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) CA SERVICES FACILITY IN THE LOUISVILLE) MAJOR TRADING AREA (GENERAL ELECTRIC) PCS FACILITY LV03XC054B7))

CASE NO. 96-271

<u>ORDER</u>

The Commission has received the attached letters from Timothy L. Gehlhausen, Theresa McCauley, and Cynthia and Larry McDonald, and a petition signed by 30 residents of Crawford Avenue (hereinafter referred to collectively as "Petitioners") regarding the proposed personal communication services facility to be located at 6009 Action Avenue, Louisville, Jefferson County, Kentucky. For purposes of this Order, the Commission designates Cynthia McDonald, whose signature appears first on the petition, as spokesperson for the Crawford Avenue residents.

IT IS THEREFORE ORDERED that:

1. WirelessCo, L.P. ("WirelessCo") shall respond to the Petitioners' concerns by certified letter, within 10 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 on the receipt.

Done at Frankfort, Kentucky, this 15th day of July, 1996.

ATTEST:

Executive Director

PUBLIC SERVICE COMMISSION

For the Commission

7 JULY 1996

RECEIVED

EXECUTIVE DIRECTOR PUBLIC SERVICE COMMISSION OF KY. JUL 1/1 1996 PUBLIC SERVICE

COMMISSION

RE: CASE # 96-271

DEAR DIRECTOR:

I AM ONE OF THE FEW OWNERS OF RESIDENTIAL PROPERTY WHO RECEIVED NOTICE OF A NEW FACILITY FOR WIRELESS COMMUNICATIONS. THIS BEING A 90' MONOPOLE AND RELATED EQUIPMENT AT 6009 ACTION AVE. IN BUECHEL, KY. I HAVE LIVED ON CRAWFORD AVE. FOR 11 YEARS AND HAVE ALREADY BEEN INTRUDED UPON BY A CELL TOWER AT 2226 BUECHEL AVE.

IN THE NOTICE I RECEIVED, SPRINT SAYS THEY WILL LOCATE ON EXISTING STRUCTURES WHERE POSSIBLE. WELL, WITH AN EXISTING CELLULAR ONE TOWER 1100' SOUTHEAST OF THE PROPOSED NEW TOWER SITE, I CAN'T SEE WHERE THIS IS CORRECT. I DO KNOW FROM A TELEPHONE CONVERSATION WITH CELLULAR ONE OPERATIONS THAT THE EXISTING TOWER ON BUECHEL AVE. IS 125' TALL AND IS NOT FILLED TO CAPACITY. ALSO, CELLULAR ONE WILL SHARE THEIR TOWER WITH A COMPETITOR ON A 1 TO 1 BASIS. I WAS TOLD SPRINT DID NOT HAVE A SUITABLE TOWER TO SHARE. SOMEHOW THIS SHOULD NOT BE A POINT IN SHARING THE TOWER ON BUECHEL AVE. IT IS 35' TALLER THAN THE TOWER SPRINT PROPOSES TO BUILD AND IS NOT FULL. CELLULAR ONE AND SPRINT NEED TO GET TOGETHER ON THIS AND SHARE THE SAME TOWER.

I KNOW THAT SOON THERE MAY BE RULES THAT FORBID TOWERS BEING ERECTED SO CLOSE TO ONE ANOTHER. THIS MUST BE WHY SPRINT IS ON A FAST TRACK TO GET THIS TOWER STARTED. I ASSUME SO THEY CAN SAY THEY WERE UNDER CONSTRUCTION AT THE TIME THE NEW RULES CAME INTO BEING.

ONE OTHER POINT THAT BOTHERS ME IS WHY THE YMCA, WHOSE PROPERTY IS 25' NORTHWEST OF THE PROPOSED TOWER SITE, WAS NOT NOTIFIED OF THIS CONSTRUCTION.

ENCLOSED PLEASE FIND A MAP FROM THE JEFFERSON COUNTY, KY. **PVA OFFICE SHOWING THE AREA IN OUESTION.**

chebausen

TIMOTHY L. GEHLHAUSEN 4026 CRAWFORD AVE **BUECHEL, KENTUCKY 40218**) would like to intervene in this mat

RECEIVED



JUL - 9 1996

PUBLIC SERVICE COMMISSION

July 8, 1996

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

RE: Case No. 96-271

This letter is follow-up to your notice dated June 20, 1996 regarding the Public Communications Services.

The opinion of the Southeast Family YMCA is to not place the tower in the proposed location. Our main concern is the safety of our members and our community, to date no evidence has been given to show that these towers are safe because of their electromagnetic fields.

As I have seen on the map that was enclosed with your notice, it appears as though there may be other sites that are conducive to such equipment and may not affect so many children and their families.

Our neighborhood has very strong concerns about the placement and as a representative of our community the Southeast Family YMCA must stand by our neighborhood and cast our vote not to place the tower on 6009 Action Avenue.

Sincerely,

Thurson McCauley

Theresa McCauley Executive Director (tower.adm)

RECEIVED

Larry G. and Cynthia P. McDonald 4022 Crawford Avenue Louisville, KY 40218

JUL - 2 1996

PUBLIC SERVICE COMMISSION

June 30, 1996

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

RE: Case No. 96-271

This letter conveys our "comments" regarding the WirelessCo., L.P./Sprint Spectrum constructing a new PCS facility within 500 feet of our home on Crawford Avenue.

We do NOT want this eye sore or health hazard in our back yard. There is already a tower at the end of our street (Buechel Avenue). Two such towers within such a close distance is absurd.

In addition to having two towers within two blocks of each other, these towers are "ugly" - and a possible health risk. We are aware that the health risks have not yet been completely proven, however, the location of the new tower would be right next to the Southeast YMCA lot. Thousands of children play soccer, softball, etc. in this lot. If health hazards are proven at a later date, there will be a tremendous amount of children and their families affected.

We hope this letter will help you see that this new "giant antenna" is not wanted or needed in our neighborhood. Thank you for your time.

Sincerely,

Larry Mi Donald

Larry G. McDonald

Lynthia P. McDonald Cynthia P. McDonald

RECEIVED JUL - 2 1996 PUBLIC SERVICE COMMISSION

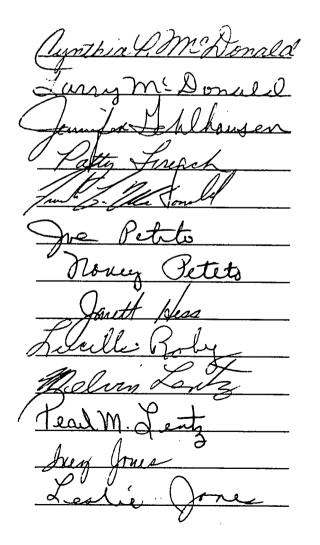
June 28, 1996

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

RE: Case No. 96-271

We, the undersigned, are opposed to the construction of the 90' tower at 6009 Action Avenue, Louisville, Kentucky for use by WirelessCo., L.P./Sprint Spectrum.

NAME



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OPPOSED TO CASE NO. 96-271 PAGE 2

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