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Commonwealth of Kentucky
Public Service Commission
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David L. Armstrong
Chairman

James Gardner
Vice-Chairman

John W. Clay
Commissioner

November 9, 2010

Roy and Joan Driver
240 Lake Forrest Drive
Campbellsville, Kentucky 42718

RE: Case No. 2010-00373
New Cingular Wireless

Dear Mr. and Mrs. Driver:

This is in response to your letter received on October 18, 2010 requesting information regarding the application for approval to construct a wireless tower facility. The letter has been placed in the official case file of this proceeding and the Commission will carefully analyze this application before rendering its final decision. By this letter, the attached request for information has been forwarded to the Applicant for a response. Commission Staff requests the Applicant to submit a written response to the request for information, with a copy to the Commission, within 15 days of the date of this letter.

If a person wishes to become a party in this matter he should submit to the Commission a request for intervention, if intervention is desired. If no request for intervention is received within 30 days of the date of this letter, the Commission Staff will presume that the Applicant's reply has satisfied the concerns raised in the attached request for information.

It may be helpful for you to know the state authority, specifically that of the Public Service Commission, in this matter has been limited by federal law. For example, Section 704 of the federal Telecommunications Act of 1996 prohibits this Commission from regulating the placement of wireless facilities on the basis of environmental effects of the radio frequency emissions to the extent that facilities comply with Federal Communications Commission regulations. Section 704 also prohibits a state or local government from prohibiting telecommunications facilities construction if such denial will have the effect of prohibiting service. In addition, this Commission is required by statute to ensure that utility service, including telecommunications service, is adequate and reliable. The Commission does, however, consider appropriate placement of necessary

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facilities within applicable engineering boundaries. It also pursues a policy of collocation of facilities whenever possible.

You may view Orders and data requests issued by the Commission or other formal case documents on our website <http://psc.ky.gov>.

Thank you for your letter of interest and concern in this matter.

Sincerely,



Jeff Derouen
Executive Director

JD/kle

cc: Parties of Record

240 Lake Forest Dr
Campbellsville, KY 42718
10/15/10

Sirs:

Kentucky Public Service Commission,

The attached letter about a cell phone tower near my property in Green County, Kentucky; on Matney Rd. I - we Roy + Joan Drier strongly object to.

A representative of this project tells us a contract has already been entered in to by Mr. Hault + AT&T. if this is true how can this be we Roy + Joan Drier only received information to this this week 10/14/10. our phone is 270-465-4908 contact us, we strongly object to this micro-wave fallout being near our property

Mr Roy + Joan Drier
240 Lake Forest Dr,
CAMPBELLVILLE, KY
42718
270-465-4908