

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF TOWER ACCESS GROUP, LLC	)	
FOR ISSUANCE OF A CERTIFICATE OF PUBLIC	)	
CONVENIENCE AND NECESSITY TO CONSTRUCT	)	
AND OPERATE AN ADDITIONAL WIRELESS	)	
COMMUNICATIONS FACILITY ON THE CAMPUS	)	CASE NO.
OF EASTERN KENTUCKY UNIVERSITY AT	)	2015-00145
320 MADISON AVENUE, RICHMOND, MADISON	)	
COUNTY, KENTUCKY	)	
	)	
(THE BROCKTON FACILITY)	)	

ORDER

On May 8, 2015, Tower Access Group, LLC ("TAG"), a Delaware limited liability company, filed an application seeking a Certificate of Public Convenience and Necessity ("CPCN") 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 320 Madison Avenue, Richmond, Madison County, Kentucky. The coordinates for the proposed facility are North Latitude 37° 44' 29.57" by West Longitude 84° 17' 41.84".<sup>1</sup>

TAG has provided information regarding the structure of the tower, safety measures, and antenna design criteria for the proposed facility. Based upon the Application, the design of the tower and foundation conforms to applicable nationally

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<sup>1</sup> On June 22, 2015, TAG submitted its Response to Commission Staff's First Request for Information. Exhibit A and Exhibit B to the Response revised and replaced Exhibit F to its Application. TAG stated that it had inadvertently filed as Exhibit F to the Application a Federal Aviation Administration Determination of No Hazard to Air Navigation and Federal Communications Commission Antenna Structure Registration for a separate site with different coordinates.

recognized building standards, and a Licensed Professional Engineer has certified the plans.

Pursuant to 807 KAR 5:063, TAG has notified the County Judge/Executive of the proposed construction. TAG has filed applications with the Federal Aviation Administration ("FAA") and the Kentucky Airport Zoning Commission ("KAZC") seeking approval for the construction and operation of the proposed facility. The FAA Application has been approved, and TAG has been notified by the KAZC that approval is not required for the proposed construction.

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

The Commission, having considered the evidence of record and being otherwise sufficiently advised, finds that TAG has demonstrated that a facility is necessary to provide adequate utility service and that, therefore, a CPCN 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, TAG 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 TAG.

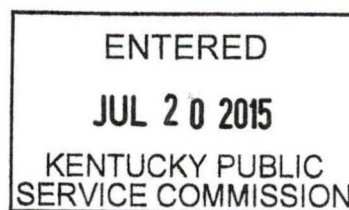
IT IS THEREFORE ORDERED that:

1. TAG is granted a CPCN 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 320 Madison Avenue, Richmond, Madison County, Kentucky. The coordinates for the proposed facility are North Latitude 37° 44' 29.57" by West Longitude 84° 17' 41.84".

2. TAG 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 file.

By the Commission



ATTEST

  
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Executive Director

Case No. 2015-00145

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