

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF CONTEL CELLULAR OF)
KENTUCKY, INC. FOR ISSUANCE OF A)
CERTIFICATE OF PUBLIC CONVENIENCE AND)
NECESSITY TO CONSTRUCT AN ADDITIONAL) CASE NO. 93-378
CELL FACILITY IN THE LOUISVILLE,)
KENTUCKY METROPOLITAN STATISTICAL AREA)
(BARDSTOWN ROAD/DOWNTOWN LOUISVILLE)
EAST CELL FACILITY))

O R D E R

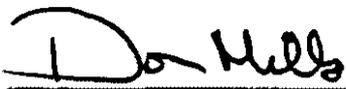
The Commission has received the attached letters from Jeffrey Brown, Bruce and Vera Plymale, Dean R. Schlader, and Licia Barrett (hereinafter referred to collectively as "Petitioners"). The Petitioners either own or occupy property within 500 feet of the proposed cellular telecommunications facility to be located at 2446 Bardstown Road, Louisville, Jefferson County, Kentucky.

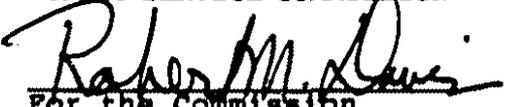
IT IS THEREFORE ORDERED that:

1. Contel Cellular of Kentucky, Inc. ("Contel Cellular") shall respond to the Petitioners' questions by certified letter, within 10 days of the date of this Order.
2. Contel Cellular shall file a copy of each certified letter and dated receipt, within 7 days of the date on each receipt.

Done at Frankfort, Kentucky, this 3rd day of November, 1993.

ATTEST:


Executive Director

PUBLIC SERVICE COMMISSION

For the Commission

Dr. R. Jeffrey Brown
CHIROPRACTOR
NEURO-ORTHOPEDECS

211 Sparks Ave.
Jeffersonville, IN 47130

Res. 456-8407
Indiana Office
282-3413

RECEIVED

OCT 21 1993

PUBLIC SERVICE
COMMISSION

20 October 1993

Executive Director's Office
Public Service Commission of Kentucky
P.O. Box 615
Frankfort, Kentucky 40602

Re: Case No. ~~93-181~~ 93-378

Dear Sir:

Current research shows that this band of electro-magnetic frequency may be harmful in human cellular physiology. Since this is a highly populated area, a more suitable site is preferred.

Sincerely,

R. Jeffrey Brown

R. Jeffrey Brown, BA, DC, FACC

RJB:rl

Home address:

2328 Valletta Lane
Louisville, Kentucky 40205

McBRAYER, MCGINNIS, LESLIE & KIRKLAND

183 WEST SHORT STREET
SUITE 300

LEXINGTON, KENTUCKY 40507-1381

808-231-8780

TELECOPIER NO. 808-231-8818

REAL ESTATE FAX 808-235-9777

W. TERRY McBRAYER
JOHN R. MCGINNIS
PHILLIP BRUCE LESLIE
WILLIAM D. KIRKLAND
J. D. ATRINSON, JR.
JAMES B. AMATO
GEORGE D. GREGORY
GILLARD B. JOHNSON, III
DAVID A. HUNERY
FRED E. (BO) PUGAZZI, JR
W. BRENT RICE
PHILIP E. FAY
JAMES H. FRAZIER, III
DENNIS J. CONNIFF
MEGAN LARE THORNTON
CHRISTOPHER M. HILL
SARAH M. JACKSON
LIBA ENGLISH HORD
WILLIAM R. PALMER, JR.
GLENN E. AGREE
BRUCE W. MARDONALD
THOMAS C. LYONS
CHERYL H. ANDERSON
MARY WIS ESTES

* ADMITTED IN OHIO

OF COUNSEL
G. S. JOHNSON, JR.

WATSON CLAY (1808-1888)
OSCAR SAMMONS (1808-1888)

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GREENUP, KENTUCKY 41144-0847
808-473-7303
TELECOPIER NO. 808-473-8003

300 STATE NATIONAL
BANK BUILDING
P. O. BOX 1100
FRANKFORT, KENTUCKY 40602-1100
808-222-1200
TELECOPIER NO. 808-227-7388

October 18, 1993

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OCT 21 1993

PUBLIC SERVICE
COMMISSION

R. Jeffrey Brown
Diana Brown
2328 Valetta Lane
Louisville, KY 40205

RE: Public Notice - Public Service Commission of Kentucky,
Case No. 93-378

Dear Mr. and Mrs. Brown:

This letter is to inform you that Contel Cellular of Kentucky, Inc., which does business as Cellular One, has applied to the Public Service Commission of Kentucky for a Certificate of Public Convenience and Necessity to construct and operate a new cell facility to provide cellular radio telecommunication service. The facility will include a 150' monopole to be located at 2446 Bardstown Road, Louisville, Jefferson County, Kentucky. A map showing the location of the proposed new cell facility is enclosed. This notice is being sent to you because you own or use property that is located within a 500' radius of the proposed monopole.

The Commission invites your comments regarding the proposed construction. Also, the Commission wants you to be aware of your right to intervene in this matter. That right must be exercised within 20 days of the date of this letter as shown above.

Your comments and request for intervention should be addressed to: Executive Director's Office, Public Service Commission of Kentucky, Post Office Box 615, Frankfort, KY 40602. Please refer to Case No. 93-181 in your correspondence.

Sincerely,



W. Brent Rice
Counsel for Contel Cellular of
Kentucky, Inc.

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WBR/dkm

Alfred Frank, Jr.
Attorney at Law

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Suite 450
730 West Main Street
Louisville, Kentucky 40202
(502) 584-3450

OCT 26 1993
PUBLIC SERVICE
COMMISSION

25 October 1993

Executive Director's Office
Public Service Commission of Kentucky
P.O. Box 615
Frankfort, KY 40602

Re: Case No. ⁹³⁻³⁷⁸~~93-181~~

I represent Bruce and Vera Plymale, property owners at 2025 Lakeside Drive, Louisville, who were recently informed of a proposal to erect a 150' monopole at 2446 Bardstown Road, Louisville, for Contel Cellular of Kentucky.

I should point out here that the proposal is referred to at one point as Case # 93-181, and at another point as Case # 93-378.

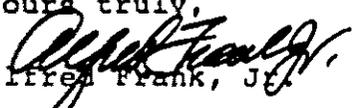
Whichever is correct, my clients wish to file a strong objection to this proposal.

The primary basis of their objection is that this monopole would be erected, according to my calculations, less than one mile from the end of Runway 6-24 at Bowman Field, one of the busiest general aviation airports in the United States. This airport is used for flight instruction, and student pilots with less than a highly-developed level of proficiency would fly over this obstruction several times a minute, on an approach to Bowman's Runway 6.

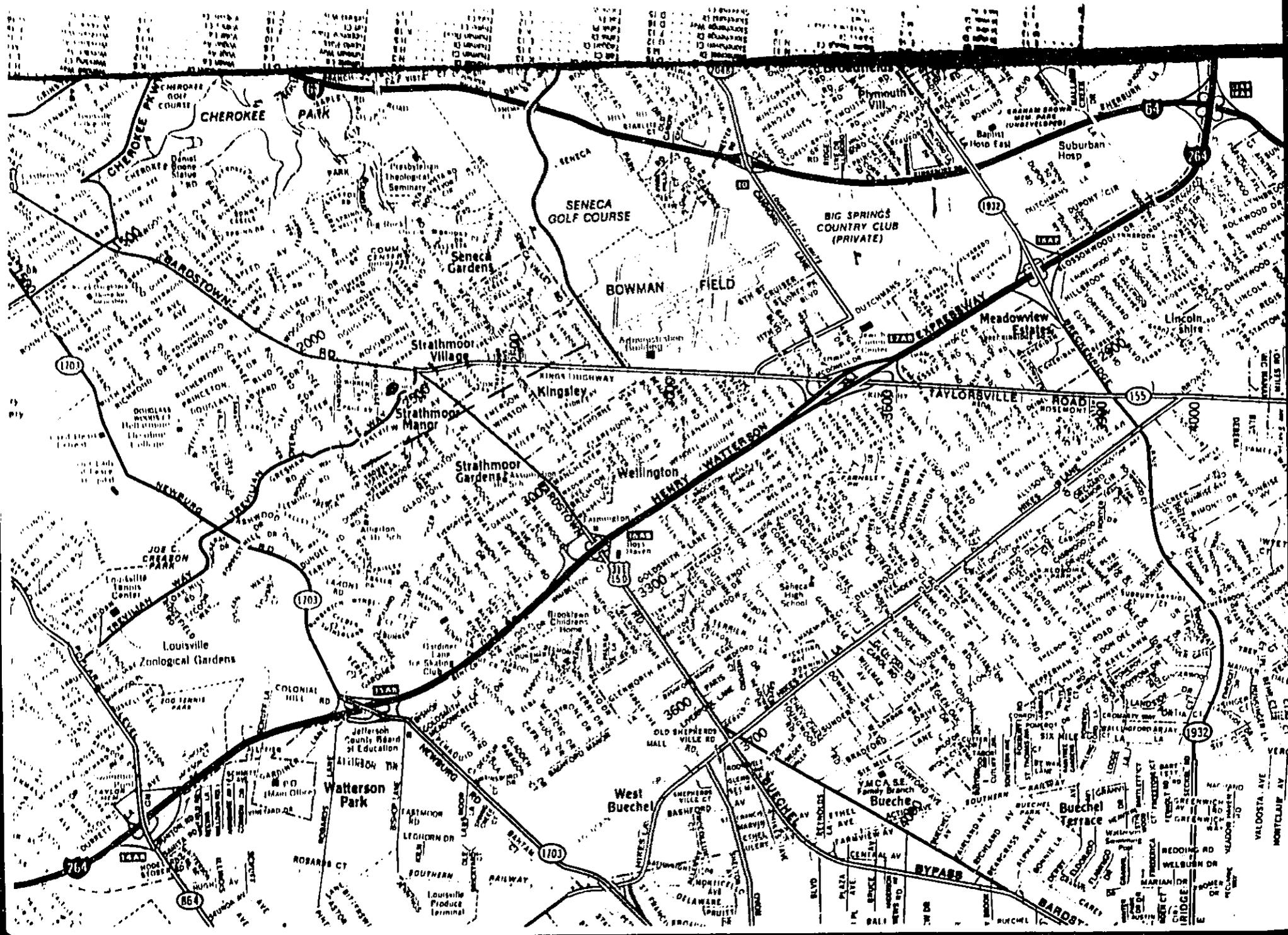
The proposed monopole would be, according to my calculations, less than 3/10 of a mile to the left of the flight path for a "straight-in" approach to runway 6. However, planes at Bowman are generally placed in a "pattern" for the approach, and planes on a "left base" approach to the runway might pass directly over this obstruction. Hopefully, they would pass over it, not through it.

This proposal seems to be a formula for a disaster waiting to happen. Some day, an inexperienced pilot may miscalculate, with disastrous results for this entire area. The proposal should be rejected. The danger of the proposal is obvious.

Yours truly,


Alfred Frank, Jr.

ts
cc: Louisville-Jefferson County Air Board
Federal Aviation Administration.



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OCT 27 1993

PUBLIC SERVICE
COMMISSION

October 24, 1993

Executive Director's Office
Public Service Commission of Kentucky
P.O. Box 615
Frankfort, KY 40602

RE: Public Notice - Public Service Commission of
Kentucky, Case No. 93-378

To whom it may concern:

This letter is in response to correspondence I received dated October 22, concerning the intent of Contel Cellular d/b/a Cellular One. I would like to voice my objection to the proposed monopole tower to be located a 2446 Bardstown Road, Louisville Kentucky.

I have two concerns, the first being the most obvious, the unsightliness of a 150' foot tower in close proximity to where I live. I believe that this would seriously detract from the esthetic of the neighborhood, thus, reducing the value of property within eye view of the tower. Secondly, is the inherent health risk that the tower would cause. The emission of high amounts of radio waves, has in recent studies, proven cause for alarm.

I would like the commission to not allow the construction of the 150' monopole proposed by Contel Cellular.

Sincerely,



Dean R. Schlader
2127 Trevilian Way
Louisville, KY 40205

93-378

10/26/93

Executive Directors Office,

I am writing in reference
to the public notice Case no.

93-818. My husband and
I oppose the construction of

Cellular One's facility proposal
located at 2446 Bardstown Rd.

This area is one of the most
congested areas in Lou. Traffic
is already a problem, which
this structure would exacerbate.

The actual construction of the
building is also likely to spread
debris over the four adjacent
neighborhood.

Thank you.

Lucia Barrett

2035 Lakeside Dr.

Lou. 40205

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OCT 28 1993

PUBLIC SERVICE
COMMISSION