

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF KENTUCKY CGSA, INC.)
FOR ISSUANCE OF A CERTIFICATE OF)
PUBLIC CONVENIENCE AND NECESSITY)
TO CONSTRUCT AN ADDITIONAL CELL) CASE NO.
SITE IN LEXINGTON, KENTUCKY FOR) 97-221
THE PROVISION OF DOMESTIC PUBLIC)
CELLULAR RADIO TELECOMMUNICATIONS)
SERVICE TO THE PUBLIC IN FAYETTE)
COUNTY, KENTUCKY AND THE LEXINGTON)
MSA)

O R D E R

The Commission has received the attached letter from Christopher D. King on behalf of the Lexington-Fayette Urban County Government ("LFUCG") regarding the proposed cellular telecommunications facility to be located at 251 West Loudon Avenue, Lexington, Fayette County, Kentucky.

IT IS THEREFORE ORDERED that:

1. Kentucky CGSA, Inc. ("Kentucky CGSA") shall respond to the LFUCG's concerns by certified letter, within 10 days from the date of this Order.
2. Kentucky CGSA 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 28th day of May, 1997.

ATTEST:



Executive Director

PUBLIC SERVICE COMMISSION



For the Commission



Lexington-Fayette Urban County Government

Department of Housing & Community Development | Division of Planning | Planning Services

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MAY 19 1997

PUBLIC SERVICE
COMMISSION

May 14, 1997

Don Mills, Executive Director
Public Service Commission
P.O. Box 615
Frankfort, KY 40602

RE: PSC Case Number 97-221

Dear Mr. Mills:

The Lexington-Fayette Urban County Government (hereinafter referred to as LFUCG) wishes to state its concerns regarding the above-captioned application for a cellular tower and equipment shelter for property located at 251 West Loudon Avenue. The information provided to us by Lexington MSA limited partnership is not detailed enough for us to properly determine the potential impact of the tower upon the existing development on this site and the surrounding properties. I specifically request that the following items be provided for our review, or issue otherwise addressed as appropriate:

1. A copy of the application filed with the PSC; in particular, a detailed plan (to scale) showing how the proposed tower would be sited in relation to the existing development (buildings, parking, etc.) on this property; demonstrating that the requirements of the Zoning Ordinance can be maintained for the property. Also, the boundary lines of any proposed subdivision for the purposes of leasing as required by KRS Chapter 100; demonstrating compliance with the Subdivision Regulations. I would further note that this site is subject to a site development plan, and no permits can be issued for any development of this property unless and until an amendment to this development plan has been approved by the Planning Commission in a public hearing.
2. Addition of a condition by the PSC that the tower be removed if it ever ceases to be used as a cellular transmitting facility.
3. Information as to proposed screening/buffering of the proposed facilities from adjoining properties.
4. The property contains a large storm water detention basin, and utility areas. The location of the tower and equipment shelter should be precisely determined to ensure that no conflicts exist. Again, the materials available to us at this time are not specific enough for the purposed of making this determination.

The LFUCG's Cellular Tower Committee will review the requested information in the hope that any concerns can be addressed short of requesting intervention. I am also sending a copy of this letter to Sam McNamara, attorney for Lexington MSA Limited Partnership.

The Lexington-Fayette Urban County Government looks forward to a response from the applicant and/or the Public Service Commission on these requests.

Sincerely,



Christopher D. King
Deputy Planning Manager
Chairman, LFUCG Cellular Tower Committee

c: Mayor Pam Miller (c/o Charlie Boland)
Sam G. McNamara, Attorney for Lexington MSA
Cellular Tower Committee Members:
Councilmember Fred Brown, Jimmy Campbell, Keith Horn, Terry Tipton,
& Casey Wilson