

**CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY - CONSTRUCTION  
TO CONSTRUCT ANTENNA TOWERS FOR CELLULAR TELECOMMUNICATIONS SERVICES  
OR PERSONAL COMMUNICATIONS SERVICES IN JURISDICTIONS  
WITHOUT A PLANNING COMMISSION**

Filing Requirements Checklist

(Applicable Authority: KRS 278.040(3), 278.020(1), 278.650, 278.665 and 807 KAR 5:063)

Case No. \_\_\_\_\_ Applicant Name \_\_\_\_\_ Received Date \_\_\_\_\_ Form Circulation Date \_\_\_\_\_

Instructions:

- 1) Each division noted by checkmark ( ) is to complete its review and return within three business days of receipt.
- 2) This form is to list only the specific filing deficiencies as identified in the regulations. If additional information is needed, an information request must be issued.
- 3) Staff member should use initials and list date review is completed.
- 4) **Return by email to Filings Branch following review and copy all Team members.**

Reviewed by following Divisions:

Date

Staff Member

	Filings		
	Legal		

Division Responsible

Law/Regulation

Filing Requirement

Requirement Met

Waiver Requested

Approve Waiver?

Requirement Met		Waiver Requested	Approve Waiver?	
Yes	No		Yes	No

807 KAR 5:063:

Filings

Section 1(1)(a)

Full name, mailing address and electronic mail address of the applicant and a reference to the particular provision of law requiring Commission approval.

807 KAR 5:001

Legal

Section 14(2)

If a corporation, the applicant shall identify in the application the state in which it is incorporated and the date of its incorporation, attest that it is currently in good standing in the state in which it is incorporated, and, if it is not a Kentucky

Division Responsible	Law/Regulation	Filing Requirement	Requirement Met		Waiver Requested	Approve Waiver?	
			Yes	No		Yes	No
		corporation, state whether it is authorized to transact business in Kentucky.					
Legal	Section 14(3)	If a limited liability company, the applicant shall identify in the application the state in which it is organized and the date on which it was organized, attest that it is in good standing in the state in which it is organized, and, if it is not a Kentucky limited liability company, state whether it is authorized to transact business in Kentucky.					
Legal	Section 14(4)	If the applicant is a limited partnership, a certified copy of its limited partnership agreement and all amendments, if any, shall be annexed to the application, or a written statement attesting that its partnership agreement and all amendments have been filed with the commission in a prior proceeding and referencing the case number of the prior proceeding.					
Legal	Section 15(2)(a)	The facts relied upon to show that the proposed new construction is or will be required by public convenience or necessity.					
Legal	Section 15(2)(b)	Copies of franchises or permits, if any, from the proper public authority for the proposed new construction or extension, if not previously filed with the commission.					
Legal	Section 15(2)(c)	A full description of the proposed location, route, or routes of the new construction or extension, including a description of the manner in which same will be constructed, and also the names of all public utilities, corporations, or persons with whom the proposed new construction or extension is likely to compete.					
Legal	Section 15(2)(d)1	One copy in portable document format on electronic storage medium and two (2) copies in paper medium of maps to suitable scale showing the location or route of the proposed construction or extension, as well as the location to scale of like facilities owned by others located anywhere within the map area with adequate identification as to the ownership of the other facilities; and					

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			Yes	No		Yes	No
Legal	Section 15(2)(d)2	One copy in portable document format on electronic storage medium and two (2) copies in paper medium of plans and specifications and drawings of the proposed plant, equipment, and facilities;					
	<u>807 KAR 5:063</u> Section 1(1)						
Legal		(b) A copy of the utility's applications to the Federal Aviation administration and Kentucky Airport Zoning Commission					
Legal		(c) A copy of the utility's application to, and authorization from, the Federal Communications Commission, if applicable;					
Legal		(d) A geotechnical investigation report, signed and sealed by a professional engineer registered in Kentucky, that includes boring logs, foundation design recommendations, and a finding as to the proximity of the proposed site to flood hazard areas (findings re: flood hazard area proximity may be prepared by a land surveyor);					
Legal		(e) Clear directions from the county seat to the proposed site, including highway numbers or street names, and the telephone number of the preparer of the directions;					
Legal		(f) The lease or sale agreement for the property on which the tower is proposed to be located (may be in abbreviated form if so filed with the county clerk);					
Legal		(g) The identity and qualifications of each person directly responsible for the design and construction of the proposed tower;					
Legal		(h) A site development plan or survey, signed and sealed by a professional engineer registered in Kentucky, that shows the proposed location of the tower and all easements and existing structures within 500 feet of the site on the property on which the tower will be located and all easements and existing structures within 200 feet of the access drive, including the intersection with the public street system;					
Legal		(i) A vertical profile sketch of the tower, signed and sealed by					

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		a professional engineer registered in Kentucky, indicating the height of the tower and the placement of all antennas;					
Legal		(j) The tower and foundation design plans and a description of the standard according to which the tower was designed, signed and sealed by a professional engineer registered in Kentucky;					
Legal		(k) A map, drawn to a scale no less than 1 inch equals 200 feet, that identifies every structure and every owner of real estate within 500 feet of the proposed tower					
Legal		(l) A statement that every person who, according to property valuation administrator's records, owns property within 500 feet of the proposed tower has been:					
		1. Notified by certified mail, return receipt requested, of the proposed construction;					
		2. Given the Commission docket number under which the application will be processed; and					
		3. Informed of his right to request intervention					
Legal		(m) A list of the property owners who received the notice, together with copies of the certified letters sent to listed property owners;					
Legal		(n)A statement that the local county judge, executive, has been:					
		1. Notified by certified mail, return receipt requested, of the proposed construction;					
		2. Given the Commission docket number under which the application will be processed; and					
		3. Informed of his right to request intervention					
Legal		(o) A copy of the notice sent to the county judge executive					

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		(p) A statement that two written notices, at least 2' x 4', one in a visible location on the proposed site and one on the nearest public road have been, and shall remain, posted for at least two weeks after the application has been filed.					
Legal	807 KAR 5:063 Section 1(2)(a)	2. The notice on the site must state: “(Name of utility) proposes to construct a telecommunications (‘tower’ or ‘monopole’) on this site. If you have questions, please contact (name and address of utility) or the Executive Director, Public Service Commission, 211 Sower Boulevard, P. O. Box 615, Frankfort, Kentucky 40602. Please refer to (assigned docket number) in your correspondence.”					
Legal		2.(b) The notice posted on the nearest public road must state: “(Name of utility) proposes to construct a telecommunications (‘tower’ or ‘monopole’) on this site. If you have questions, please contact (name and address of utility) or the Executive Director, Public Service Commission, 211 Sower Boulevard, P. O. Box 615, Frankfort, Kentucky 40602. Please refer to (assigned docket number) in your correspondence.”					
Legal		2.(c) ) In both posted notices, the word “tower” or “monopole” shall be printed in letters at least four (4) inches high.					
Legal		(q) A statement that notice of the location of the proposed construction has been published in a newspaper of general circulation in the county in which the construction is proposed.					
Legal		(r) ) A brief description of the character of the general area in which the tower is proposed to be constructed, which includes the existing land use for the specific property involved; and					
Legal		(s) A statement that the utility has considered the likely effects of the installation on nearby land uses and values and has concluded that there is no more suitable location reasonably available from which adequate service to the area can be provided, and					
		that there is no reasonably available opportunity to co-locate,					

Division  
Responsible

Law/Regulation

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including documentation of attempts to co-locate, if any, with supporting radio frequency analysis, where applicable, and a statement indicating that the utility attempted to co-locate on towers designed to host multiple wireless service providers' facilities or existing structures, such as a telecommunications tower, or another suitable structure capable of supporting The utility's facilities.

Legal

(t) A map of the area in which the tower is proposed to be located, that is drawn to scale and that clearly depicts the search area in which a site should, pursuant to radio frequency requirements, be located

All filings with the Kentucky Public Service Commission which contain personal information must be redacted by the filer pursuant to 807 KAR 5:001 Sec. 4 (10). Filings which are not in compliance will be rejected.