

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

THE APPLICATION OF CONTEL CELLULAR OF)
KENTUCKY, INC. FOR ISSUANCE OF A)
CERTIFICATE OF PUBLIC CONVENIENCE AND)
NECESSITY TO CONSTRUCT AN ADDITIONAL CELL) CASE NO. 95-052
FACILITY IN THE LOUISVILLE, KENTUCKY)
METROPOLITAN STATISTICAL AREA (SOUTH)
HURSTBOURNE CELL FACILITY)

O R D E R

The Commission has received the attached letters of opposition from Howard and Emma Helms, Edward Cleary, Robert and Mary Beckley, James F. Dettlinger, and William H. Horton (hereinafter referred to collectively as "petitioners") regarding the proposed cellular telecommunications facility to be located at 8408-U Hudson Lane, Louisville, Jefferson County, Kentucky.

IT IS THEREFORE ORDERED that:

1. Contel Cellular of Kentucky, Inc. ("Contel Cellular") shall respond to Petitioners' concerns 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 the receipt.

Done at Frankfort, Kentucky, this 1st day of March, 1995.

PUBLIC SERVICE COMMISSION


For the Commission

ATTEST:


Executive Director

RECEIVED

FEB 17 1995

PUBLIC SERVICE
COMMISSION

February 16, 1995

Mr. W. Brent Rice
Executive Director's Office
Public Service Commission of Ky.
Post Office Box 615
Frankfort, Ky. 40602

Dear Mr. Rice,

In reference to case no. 95-052 we have been informed of the intention to erect a cellular radio tower in our neighborhood within 500' of our property.

We strongly protest this intention to erect this tower. As you know these towers are unsightly and would devalue the property in this residential neighborhood, which we have paid a good price for.

This vicinity of Bardstown Road and Hudson Lane is a heavily traveled intersection and we do not need additional traffic in the vicinity.

There must be other locations to erect this tower. We feel this tower is not for public service, but for income for the private business of Contel Cellular of Kentucky.

Sincerely,


Howard Helms


Emma Helms

8425 Hudson Lane
Louisville, Ky. 40291

Case NO: 95-052

RECEIVED
FEB 8 1995
PLANNING
COMMISSION

Dear Mr. Rice,
I think you could build
at a different location other than this
close to land that is not developed
as of yet, I don't like your idea
one bit. I think your town
is too close to the homes and
property lines, it will hurt the
sale of land and homes in that
area. I am not for it.

Edward C. C.

5511 Fern Brook Ln.
Louisville, Ky 40291

February 18, 1995

Executive Director's Office
Public Service Commission of Kentucky

Re: Case No. 95-008



We have received a letter from a firm in Lexington is counsel for Contel Cellular of Kentucky, Inc. regarding the erection of a tower with a total height of 199 feet. This is the first communication on this project we have received and are very upset that as a property owner within 250 feet of the tower we have not been notified before. Also, across the street on Hudson Lane is a private school, Kindergarten through grade 8 with approximately 750 students. They were never notified of this project.

We do not know if there are any health problems associated with a tower of this sort, nor do we know where to obtain this information. We also believe that its presence would lower property values, be an eyesore in our residential area and could be an "attractive nuisance" for adventurous young people.

For these reasons we write this letter to voice our objections to the location of this tower at 8408 Hudson Lane. We ask that no approval be granted until after Mr. Don Mills, your Executive Director, meets with representatives of the Jefferson County Planning Commission and local officials later this month.

We would appreciate a reply in regard to health hazards and any other problems, such as interference with television reception, etc. or other considerations.

Also, why is approval reserved for your office in Frankfort and not the Planning & Environment office in Jefferson County?

Sincerely,

Robert R. Beckley
Mary L. Beckley
8422 Hudson Lane
Louisville, Ky. 40291

COMMISSION
PUBLIC SERVICE
1965
FEB 23 1965

February 23, 1965

RECEIVED

Executive Director's Office
Public Service Commission of Kentucky Re: Case No 95-052

We have received a letter from a firm in Lexington that is counsel for Contel Cellular of Kentucky, Inc. regarding the erection of a tower with a total height of 199 feet. This is the first communication on this project we have received and are very upset that as a property owner within 400 feet of the tower we have not been notified before. Also, across the street on Hudson Lane is a private school, Kindergarten through grade 8 with approximately 750 students. They were never notified of this project.

We do not know if there are any health problems associated with a tower of this sort, nor do we know where to obtain this information. We also believe that its presence would lower property values, be an eyesore in our residential area and could be an "attractive nuisance" for adventurous young people.

For these reasons we write this letter to voice our objections to the location of this tower at 8408 Hudson Lane. We ask that no approval be granted until after Mr. Don Mills, your Executive Director, meets with representatives of the Jefferson County Planning Commission and local officials later this month.

We would appreciate a reply in regard to health hazards and any other problems, such as interference with television reception, etc. or other considerations.

Also, why is approval reserved for your office in Frankfort and not the Planning & Environment office in Jefferson County?

Sincerely,

James F. Bettlinger
8508 Hudson Lane
Somerville, Ky. 40291



W. H. "Bill" Horton

8412 Hudson Lane
Fern Creek, Kentucky 40291

Feb. 18, 1995

CAAD-2094
CASE SUBJECT

Collector
Military Knives
Cavalry Items
Indian War Period

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

PUBLIC SERVICE
COMMISSION
FEB 29 1995

Reference Case No. 95-052

Dear Director,

Intervention in the above case No. 95-052, concerning the erection of a 199' tower to operate a new cell facility to provide cellular radio telecommunication, is requested.

There is no mention of an ecological study having been made. Property in this area was part of the old Ward Dairy Farm and there are two sink holes that drain into a natural underground drainage that rises to the surface in Jeffersontown near Chenoweth Run Creek.

All of the swim club run off, and the run off of all the houses on the south side of Hudson Lane and run off from parts of Hudson Lane depend on this drainage. In addition all of the houses on the south side of Hudson Lane are on septic tanks and we rely on this natural drainage that keeps our systems operational.

Any collapsing or alteration to this natural drainage caused by the proposed construction would be catastrophic to this area.

This phenomenon was brought to light in a suit by the city of Jeffersontown vs John Ward, a number of years ago, when the Wards were using the sink holes to dump sludge and spoiled milk and it surfaced in Jeffersontown causing a severe odor problem.

In addition, not only when the swim club is open, that area is used by a great number of children and there is definitely a safety problem that should be better addressed.

There would be additional traffic and with the proposed easement, as shown, this traffic would be next to my property line, which I definitely would not like to have my privacy and peace of mind disturbed any more that it is by the swim club.

Can Cellular One guarantee there will be no interference with any cable, satellite dish or other electronic equipment that property owners have. What is the impact on pacemakers?

I earnestly feel that there is great concern for ecology, the natural drainage, safety and privacy that should be taken in account, and I would definitely object to the proposed tower erection.

Respectfully Submitted,

William H. Horton