

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF WIRELESSCO, L.P. FOR)
ISSUANCE OF A CERTIFICATE OF PUBLIC)
CONVENIENCE AND NECESSITY TO)
CONSTRUCT A PERSONAL COMMUNICATION) CASE NO. 96-240
SERVICES FACILITY IN THE LOUISVILLE)
MAJOR TRADING AREA (LONGRUN PCS)
FACILITY))

O R D E R

On September 24, 1996, WirelessCo, L.P. ("WirelessCo") amended its application to relocate the site of the proposed personal communication services facility from 775 Colt Run Road in Simpsonville, Kentucky, to 513 Brooks Lane, Simpsonville, Shelby County, Kentucky. In response to the September 24 amendment, the Commission has received the attached letters from Judith and Ken Kortas, Joy P. Holmes, Violet M. and Charles E. Stalker, Scott E. and Cherry Stalker, Philip M. Greenberg, Gerald and Judith Arnold, Ralph Dillihay, Shirley and Frank Vogel, Edna Higdon, Robert G. Vogel, and Charles W. and Marjorie C. Cox (hereinafter referred to collectively as "Petitioners").

The Commission was unaware of the proposed relocation until the amendment was filed on September 24. Consequently, it issued its September 17, 1996 Order directing WirelessCo to respond to Judith and Kenneth Kortas's concerns regarding the Colt Run Road Site. The September 17 Order is inapposite and should be vacated.

IT IS THEREFORE ORDERED that:

1. WirelessCo shall respond to the Petitioners' concerns by certified letter, within 20 days from the date of this Order.
2. WirelessCo shall file a copy of the certified letter and dated receipt, within 7 days of the date of the receipt.
3. The Order of September 17, 1996 directing WirelessCo to respond to Judith and Kenneth Kortas's concerns regarding the originally proposed Colt Run Road site is hereby vacated.

Done at Frankfort, Kentucky, this 4th day of October, 1996.

PUBLIC SERVICE COMMISSION

Linda K. Breathitt
For the Commission

ATTEST:

Don Mills
Executive Director

Dotson

9-18-96

RECEIVED

SEP 23 1996

PUBLIC SERVICE
COMMISSION

Executive Director,
Public Service Commission
Case # 96-240

I am writing in response
to your letter dated 9-17-96.

Your letter says the communication
service facility is to be built
at 775 Colt Run Rd. My husband
& I have no opposition to that
site. Our previous letter had
said, it was to be built at
513 Brooks Ln and this is what
we are opposed to.

Also, if it is decided to be
built at 513 Brooks Ln, we are
requesting a full intervention
hearing with the commission,
but only for the Brooks Ln. site.

Sincerely,

Judith Ann Kortas

Jenneth E. Kortas

466 Brooks Lane
Simpsonville, Ky 40067

KE.#
CASE 96-240 Dotson

Joy P Holmes
516 Brooks Lane
Simpsonville, KY 40067

Please add my name
to those opposing the
intent to place a SPRINT
tower on Courtney Rankin
property at 513 Brooke
Lane.

These owners do not
live on this property;
one resides on Dundee
Rd in Louisville and
the other a good
distance away in
Shelby Co.

I think this fact
explains their indifference
to nearby neighbors and
those affected most
by the addition of
this tower to our
country landscape.

20 Sept. 96 Joy P. Holmes
Received Sept 23 96 (Mrs. E. M.)

Case # 96-240

RECEIVED

I have already written
a letter opposing
intent to place a SPRINT
tower on property at
513 Brookes Lane.

SEP 24 1996
PUBLIC SERVICE
COMMISSION

I now understand
I must also request a
public hearing and
intervention.

I now do so.

Batson

Enclosed is an article
appearing in the Sept 23rd
C.J. - raising the concerns
of Indiana residents. -
Should ours be any less?
If they would you want to
do anything to make the
landscape of Shelby Co.
unattractive? -

Joy S. Holmes
516 Brookes Ln.
Simpsonville Ky.
40067

23 Sept. '96

STAMOOR FARMS
10053 SHELBYVILLE ROAD
SIMPSONVILLE, KENTUCKY 40067

RECEIVED

SEP 24 1996

PUBLIC SERVICE
COMMISSION

September 22, 1996

D. J. ...

Executive Director's Office
Public Service Commission of Kentucky
Post Office Box 615
Frankfort, Ky 40602

Ref: Case No 96-240

To Whom It May Concern:

Attached is a copy of a letter received by myself and my husband. Our given names and the address is correct. The surname is incorrect. The correct last name is Stalker.

However, the company the letter is from approached us to allow them to erect a tower on our property. We declined because the area, in our opinion, is not a place where a tower should be erected. 513 Brooks lane joins our farm. We were told a location on Colt Run was being considered. This is nearby.

If this letter was intended for Charles E. and Violet Stalker we object to the construction of a tower and request a hearing from the commission.

Thank you for your attention in this matter.

Sincerely,

Violet M. Stalker
Violet M. Stalker
Charles E. Stalker
Charles E. Stalker

RECEIVED

SEP 24 1996

PUBLIC SERVICE
COMMISSION

Watson

September 22, 1996

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

Dear Executive Director,

We are opposed to the construction of a Sprint® tower on the property at 513 Brooks Lane. We request a public hearing to be held for intervention of this proposed site. The case for this issue is #96-240. (Per a phone conversation last week, your records showed this as #775, the Colt Run site.)

Thank you for your assistance in this matter.

Sincerely,

Scott E. & Cherry Stalker

Scott E. & Cherry Stalker
399 Brooks Lane
Simpsonville, KY 40067

PHILIP M. GREENBERG
NEW ESTATE • P.O. BOX 363 • SIMPSONVILLE, KENTUCKY 40067
(502) 248-4144
245

RECEIVED
SEP 25

MESSAGE

REPLY

TO [EISE, Dir. Office
Public Service Comm of Ky
PO Box 615

DATE [Frankfort, Ky. 40602
- 9/27/96

Ref: Case 96-240
Tower on Brooks Lane, near
Simpsonville (Cellular phones)

I own the adjoining land and
object to the approval
of a tower adjoining my
property.

DATE

Respectfully request
that this case be
denied; no appeal.

Thank you

Myrtle

DJTSW

BY

Item # N173 The Drawing Board, Dallas, Texas 75266-0429
© Wheeler Group, Inc., 1982

INSTRUCTIONS TO SENDER:

1. KEEP YELLOW COPY. 2. SEND WHITE AND PINK COPIES INTACT.

SIGNED

INSTRUCTIONS TO RECEIVER:

1. WRITE REPLY. 2. DETACH STUB. KEEP PINK COPY. RETURN WHITE COPY TO SENDER.

RECEIVED

SEP 25 1996

PUBLIC SERVICE
COMMISSION

September 23, 1996

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

Dotsow

RE: #96-240

Dear Sir:

Please reconsider your decision to place a cellular tower on Brooks Lane. We feel that this type of construction has no place in the country where people have moved to get away from the stresses of city living.

Place it in Simpsonville near the industrial area or at least on some other public property. If it must be near the Jefferson County line, then the new rest area on I-64 could be used.

If this tower is to serve Jefferson County residents, then the tower should be placed in that jurisdiction.

Sincerely,

Gerald D. Arnold
Judith Arnold

Gerald and Judith Arnold
1911 Westmoorland Way
Louisville, KY 40242

(We own acreage in Shelby County and are planning to build our home there next year.)

RECEIVED

SEP 20 1996

PUBLIC SERVICE
COMMISSION

Ralph E. and Suzanne Dillihay
601 Brookstone Way
Louisville, KY 40223

September 19, 1996

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

Datson

Re: Case No. 96-240 Wireless Co./Sprint

Dear Sir or Madam:

We purchased 5 acres on Brooks Lane about a year ago and plan to begin construction of our new home there within the next few months. The proposed tower would be about 1/4 of a mile from our home. We do not believe this is the best location for the proposed tower.

During the past year Brooks Lane has changed dramatically from what was previously a few farm fields to a very residential area. The farm on the East side of Brooks Lane was subdivided into 5 acre lots and sold over the past two years. Every lot has been sold and most either have had homes built on them or construction is imminent. Every 250 feet along the East side of Brooks Lane, is the boundary line for another home site. The tower simply does not fit into this type of neighborhood.

I saw a copy of the letter sent to Mr. Scott Stalker from Gearon & Co., Inc. Mr. Stalker received the letter, as the letter states, "...because you own property within a 500' radius of the proposed monopole." To think that the only properties affected by such a monstrosity are those within 500' is ludicrous. Since this is now a residential neighborhood, every home along Brooks Lane will feel the negative effect of such a structure.

I realize that many people will benefit from additional such towers. I also believe they should be as inconspicuous as possible. They are not attractive! I believe both objectives can be met by further examination at a public hearing.

The easy course of action would be to simply approve the present plans. Seldom, however, is the best action chosen by selecting the easy route. Let's do what's right for all parties involved. Let's have a public hearing and consider other alternatives.

Sincerely,

A large, stylized handwritten signature in black ink, appearing to be a cursive name, possibly "Dillihay".

RECEIVED

Dotsow

SEP 23 1996

PUBLIC SERVICE
COMMISSION

SEPTEMBER 20, 1996

RE: CASE #96-240

EXECUTIVE DIRECTORS OFFICE
PUBLIC SERVICE COMMISSION:

THE ABOVE MATTER HAS JUST BEEN BROUGHT TO MY HUSBAND AND MYSELF
ATTENTION AS WE HAVE NOT RECEIVED ANYTHING FROM ANYONE CONCERNING
THIS PROPOSED TOWER WHICH WOULD BE ACROSS FROM OUR PROPERTY.

WE ARE MOST CERTAINLY OPPOSED TO THIS TOWER. WE DO NOT WANT IT
AND WILL JOIN FORCES TO TRY AND STOP IT. WE HAVE WORKED AND
SAVED ALL OUR WORKING LIVES FOR OUR NEW HOME AND CHOSE TO BUILD
IT ON ACREAGE TO LIVE THE REMAINING OF OUR LIVES IN PEACE AND
NOW THIS. PUT THE TOWER ELSEWHERE NOT IN OUR COMMUNITY.

IF THE OWNER OR OWNERS OF THE PROPOSED TRACT WANT IT PUT IT IN
THEIR FRONT YARDS NOT OURS.

WE DO NOT WANT THIS 165 FOOT TOWER IN OUR NEIGHBORHOOD.

SINCERELY

Shirley Vogel
Frank Vogel
Edna Higdon

SHIRLEY VOGEL

FRANK VOGEL

EDNA HIGDON

374 BROOKS LANE
SIMPSONVILLE, KY. 40067

Datson

RECEIVED

To whom it may concern:

SEP 20 1996

PUBLIC SERVICE
COMMISSION

This letter is in reference to
CASE # 96-240. We ARE STRONGLY opposed
to the choice of location for SPRINT'S
New tower to be installed on BROOKS
LANE. We feel it would be AN
INAPPROPRIATE use of the LAND. This
Site is in the middle of A FAST
growing RESIDENTIAL AREA. I'm sure
AN ALTERNATIVE site CAN be used
that would meet SPRINT'S needs AND
not be AS disruptive to SO MANY
FAMILIES in our community. THANK
you for your time AND CONSIDERATION
OF this matter.

Yours Truly,
MT A. Vogel

No Address on

envelope or
Name

328 BROOKS LANE
Simpsonville, Ky 40067

RECEIVED

SEP 23 1996

PUBLIC SERVICE
COMMISSION

September 20, 1996

Dotsan

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

Re: Case No. 96-240

Dear Executive Director:

I am requesting a public hearing intervention in case No. 96-240 concerning the proposed tower on Brooks Lane at Simpsonville, KY. This is a residential area with very nice homes - several homes in the area are valued at 1/2 million to 1 million dollars. We know that Sprint needs a tower, but there are many locations in the area that are commercial locations and this is where the tower should be placed. We will be glad to work with you in finding a new location, we have several locations in mind.

This is to advise you that we and our neighbors will pursue this case to the fullest extent of the law if necessary. We will not tolerate this tower being placed on Brooks Lane.

Yours truly,



Charles W. & Marjorie C. Cox

500 Brooks Lane

Simpsonville, ky 40067