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COMMISSION

Roger & Janelle Nicolai

2663 Blue Bird Rd.
Falls of Rough, Kentucky 40119



December 14, 2021

Kentucky Public Service Commission
Executive Director
211 Sower Boulevard, P.O. Box 615
Frankfort, Kentucky 40602
Re: Docket #2021-00398

To Whom It May Concern,

I, Roger Nicolai, am writing once again on behalf of my wife, Janelle Nicolai, and myself. This is our second letter to the Kentucky Public Service Commission regarding Docket #2021-00398; the Falling Branch Communications Site.

In this letter I will be responding to the communication and exhibit submitted by the Pike Legal Group (PLLC), on November 30, 2021. I will also return to the sole point of our request for intervention; property value.

Any and all communication in our initial correspondence was pertaining to property value. Pike Legal, in their subsequent response, chose to obfuscate and belittle this obvious point.

Property value is not a "generalized concern". It is the specific concern. Pike Legal's reference to property value¹ and submission of "Exhibit A" is tacit admission of this understood fact.

¹ 6th point in the November 30th, 2021 letter from Pike Legal.

In acknowledging the **potential** for a **negative change** in property value² Pike Legal has rendered any further discussion of Grayson County's regulations irrelevant. At no point did my wife and I agree to the wanton and knowledgeable depreciation of our property by any external entity. Accordingly, as stated in KRS 278.650, the considerations of the commission are, "likely effects of the installation on nearby land uses and values."

I now reference the findings of Affuso, Cummings, and Le³; a property located within a distance of 0.72km (2,362.2') of a cell tower will lose 2.65% in property value. Affuso, et al., further reveal, "a tower **visible** to properties within 0.72km would effectively **depreciate property values** an average of **9.78%...**"⁴

Our home (let alone our barn/barn path) is well under the 0.72km distance referenced in Affuso, Cummings, and Le. **We (and any future buyers) will see the 100'x100' site⁵ and associated tower from our doorstep.**

Please note that the studies I have submitted, in all communications, rely on a multivariable analysis of their respective area. This type of analysis enables a much broader comparison regarding individual homes and actual land mass. Affuso and company had a sample size of over 20k residential property sales throughout the Metropolitan Statistical Area of Mobile, Alabama. They examined these sales not only in light of 149 unique "wireless towers", but also in light of structural characteristics and particular demographic data. Locke and Blomquist, likewise, examined over 100k property sales throughout the Louisville MSA. Again, structural characteristics and demographic data were included in the analysis. This multivariable analysis is— in scope and breadth— contra the single variable analysis employed by Mr. Katz inside *Exhibit A*.

² Ref. "Exhibit A

³ Affuso, E., Reid Cummings, J. & Le, H. Wireless Towers and Home Values: An Alternative Valuation Approach Using a Spatial Econometric Analysis. *J Real Estate Finan Econ* 56, 653–676 (2018). <https://doi.org/10.1007/s11146-017-9600-9>

Also located at: <https://www.cga.ct.gov/2021/ETdata/Tmy/2021HB-06442-R000309-Lynch%20,%20Margaret--TMY.PDF>

⁴ Ibid., Emphasis mine.

⁵ *Exhibit A*, Facility Description, pg. 3

A single variable study results in findings that are not only incomplete but arrogantly ignorant. Focusing exclusively on the sales price/actualized appreciation of a handful of properties in Louisville is a smokescreen that ignores reality. It ignores the reality of our open acreage. It ignores the increased visibility of the proposed facility, relative to "hidden" communication sites in an urban/suburban MSA. Within its included samples and Case Studies, *Exhibit A* also ignores structural, spatial, and demographic (etc.) factors that affected the samples' (lack of) appreciation. It uses brute facts, rather than understanding, to buttress its assertion that, "this type of tower facility has not, and does not, negatively impact surrounding property..."⁶.

To be clear, a rising tide may lift all boats. The boat with a hole in it, however, has to bail water to rise as high as the rest. Janelle and I are trying to limit the impact and size of any hole in our boat.

In this correspondence I am including pictures that display the proposed location of the communications facility. Please note that Mr. Pike and I have a jarringly different understanding of what a "heavily wooded rural area"⁷ is. As I have already stated, I will see this compound **from my doorstep**. I have a line of sight to it from my barn's working area/entrance. Going to the barn will, likewise, provide a view of the "100'x100' leased site". A leased site that includes a "60'x60' **fenced compound**", "145' self-support structure", and "4' lightning arrestor".⁸ It will be impossible to avoid this site as we walk right next to it every day. Please do not mistake my descriptions for pettiness; I am trying to communicate the complete and actual impact this site will have on our property.

I have included pictures of some areas within the adjoining property that allow the 100'x100' footprint the site needs. With a greater sum of foliage and greater distance from our house, I suspect these areas will have less of a detrimental impact on our property value.

Janelle and I welcome the Public Service Commission and Mr. Pike to come and walk our property with us. In doing so we can show in best detail how the Fallen Branch site will impact our property. While I believe I have already proven our case, I also suspect a visit will "bring home" the information we are trying to communicate better than any

⁶ *Exhibit A*, Study Conclusions, pg. 9

⁷ 7th point in the November 30th, 2021 letter from Pike Legal.

⁸ *Exhibit A*, Facility Description, pg. 3

raw numbers or photos. We— alone— bear the negative impacts of this communications endeavor.

Thank you for your time and considerations.

Roger and Janelle Nicolai

Roger D. Nicolai

12/14/2021

Janelle Nicolai

12/14/21



Alternative Site B

Roughly 700-800' From Front Door

Our House

Perimeter ?

2,014 ft ▾

Area

143,554 ft² ▾





Perimeter ?

401 ft

Area

10,035 ft²





Alternative Site A

Roughly 500' - 600'

Our House



Perimeter ?

2,276 ft ▾

Area

182,040 ft² ▾

