

**From:** [Janelle Nicolai](#)  
**To:** [PSC Executive Director](#); [PSC Public Comment](#)  
**Subject:** Nicolai's Additional Public Comment  
**Date:** Friday, March 11, 2022 5:27:36 PM  
**Attachments:** [Public Hearing Response.pdf](#)

---

**\*\*CAUTION\*\* PDF attachments may contain links to malicious sites. Please contact the COT Service Desk [ServiceCorrespondence@ky.gov](mailto:ServiceCorrespondence@ky.gov) for any assistance.**

---

To Whom It May Concern,

This email is in regard to Docket#: 2021-00398

Please see the attached PDF for our additional public comment to the recent public hearing.

Respectfully,

Roger and Janelle Nicolai  
2663 Blue Bird Rd  
Falls of Rough KY 40119



# Roger & Janelle Nicolai

2663 Blue Bird Rd.  
Falls of Rough, Kentucky 40119



March 10, 2022

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,

My name is Roger Nicolai. I am contacting the Kentucky Public Service Commission on behalf of my wife Janelle and myself. This communication provides additional comment related to the public hearing regarding Docket #2021-00398 held on March 03, 2022.

To restate my original position; I am trying to *mitigate* the damage to property value that will occur if the cell tower site is constructed in its proposed location. I am not asking now, nor have I ever, that the site be moved *away* from the 2589 Blue Bird Rd. property. I am asking, instead, that the site be moved to a *less damaging* location *within* the same property.

What follows are comments regarding various portions of the public hearing. I have annotated the specific speaker, the point being established, and its timestamp within the public video of the hearing.<sup>1</sup> While providing these comments I am trying to keep the PSC clear of any “neighborly spats”. I am merely trying to present and clarify all the relevant information as I understand it.

---

<sup>1</sup> <https://www.youtube.com/watch?v=cTk8EbtZB0g>

- Kimberly Newton - Nicolai Children's Welfare - 18:54

The welfare of our children is no concern of the Newtons; particularly in relation to the tower site they wish to have constructed. I mention this simply because I do not understand the speaker's intent in saying, "if they're out playing, they get close to it, we can see it."

This is entirely irrelevant to the case before the PSC.

- Hugh Coppage - Cellular Signal Availability - 23:13

Mr. Coppage mentions other families having already switched to Verizon for their cellular coverage. His home is also reported by Verizon to be covered with their 4G LTE services. This negates the "need" for an AT&T tower; particularly one that negatively impacts nearby property owners.

- Martha Coppage - Cellular Signal Availability - 27:36

Mrs. Coppage also brings up other families utilizing Verizon for their cellular use cases.

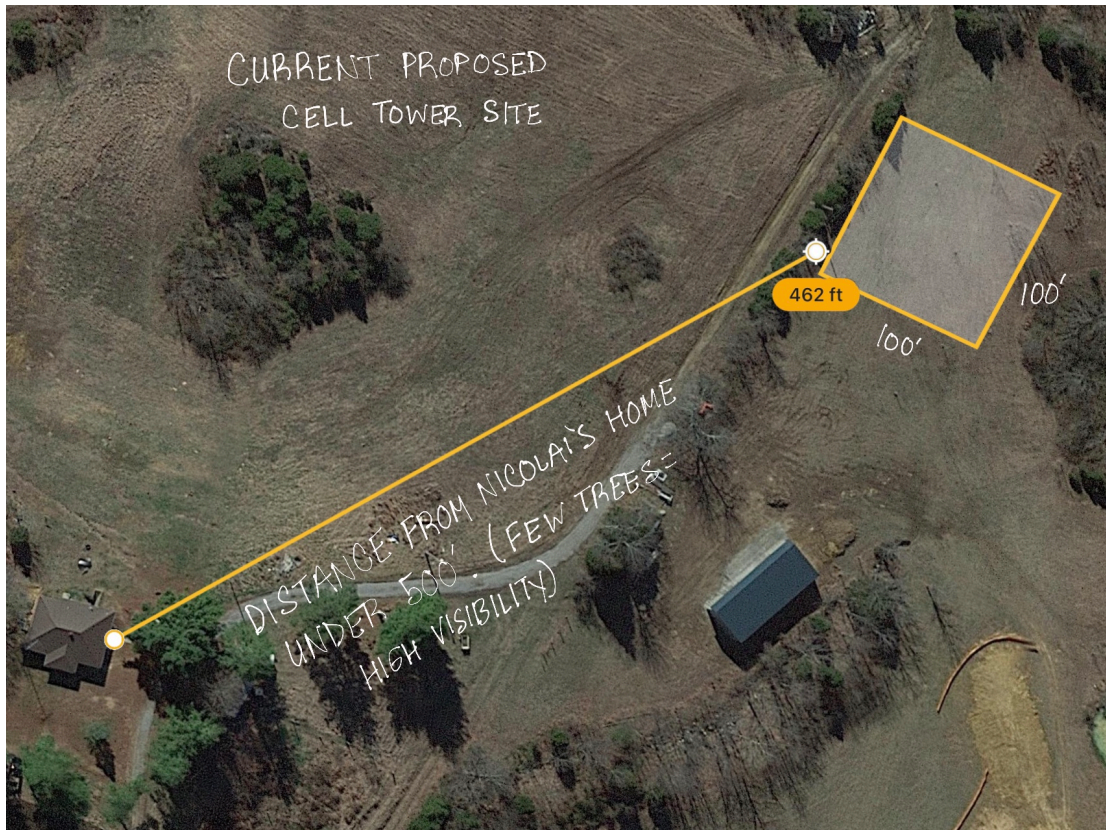
- Terry Newton - Monetary Concerns -29:05 & 32:13

It has never been our desire to limit or affect any income generated by this communications facility. Our request has been, and continues to be, that the site is moved *within* the 2859 Blue Bird Rd. property. I do, however, recognize Mr. Newton stating he "could care less" about any financial compensation and he would "give" AT&T the necessary spot for the proposed site. His concern, as I understand it, is the greater communications ability of this area of the Falls of Rough.

If this is the case, I do not understand what this disagreement is over any more. It would appear that all parties would be equally pleased by having the site moved elsewhere.

- Terry Newton - Site's Distance From Our House - 31:05

Using Google Earth I have found the proposed site to be located roughly 500' from our home. This is in contrast to Mr. Newton's assertion that it is located 800'-900' from our property. I have included an annotated map from Google Earth that displays my observations.



**Please note:** The distances provided by myself **and** Mr. Newton, regarding the proposed site, fall **within** the damaging parameters of the multiple studies I have furnished the PSC. Locke and Blomquist<sup>2</sup> argue that property depreciation occurs within 1,000' of a "visible antenna". Affuso, Cummings,

---

<sup>2</sup>Stephen L. Locke & Glenn C. Blomquist, 2016. "The Cost of Convenience: Estimating the Impact of Communication Antennas on Residential Property Values," Land Economics, University of Wisconsin Press, vol. 92(1), pages 131-147.

and Le argue that depreciation occurs within .72km (roughly 2,400') of the "closest tower".<sup>3</sup>

- Eric Higdon - Public Safety - 36:58, 38:03, 38:28, and 38:48

I have provided specific timestamps, but it would be fair to say that Mr. Higdon's comment focused entirely on public safety. If this was, exclusively, a public safety issue I would expect two things:

1. A public (i.e. governmental) body to exercise eminent domain.
2. An *absolute* dearth of communication potential. No alternative cellular service providers. No landlines. Nothing.

Neither of these expectations are met in this instance.

There are means of communication available within the Falls of Rough.

The applicant is a *private* limited liability company based in Delaware. New Cingular Wireless PCS, LLC, is not a public entity and has no interest in "public safety", excepting only fiduciary obligations.

What Mr. Higdon and others are perceiving as a public need being met is actually a private company wantonly depreciating the value of homeowners that happen to be in the wrong place at the wrong time.

We, the Nicolais, are not asking for the PSC to prevent a tower from being erected. We are asking that an increase in communications infrastructure not be done in such a way as to damage us exclusively and to the utmost.

- Vicky Catlett - Cellular Signal Availability - 40:02

Mrs. Catlett informed us that her neighbor with Verizon, "always has service."

---

<sup>3</sup> 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).

- Terry Newton - Veracity of Studies Cited - 43:40 & 46:34

To be clear; the studies I have cited in all communications with the PSC **apply to rural areas**. This is made clear in each individual study's methods, modeling, and reporting.

For reference, Locke and Blomquist state explicitly, "...proximity to a communication antenna has a positive effect on the sales price of a house in highly urban areas, and a *negative effect in more rural areas*."<sup>4</sup>

- Terry Newton - Public Safety - 45:19

As I responded with Mr. Higdon's comment; this is not a public entity establishing public safety. Neither is it a private entity working on behalf of a public entity or the public good.

Further, public safety was not established as alternative means of communication (cellular providers, landlines, etc.) are not absent from this area.

In summary, and in relation to the purview of the PSC, the comments at this hearing did not negate our request for intervention.

- The information I have presented from our first correspondence onward is contextualized and applicable to our rural location. *The future loss in our property value has been established.*
- Multiple members of the community spoke that evening of an alternative *cellular network* that enables communication; Verizon.<sup>5</sup>

We continue to ask the PSC, in accordance with KRS 278.650, to help us mitigate the negative effects that *will result* as a consequence of a cell tower site being built at 2589 Blue Bird Rd.

---

<sup>4</sup> Emphasis mine.

<sup>5</sup> <https://www.verizon.com/coverage-map/>



In effort to mitigate property depreciation we have included an alternative 100'x100' site that could be amenable in this situation.



Thank you,

Roger & Janelle Nicolai

**From:** [Janelle Nicolai](#)  
**To:** [PSC Executive Director](#); [PSC Public Comment](#)  
**Subject:** Additional Public Comment  
**Date:** Saturday, March 12, 2022 7:29:39 PM  
**Attachments:** [Additional Public Comment.docx](#)

---

To Whom It May Concern:

Please review the attached file in regard to Docket#: 2021-00398

Respectfully,

Roger and Janelle Nicolai  
2663 Blue Bird Rd  
Falls of Rough KY 40119



## Roger and Janelle Nicolai

2663 Blue Bird Rd  
Falls of Rough KY 40119



March 12, 2022

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

RE: Docket # 2021-00398

To Whom It May Concern:

We wish to make an addition to the public comment made at the public hearing on March 3, 2022. Roger Nicolai referenced the study by Affuso, Cummings and Le, *Wireless Towers and Home Values: An Alternative Valuation Approach Using a Spatial Econometric Analysis*. This study has been submitted and referenced in multiple communications with the PSC.

The authors were emailed prior to the public hearing asking for their expert opinion on our property value and the proposed location of the cell tower. Two of the authors, Cummings and Affuso, responded in agreement saying that it was likely our property would lose value according to the criteria and methods employed in their study.

What follows is the specific image submitted to authors and their opinions regarding it.



.....

On Tue, Mar 1, 2022 at 10:01 AM Reid Cummings [REDACTED] wrote:

Based on the photo alone an obvious externality variable is the short proximity distances to and from your home. For sightlines and straight lines, we would expect results to be similar. We cannot run analysis or test predictions needed to offer any economic measurement, because we have none of your market's micro-variables. However, we can say that in our analysis using our dataset, homes within the proximities as close as those depicted on your photo lost economic value.

---

J. Reid Cummings, D.B.A.  
Interim Assistant Dean for Financial Affairs  
Associate Professor of Finance and Real Estate  
Executive Director, [SABRE](#)  
[Mitchell College of Business, University of South Alabama](#)  
Secretary, [American Real Estate Society](#)  
Editor, [Journal of Real Estate Practice and Education](#)  
[REDACTED]

.....

On Wed, Mar 2, 2022, 7:36 AM Ermanno Affuso [REDACTED] wrote:

I concur with Dr. Cummings.