

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF NEW CINGULAR WIRELESS)	
PCS, LLC FOR ISSUANCE OF A CERTIFICATE)	
OF PUBLIC CONVENIENCE AND NECESSITY)	CASE NO.
TO CONSTRUCT A WIRELESS)	2013-00442
COMMUNICATIONS FACILITY IN THE)	
COMMONWEALTH OF KENTUCKY IN THE)	
COUNTY OF TODD)	

ORDER

On February 18, 2014, New Cingular Wireless PCS, LLC, a Delaware limited liability company d/b/a AT&T Mobility ("Applicant"), filed an application seeking a Certificate of Public Convenience and Necessity to construct and operate a wireless telecommunications facility. The proposed facility consists of a monopole antenna tower not to exceed 199 feet in height, with attached antenna, to be located at 238 Snardon Mill Road, Guthrie, Todd County, Kentucky. The coordinates for the proposed facility are North Latitude 36° 41' 40.67" by West Longitude 87° 6' 57.94".

The Applicant has provided information regarding the structure of the tower, safety measures, and antenna design criteria for the proposed facility. Based upon the information contained in the application, the design of the tower and foundation conforms to applicable nationally recognized building standards, and a Licensed Professional Engineer has certified the plans.

Pursuant to 807 KAR 5:063, the Applicant has notified the County Judge/Executive of the proposed construction and filed evidence of the appropriate

notices provided pursuant to 807 KAR 5:063. The notices solicited comments and informed the recipients of their right to request intervention. To date, no public comments have been filed with the Commission.

The Applicant notified the Federal Aviation Administration (“FAA”) and the Kentucky Airport Zoning Commission (“KAZC”) regarding the need for approval for the construction and operation of the proposed facility. Both the FAA and KAZC notified the Applicant that approval for the construction was not required from either entity.

The Commission, having considered the evidence of record and being otherwise sufficiently advised, finds that the Applicant has demonstrated that a facility is necessary to provide adequate utility service and that, therefore, a Certificate of Public Convenience and Necessity to construct the proposed facility should be granted.

Pursuant to KRS 278.280, the Commission is required to determine proper practices to be observed when it finds, upon complaint or on its own motion, that the facilities of any utility subject to its jurisdiction are unreasonable, unsafe, improper, or insufficient. To assist the Commission in its efforts to comply with this mandate, the Applicant should notify the Commission if it does not use this antenna tower to provide service in the manner set out in its application and this Order. Upon receipt of such notice, the Commission may, on its own motion, institute proceedings to consider the proper practices, including removal of the unused antenna tower, which should be observed by the Applicant.

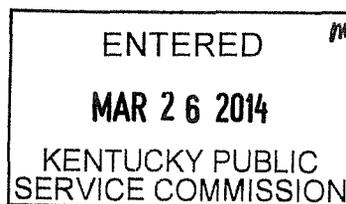
IT IS THEREFORE ORDERED that:

1. The Applicant is granted a Certificate of Public Convenience and Necessity to construct a wireless telecommunications facility. The proposed facility consists of a monopole antenna tower not to exceed 199 feet in height, with attached antenna, and is to be located at 238 Snardon Mill Road, Guthrie, Todd County, Kentucky. The coordinates for the proposed facility are North Latitude 36° 41' 40.67" by West Longitude 87° 6' 57.94".

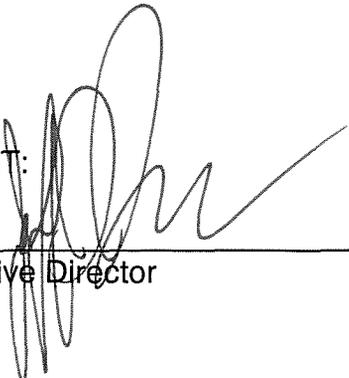
2. The Applicant shall immediately notify the Commission in writing if, after the antenna tower is built and utility service is commenced, the tower is not used for a period of three months in the manner authorized by this Order.

3. Documents filed, if any, in the future pursuant to ordering paragraph 2 herein shall reference this case number and shall be retained in the utility's general correspondence files.

By the Commission



ATTEST:



Executive Director

Case No. 2013-00442

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

Patrick W. Turner
Attorney
AT&T Kentucky
1600 Williams Street
Columbia, SOUTH CAROLINA 29201