



**Andy Beshear**  
Governor

**Rebecca W. Goodman**  
Secretary  
Energy and Environment Cabinet

Commonwealth of Kentucky  
**Public Service Commission**  
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Frankfort, Kentucky 40602-0615  
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psc.ky.gov

**Kent A. Chandler**  
Chairman

**Amy D. Cabbage**  
Vice Chairman

March 8, 2022

## PARTIES OF RECORD

Re: Case No. 2021-00398

Notice is given to all parties that the attached document has been filed into the record of this proceeding.

If you have any comments you would like to make regarding the contents of the document, please do so within five days of receipt of this letter. If you have any questions, please contact Justin Young, Staff Attorney III at (502) 782-0150 or Justinwy@ky.gov.

Sincerely,

A handwritten signature in blue ink that reads "Linda C. Bridwell".

Linda C. Bridwell, PE  
Executive Director

Attachment

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC APPLICATION OF NEW	)	
CINGULAR WIRELESS PCS, LLC D/B/A AT&T	)	CASE NO.
MOBILITY FOR ISSUANCE OF A CERTIFICATE	)	2021-00398
OF PUBLIC CONVENIENCE AND NECESSITY	)	
TO CONSTRUCT A WIRELESS	)	
COMMUNICATIONS FACILITY IN THE	)	
COMMONWEALTH OF KENTUCKY IN THE	)	
COUNTY OF GRAYSON	)	

MINUTES OF THE LOCAL PUBLIC HEARING HELD AT ROUGH RIVER STATE  
PARK ON MARCH 3, 2022 AT 5:00 P.M.

A public hearing was held at Rough River State Park on March 3, 2022, at 5:00 p.m. for the purpose of taking public comment regarding the Joint Applicants' application to construct a wireless telecommunications facility to be located at 2589 Blue Bird Road, Falls of Rough, Kentucky, 40119. Amy Cubbage, Vice Chairman, Public Service Commission, initiated the local public hearing, setting forth the procedure and protocol for taking comments, introduced the representative from AT&T and Commission Staff, stating they would be available after the hearing for questions, then invited the public to make comments to the Commission. The following individuals spoke at the public hearing:

1. Roger Nicolai: Mr. Nicolai is the owner of the neighboring property. His family is solely dependent on cell service. He agrees a need exists for the tower. However, the tower will be within 500 ft. of his house. According to Mr. Nicolai, the tower will affect property value, 10% depreciation confirmed by multiple studies. He stated that he had contacted the author of one of the studies who stated it would likely affect the

property value. According to him, towers affect value within 2300 feet of visibility of the structure. There is no way to offset the loss of value on his property from the tower lease income like the Newtons. He is not opposed to a cell tower being built on the Newton's property; he just does not want it at its proposed location.

2. Janelle Nicolai: Ms. Nicolai also lives on neighboring farm. She cites to same study as husband. She stated that tower will be visible from the entirety of the back of their house. According to Ms. Nicolai, the Newtons have comparable locations on their farm to move it. She said that the residents who requested hearing didn't have financial gain by doing so.

3. Emily Parks: Ms. Parks lives in the Falls of Rough area. She stated she was there to support the Nicolais. She said that they are a homestead community. According to Ms. Parks, the tower is taking away from the Nicolais' kids futures.

4. Kimberly Newton: Ms. Newton owns the farm leased for the cell tower with her husband. According to Ms. Newton, the hill on the property was considered but it had too steep of a grade to make easily accessible. The tower will be in a location that is visible to see children in the area should they go to play around it.

5. James Spencer: Mr. Spencer lives in the Falls of Rough area. He has serious health concerns. He stated that he can't get a signal sometimes when he needs it. He just wants good cell service.

6. Hugh Coppage: Mr. Coppage lives across the way from the Newtons' farm. He stated that he and his wife might get half a bar of cell service and calls drop often. According to him, they need the tower. Mr. Coppage stated that he felt like it wouldn't depreciate the value of the neighbors' farm but didn't know for sure.

7. Tiffany Sweeney: Ms. Sweeney did not live by the proposed cell tower but was instead there in support of the Nicolais. She stated that they are building a community in this area and the Nicolai farm is part of that effort. Ms. Sweeney said it is important to listen to everyone in order to get what all the parties need out of a situation.

8. Martha Coppage: Ms. Coppage resides across the way from the Newtons' farm. She said they have no cell phone service, and they need it.

9. Terry Newton: Mr. Newton owns the land that has been leased to construct the new cell phone tower. According to Mr. Newton, the tower will increase Nicolais' ability to do business by improving cell service. He stated that they considered other locations; some areas were too wooded and there were easements on the farm as well. He believes that the community needs the tower. He claimed that the tower was more like 800-900 feet from the Nicolais' house. He mentioned there was an easement that prevents the tower from being further away in the same line and a row of trees exists as a boundary. Mr. Newton stated the studies cited by the Nicolais are city and suburb studies, and no rural studies have been done on the effect of a tower on property value.

10. Eric Higdon: Mr. Higdon resides in Indiana but owns property in the Falls of Rough area. He is a retired police officer. He said that there is no cell service and it's a public safety issue. The delay that poor cell service could cause in an emergency is very concerning for him especially as it relates to Mr. Spencer's health. According to Mr. Higdon, it already takes first responders a bit of time to get to a location and a delay could be awful.

11. Vickie Catlin: Ms. Catlin resides in the Falls of Rough area. She is employed as a school bus driver as are several of her friends. According to Ms. Catlin, they do not

always get the school cancellation notifications. The lack of service also makes it difficult to communicate with parents of children on her route. Ms. Catlin said that Verizon has good service but not AT&T in the area. She wants to find an answer that makes everyone happy.

After all those who indicated a desire to speak on the sign-in sheet were called, others were given the opportunity to speak. Several additional comments were made by:

1. Tiffany Sweeney: In rebuttal comments, Ms. Sweeney mentioned that it will be difficult for any agro-tourism to occur if the tower was in the Nicolais' backyard.

2. Terry Newton: Mr. Newton stated that this was a public safety issue. He also said that he was willing to show the Nicolais where the footprint of the tower would fall on his property. He reiterated that the community needed the tower, and it would help businesses.

Vice Chairman Cabbage indicated that the Commission could not take questions but invited the public to question Commission Staff in attendance as well as the representative from AT&T after the local public hearing adjourned. The local public hearing adjourned. All persons in attendance at the public meeting were asked, but not required, to sign in and provide their home address for the record. The sign-in sheet is attached hereto.



Linda C. Bridwell, PE  
Executive Director  
Public Service Commission  
P.O. Box 615  
Frankfort, KY 40602

DATED     MAR 08 2022    

cc: Parties of Record

Case No. 2021-00398

LOCAL PUBLIC HEARING: 2021-00398 AT&T Mobility Cell Tower Public Comments Meeting  
 Thursday, March 3, 2022 - 6:00 PM EST \* Rough River State Park  
 450 Lodge Road, Fall of Rough, KY

	NAME	ADDRESS	CITY	ZIP	Request to Speak Yes or No
13	TIP Tany Sweeney	121 Delk Ln Big Clifty, KY 42712	←		Yes
14	Martha R Coppage	186 Chipmunk Ln Falls of Rough			Yes
15	JAMES MATLETT	570 PARADISE ACRES RD.	FALL OF ROUGH		NO
16	Delano England	#12 Edwards Court. Rd.	" " "	40119	NO
17	Robert Shelton	239 Paradise Acres Rd.	" " "	"	NO
18	Joy Griffith	232 Cove Creek	Falls		No
19	Jack H. Morse	40 N. W. Skie R	Falls		NO
20	Vicky Callitt	530 Paradise Acres Rd	Falls of Rough	"	NO
21	Say Taul	14059 Falls of Rough Rd	Falls of Rough Ky	40119	NO
22					
23					
24					

Written comments are accepted by email to the Public Information Officer at [psc.comment@ky.gov](mailto:psc.comment@ky.gov).  
 Include the case number - 2021-00127 - and provide your name and address in the body of the e-mail.

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	NAME	ADDRESS	CITY	ZIP	Request to Speak Yes or No
1	Roger Nicolai	2663 BLUE BIRD Rd.	Falls of Rough	40119	Yes
2	JANELLE NICOLAI	2663 BLUE BIRD RD	FALLS OF ROUGH KY	40119	YES
3	Emily Parks	204 Stone View Rd	Leitchfield ky	42754	yes
4	Sheila Meredith	301 Paradise Acres Rd	Falls of Rough, KY	40119	NO
5	David T. Meredith	301 PARADISE ACRES Rd	Falls of Rough, KY	40119	NO
6	Terry Newton	2589 Blue Bird Rd.	Fall of Rough Ky	40119	yes
7	Kimberly Newton	2589 Blue Bird Rd.	Falls of Rough KY	40119	NO/YES
8	James Spencer	243 Muskier Rd	Falls of Rough KY	40119	yes or NO
9	Keith Brown	PIKE LEGAL GROUP PO BOX 369, SHEP, KY	SHEPHERDSTOWN	40165	NO
10	Joe Rogers	Pike Legal Box 369	Shepherdsville	40165	NO
11	Hank Manger	4625 4th St. Suite 2400 Louisville Ky 40202	Louisville Ky	40202	NO
12	Hugh Coppage	187 Claymont Ln.	Falls of Rough	40119	Yes

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	NAME	ADDRESS	CITY	ZIP	Request to Speak Yes or No
25	Matt Lasley	205 Keegan Dr	Leitchfield	<del>42554</del>	No
26	Staci Tapp	111 Honasuekle Lane	Falls		NO
27	Elizabeth Poteet	11970 Falls of Rough Rd.	Falls of Rough Ky	40119	No
28	Eric Higdon	6216 Meadow View Dr +99 Muskie Rd	Georgetown Falls of Rough	47122	YES
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	NAME	ADDRESS	CITY	ZIP	Request to Speak Yes or No
37	NORA FALCON	1775 Anneta Rd	Leitchfield	42754	No
38	Jose Falcon	" "	" "	" "	No
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\*New Cingular Wireless PCS, LLC dba AT&T  
1010 N St Mary's Street, 9th Floor  
San Antonio, TX 78215

\*Roger & Janelle Nicolai  
2663 Blue Bird Road  
Falls of Rough, KENTUCKY 40119