as shown on FEMA flood map panel 21203C0075C (a map of the flood zone is shown here). When suitable alternatives are available, Applicants avoid tower placement in flood zones. Because a suitable alternative was available, locations in the flood zone were removed from consideration for tower placement.

Step 5: Preliminary Inspection and Assessment of Suitable Parcels. Once suitable parcels are identified, the site development team performs a preliminary inspection. The purpose of the preliminary inspection is: (1) to confirm the availability of sufficient land space for the proposed facility; (2) to identify a specific location for the facility on the parcel; (3) to identify any recognized environmental conditions that would disqualify the parcel from consideration; (4) to identify any construction issues that would disqualify the candidate; and, (5) to assess the potential impact of the facility on neighboring properties.

After taking the steps discussed above, the Site Acquisition team attempted to contact the landowners of several parcels in the Search Area. The Site Acquisition Agent sent letters to the landowners of the following parcels to gauge the landowners interest in leasing space for tower placement. Because the owners of these parcels did not respond to communications from the Site Acquisition Agent, these locations were removed from consideration for this project.

Landowner	Parcel #	Physical Address
Donald C Nelson	012-00-002 004-00-031.01 004-00-031.04	775 Gum Sulphur Road Gum Sulphur Road Gum Sulphur Road
Sundance Ranch Family Trust	004-00-031 004-00-031.02 004-00-031.03	Gum Sulphur Road Gum Sulphur Road Gum Sulphur Road
Douglas & Eva Dicken	004-00-009.01	Ft Harrod Way
Eddie Dwayne Morgan	004-00-012	1683 Ft Harrod Way
Gregory & Deborah Coulton	004-00-014	1568 Ft Harrod Way
Wayne & Pamela King	004-00-012.02 005-00-007	1449 Ft Harrod Way Slaty Branch Rd / Ft Harrod Way
Benny Ray Burchett	004-00-019	1168 Ft Harrod Way
Garlan, Rachel, & Ina Cummins	004-00-022	Ft Harrod Way / Gum Sulphur Rd
Ralph & Judith Baker	005-00-008	1299 Ft Harrod Way
Alan L Bohlman	005-00-008.01	1181 Ft Harrod Way

After taking the steps described above, the proposed site location was determined to be the most suitable location reasonable available for tower placement to resolve the existing service gap.

Step 6: Candidate Evaluation and Selection. After the preliminary site assessments were performed, the site development team ranked the candidates based on compliance with zoning regulations, general principles of good planning, the availability of ground space, topography, applicable environmental conditions, construction feasibility and the potential impact of the facility on neighboring properties.

The proposed site location at 9311 Dysart Way in unincorporated Rockcastle County (parcel #004-00-018) is the most suitable location reasonably available for tower placement to resolve the existing service gap. The tower is well removed from adjoining properties with a setback of over 171' from the nearest property line. The nearest structure is over 284' from the tower location. The proposed tower would improve service to the area including voice, data and 911 access.

Step 7: Leasing and Due Diligence. Once a suitable candidate was selected, lease negotiations were commenced and site due diligence steps were performed, as described below.

Leasehold Due Diligence:

- A Title Report was obtained and reviewed to ensure that there are no limitations on the landowner's capacity to lease and to address any title issues.
- A site survey was obtained to identify the location of parcel features, boundaries, easements and other encumbrances revealed by the title search.
- Review of environmental conditions.

Engineering Due Diligence:

- Utility access identified.
- Grounding plan designed.
- Geotechnical soil analysis performed to determine foundation requirements.
- Foundations designed to meet the Kentucky Building Code lateral and subjacent support requirements.
- Site plan developed.

Federal Regulatory Due Diligence

- Federal Aviation Administration ("FAA")
- Federal Communication Commission ("FCC")

Step 8: Application. Once a lease was obtained and all site due diligence completed, the Applicants prepared and filed an application for a Certificate of Public Convenience and Necessity to construct, maintain and operate a communications facility.

Conclusion

Applicants' site identification and selection process aims to identify the least intrusive of all the available and technically feasible parcels in a service need Search Area. In this instance, the parcel located at 9311 Dysart Way, Crab Orchard, Kentucky is the least intrusive location from which the Applicants can resolve the service gap. The proposed location is well removed from property lines and existing structures. A new communication facility at this location will close the service gap in this area.

Sincerely,

Mat Brooks
Craig and Associates
6815 Millstone Dr.
New Port Richey, FL 34655
502-751-5629

EXHIBIT 2

RADIO FREQUENCY STATEMENT OF NEED & COVERAGE PLOTS

verizon

March 13th, 2026

Re: Radiofrequency Justification for Proposed Wireless Communications Facility for Cellco Partnership d/b/a Verizon Wireless ("Verizon")

Tower Developer and Owner: APC Towers LLC
Facility Site Name: LV Turkeytown
Type of Tower: Guyed structure
Tower Height: 250ft.
Location: 9311 Dysart Way, Crab Orchard, KY 40419

To Whom It May Concern:

As a radio frequency engineer for Verizon, I am providing this letter to state the need for a proposed Verizon wireless communications site called "LV Turkeytown".

The LV Turkeytown site is proposed in order to offload excess traffic from existing Verizon sites in this area that are operating at or near capacity. Currently Verizon customers are experiencing poor service along US150 and in southern Crab Orchard ("Gap Area") because there is a high demand for wireless service and high-speed data there and Verizon's network cannot keep up with that demand. Simply put, Verizon's existing communications sites in and around the Gap Area are over capacity and therefore they cannot sufficiently handle the traffic. The new proposed tower is needed to offload this excess traffic so that Verizon can provide critical service improvements to its customers in the area, including first responders, residents, and businesses.

When Verizon identifies the need for a new site in an area, its design engineers establish search area criteria in order to effectively meet specific coverage objectives as well as offload existing Verizon cell sites that can no longer meet service demands. These criteria are used to identify a "Search Area" in which the new tower would need to be located to meet the coverage and capacity objectives. The proposed tower is also designed to provide a single solution that decreases the chances that a second tower will be needed in the immediate area in the near future. Each wireless communications site covers a limited area, depending on site configuration and the surrounding terrain. Cell sites are built in an interconnected network, which means each cell site must be located so that their respective coverage areas are contiguous. This provides uninterrupted service throughout the coverage area.

Verizon cares about the communities it serves and prefers to collocate on existing structures when feasible. Collocation typically involves lower construction costs, faster deployment, and environment protection. For these reasons, Verizon makes every effort to investigate the feasibility for using existing towers or other tall structures for collocation when designing a new site or system expansion. However, collocation on an existing tower or tall structure is not

always feasible due to location of existing cell sites. Cell sites are placed in a way so they provide smooth hand off to each other and are placed at some distance from each other to eliminate too much overlap. Too much overlap may result in a waste of resources or raise a system capacity overload concern.

Here, Verizon is currently collocated on several existing towers in the areas surrounding the Search Area. However, there are no existing structures within the Search Area on which Verizon could collocate to meet its coverage and capacity objectives in the Gap Area. For this reason, Verizon worked to identify a site in the Search Area on which a new tower could be built that would meet the stated objectives. The proposed new tower, located 9311 Dysart Way, Crab Orchard, KY 40419, will be built near the center of the Search Area. Both the proposed location and height of the tower are designed to meet the stated objectives with a single tower. Specifically, the tower will have an overall tower height of 250' with Verizon's equipment installed at a centerline of 240'. This centerline is the minimum height necessary to allow Verizon to be able to adequately cover the Gap Area and to offload traffic from the nearby existing Verizon sites that are currently overloaded. If Verizon is limited to installing its equipment at a centerline that is lower than the proposed height, another tower would be needed in the vicinity in the near future in order to provide the additional coverage and capacity offload that is needed in the Gap Area.

If APC Towers LLC is unable to build the proposed site and therefore Verizon is unable to collocate its equipment on it at a centerline of 240', Verizon will be prohibited from serving its customers in the Gap Area.

This cell site has been designed, and shall be constructed and operated, in a manner that satisfies regulations and requirements of all applicable governmental agencies that have been charged with regulating tower specifications, operation, construction, and placement, including the FAA and FCC.

Sincerely,

Steven Belcher
Sr. RF Engineer
Verizon Wireless

March 13th,2026

RE: Zoning Plots

Site Name: LV Turkeytown

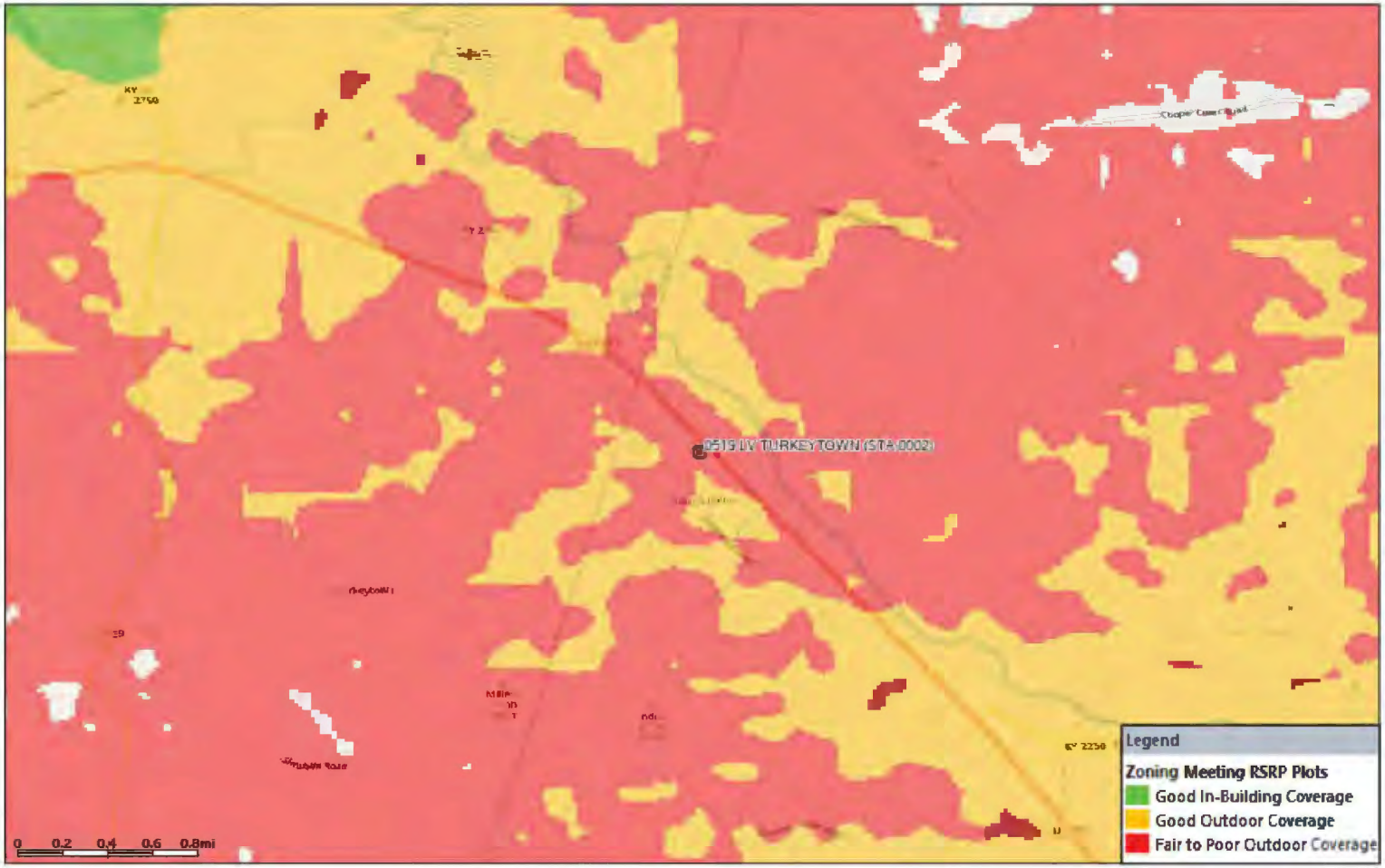
This map is not a guarantee of coverage and may contain areas with no service. This map reflects a depiction of predicted and approximate wireless coverage of the network and is intended to provide a relative comparison of coverage. The depictions of coverage do not guarantee service availability as there are many factors that can influence coverage and service availability. These factors vary from location to location and change over time. The coverage areas may include locations with limited or no coverage. Even within a coverage area shown, there are many factors, including but not limited to, usage volumes, outages, customer's equipment, terrain, proximity to buildings, foliage, and weather that may impact service.

Sincerely,

Steven Belcher
Sr RF Engineer
Verizon Wireless

verizon

Current Coverage – Without Proposed Site LV Turkeytown



verizon

Proposed Coverage – With Proposed Site LV Turkeytown