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Commonwealth of Kentucky  
**Public Service Commission**  
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Michael J. Schmitt  
Chairman

Robert Cicero  
Vice Chairman

Talina R. Mathews  
Commissioner

September 25, 2017

Nancy Roche & Mary Roach  
#189 State Route 348E  
Symsonia, KY 42082

**RE: Case No. 2017-00368**

Application of New Cingular Wireless PCS, LLC d/b/a AT&T Mobility For Issuance of a Certificate of Public Convenience and Necessity to Construct a Wireless Communications Facility in the Commonwealth of Kentucky in the County of Graves

Dear Ms. Roche and Ms. Roach:

This is in response to your letter received on September 25, 2017. 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 public comment has been forwarded to the Applicant for a response. Commission Staff requests the Applicant to submit a written response to the public comment, 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 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,

A handwritten signature in black ink that reads "John S. Lyons". The signature is written in a cursive style with a large, looped initial "J".

John S. Lyons  
Acting Executive Director

cc: Parties of Record

Nancy Roche / Mary Roach  
#189 State Route 348E  
Symsonia, KY 42082

September 14, 2017

Kentucky Public Service Commission  
Executive Director  
211 Sower Boulevard  
P. O. Box 615  
Frankfort, Kentucky 40602

**RECEIVED**

**SEP 25 2017**

**PUBLIC SERVICE  
COMMISSION**

RE:

CASE NO.: 2017-00368

THE APPLICATION OF  
NEW CINGULAR WIRELESS PCS, LLC,  
A DELAWARE LIMITED LIABILITY COMPANY, D/B/A AT&T MOBILITY  
FOR ISSUANCE OF A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO  
CONSTRUCT A WIRELESS COMMUNICATIONS FACILITY  
IN THE COMMONWEALTH OF KENTUCKY  
IN THE COUNTY OF GRAVES

SITE NAME: SYMSONIA

Greetings:

We are writing to ask you to oppose the proposed cell phone tower at 850 State Route 348E, Symsonia, Kentucky. We are making our position known to you in hopes that you will request that New Cingular Wireless PCS, LLC be required to move this tower outside of the incorporated township of Symsonia, Kentucky and into a more rural adjoining area; one which would be equally appropriate, but away from our backyards. My mother, my husband, and I own three parcels of land which would be affected by the construction of this tower: a home at 540 348 E, a parcel of land near the Hamm Road on 348E, and a family farm on the Symsonia Road behind the tower location.

Our complaint centers upon three concerns, including decrease in property value, a concern for health issues, since multiple scientific studies suggest that cell phone towers pose a major health risk, and the noise and light pollution generated by this tower, which will be sizeable given the height of 320 feet. This height of 30 stories and the nature of the proposed structure is out of character with our small town, which is primarily farm land and suburban

homes. The proposed tower would be a physical blight on our community, and visible for miles. These are very strong concerns for my family and we believe that moving the tower to a more rural location would be preferable for reasons we have listed.

The devaluation of properties in the close proximity of cell phone towers is a known fact. *The New York Times* from August 2010 states that many cities are proposing codes that cell towers be located 1,500 from schools, houses, churches or libraries. The article also quotes a realtor for RE/MAX who states, "People don't like living next to cell towers, for medical reasons or aesthetics... or they don't want that eyesore sticking up in their backyards"

(<http://www.nytimes.com/2010/08/29/realestate/29Lizo.html>). Furthermore, the *Official Magazine of the National Association of Realtors*, in a 2014 article, states,

An overwhelming 94 percent of home buyers and renters surveyed by the National Institute for Science, Law & Public Policy (NISLAPP) say they are less interested and would pay less for a property located near a cell tower or antenna. What's more, of the 1,000 survey respondents, 79 percent said that under no circumstances would they ever purchase or rent a property within a few blocks of a cell tower or antennas, and almost 90 percent said they were concerned about the increasing number of cell towers and antennas in their residential neighborhood. (<http://realtormag.realtor.org/daily-news/2014/07/25/cell-towers-antennas-problematic-for-buyers>)

These facts affect more than just the properties located within 500 feet of this tower as well; the tower would affect many more people who live in Symsonia.

My family is also worried about potential health risks posed by the cell tower. The National Institute of Health recently posted an article published in 2016 revealing the findings of a study which reported, "a majority of the subjects who were residing near the mobile base station complained of sleep disturbances, headache, dizziness, irritability, concentration difficulties, and hypertension". The article further states, "The World Health Organization has recently recommended investigation the effects of exposure to electromagnetic radiations from mobile phone base stations to address public concerns.... Studies indicate that the population residing near mobile phone base stations complain of nonspecific symptoms of ill-health such as headache and sleep disturbances" (<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4784065/>).

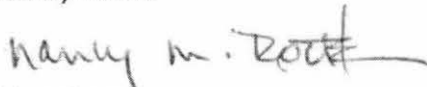
either by facilitation or inhibition. So, revision of standard guidelines for public exposure to RER from mobile phone base station antennas and using of NBTB for regular assessment and early detection of biological effects among inhabitants around the stations are recommended (<https://www.ncbi.nlm.nih.gov/pubmed/16962663>). These and other studies greatly concern my family.

The final reason we oppose construction of the proposed cell phone tower is one of aesthetics. I grew up in the house at 540 348E and on our farm, and I cannot imagine this metal, 30 story-tall blinking monster, literally in my back yard and hulking next door to my family farm. Symsonia is a small rural city and the surrounding area is very quiet and beautiful; this tower would change the face of our community and disfigure the landscape. We cannot say this more strongly—the idea of this cell tower in our community is horrific. Furthermore, in the last couple of days, we have also been contacted by several of our neighbors who want to take action to oppose the construction of this structure. We have urged them to write to you and to the PSC.

Judge Perry, we thank you for your time and attention to this matter and I hope you will be able to support us in our endeavor to request the tower be moved to a more rural area near, but outside of, the town of Symsonia.

Sincerely,

Nancy Roche



Mary Roach



\*Honorable David A Pike  
Attorney at Law  
Pike Legal Group PLLC  
1578 Highway 44 East, Suite 6  
P. O. Box 369  
Shepherdsville, KENTUCKY 40165-0369

\*New Cingular Wireless PCS, LLC dba AT&T  
1010 N St Mary's Street, 9th Floor  
San Antonio, TX 78215