

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. 94-149
CELL FACILITY IN THE LOUISVILLE,)
KENTUCKY METROPOLITAN STATISTICAL AREA)
(ROCKFORD LANE CELL FACILITY))

O R D E R

The Commission has received the attached letters from Bobby R. Carter, James H. and Thelma Forbes, Boyd and Betty Amburgey, Bruce Federspiel, and Chris Hall (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 2317 Rockford Lane, 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 20 days of the date of this Order.

2. Contel Cellular shall file a copy of the certified letter and dated receipt, within 7 days of the date on the receipt.

Done at Frankfort, Kentucky, this 3rd day of May, 1994.

ATTEST:



Executive Director

PUBLIC SERVICE COMMISSION

For the Commission

APR 25 1994

PUBLIC SERVICE
COMMISSION

4-22-94

Public Service Commission of N.J.
Executive Director's Office
Case No. 94-148

I strongly object to
the proposed Cellular Tower
being put up in my
neighborhood.

It is to be constructed
between Rockford Lane and
my street, Embassy Lane.

This would be an eye
sore for our residence and
neighbors. This isn't something
you would want to see
while sitting in the back yard,
which faces Rockford Lane.

The tower could lower
property value and could
be a hazard during bad
electrical storms. Could also
interfere with our television,

Radio and phone towers.

This tower belongs in
an open field, away from
any residential use.

I am strongly against
the construction of this tower
in my neighborhood.

Bobby R Carter
2328 Embassy Lane
Louisville, Ky 40216

94-149

April 21, 1994

This is in regard to your letter: about Cellular one."

We do not want it." & don't need it." We have a Quiet Neighbor hood. & want keep it that way. So we are against it in every way.

James H. Forbes
Thelma Forbes.

RECEIVED

APR 25 1994

PUBLIC SERVICE
COMMISSION

James H. + Thelma Forbes
2325 Embassy Lane
Sunnyside
Kentucky

40216

LOUIS

Executive Director's Office
Public Service Comm
Post Office

April 25, 1994

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

RECEIVED

APR 28 1994

PUBLIC SERVICE
COMMISSION

RE: Case No. 94-149

To Whom It May Concern:

In response to the attached letter from W. Brent Rice, Counsel for Contel Cellular of Kentucky, Inc., we contacted your office and was advised there would be a micro wave dish installed at 2317 Rockford Lane. Please advise why this was not mentioned in the letter from Mr. Rice. We are very concerned about radiation. Also, will this decrease the value of our property and affect our telephone and television reception? Another concern is children climbing on this tower.

We would appreciate a response as we are not in agreement with this proposed construction.

Sincerely,

Boyd Amburgey
Boyd Amburgey
Betty Amburgey
Betty Amburgey
2505 Elmhurst Street
Louisville, KY 40216

Attachment

McBRAYER, MCGINNIS, LESLIE & KIRKLAND

183 WEST SHORT STREET

SUITE 300

LEXINGTON, KENTUCKY 40507-1381

808-231-8780

FACSIMILE 808-231-8818

REAL ESTATE FAX 808-258-9777

W. TERRY McBRAYER
JOHN R. MCGINNIS
PHILLIP BRUCE LESLIE *
WILLIAM D. KIRKLAND
J. D. ATKINSON, JR.
JAMES G. AMATO
GEORGE D. GREGORY
FRED E. (BOB) FUGAZZI, JR.
W. BRENT RICE
JAMES H. FRAXIER, III
DENNIS J. CONNIFF
JOHN D. IRVIN, JR.
MEGAN LAKE THORNTON
CHRISTOPHER M. HILL
BARAH M. JACKSON
LISA ENGLISH HORD
WILLIAM R. PALMER, JR.
BRUCE W. MACDONALD *
THOMAS C. LYONS
CHERYL H. ANDERSON
MARY WID ESTES
SUSAN PUGH CHAPLIN
LUKE BENTLEY III
MATTHEW W. BREETE
JULIA F. COSTICH
CHARLES C. SIMMS III

* ADMITTED IN OHIO

Mr. Boyd Amburgey
Mrs. Betty Amburgey
2505 Elmhurst Street
Louisville, KY 40216

RE: **Public Notice - Public Service Commission of Kentucky,
Case No. 94-149**

Dear Mr. and Mrs. Amburgey:

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' self-supporting tower with attached 13' whiplike antennas extending upwards for a total height of 163' and an equipment shelter located at 2317 Rockford Lane, Louisville, Jefferson County, Kentucky. A temporary cellular radio antennae approximately 80' in height will be used at the referenced location until such time as the Public Service Commission approves or disapproves the Application submitted by Cellular One. A map showing the location of the temporary facility and 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. 94-149 in your correspondence.

Sincerely,



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

WATSON CLAY (1908-1988)
OSCAR SAMMONS (1908-1988)

—
MAIN & HARRISON STREETS
P. O. BOX 347
GREENUP, KENTUCKY 41144-0347
808-473-7303
FACSIMILE 808-473-8003

—
300 STATE NATIONAL
BANK BUILDING
P. O. BOX 1100
FRANKFORT, KENTUCKY 40602-1100
808-253-1800
FACSIMILE 808-257-7388

—
DIRECTOR OF GOVERNMENTAL RELATIONS
MIKE NELTON
FRANKFORT OFFICE

RECEIVED

APR 28 1994

PUBLIC SERVICE
COMMISSION

Executive Director's Office
Public Service Commission of Kentucky
CASE NO. 94-149

RECEIVED

APR 28 1994

PUBLIC SERVICE
COMMISSION

SIR:

This is in response to the proposed Cellular Antennae site which has been proposed at 2317 Rockford Lane, Louisville Jefferson County, Kentucky.

I am strictly opposed to any such antennae to be constructed in this area for the following reasons:

1. It will lower the property value of my Home you would only have to sit out on my deck to see this monstrosity.
2. Reception on my portable phone will be disturbed greatly, possibly even to the point of being useless.
3. This antennae will lightning to sit and surrounding structures.
4. Will possibly interfere with Radio and TV reception.
5. The medical profession has not fully determined the Health Effects of such devices.
6. I cannot see where this is a Public Necessity.
7. Cellular phone in automobiles should be outlawed. Has any survey been done to see how many were involved or caused accidents.
8. This is a residential area. The proposed fence protection would only serve as challenge for children to climb not a prevention. and may cause serious injury to the children

Thanks for your time

Dore W. Adair

RECEIVED

APR 29 1994

PUBLIC SERVICE
COMMISSION

HALLS LAUNDRIES, INC
P.O. Box 788
Madison, IN 47250

April 25, 1994

Executive Director
PUBLIC SERVICE COMMISSION OF KENTUCKY
P.O. Box 615
Frankfort, KY 40602

Ref: Case No. 94-149

Dear Sir:

The health concerns of this tower need to be addressed. Is there any information concerning the health effects on a person in a tanning bed? What are the effects of this tower on people working in the area in which the tower is located for a long period of time?

Wednesday, April 20, 1994, I tried to call the attorney listed on this letter to find out who to contact at Contel Cellular about my questions. As of this date I have not had my phone call returned.

Sincerely,



Chris Hall
President