

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF AT&T WIRELESS PCS, INC.)
BY AND THROUGH ITS AGENT, WIRELESS PCS,)
INC., FOR THE ISSUANCE OF A CERTIFICATE OF) CASE NO.
PUBLIC CONVENIENCE AND NECESSITY TO) 97-230
CONSTRUCT A PERSONAL COMMUNICATIONS)
SERVICES NETWORK FACILITY IN HEBRON,)
KENTUCKY AND CALLED THE RUEHL ELECTRIC SITE)

O R D E R

The Commission has received the attached letter from Kevin T. Wall on behalf of the Boone County Planning Commission regarding the proposed personal communications services facility to be located at 1654 Petersburg Road, Hebron, Boone County, Kentucky.

IT IS THEREFORE ORDERED that:

1. AT&T Wireless PCS, Inc. ("AT&T Wireless") shall respond to Mr. Wall's concerns by certified letter, within 10 days from the date of this Order.
2. AT&T Wireless 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 14th day of May, 1997.

ATTEST:

PUBLIC SERVICE COMMISSION

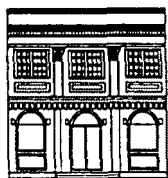


Executive Director



For the Commission

BOONE COUNTY PLANNING COMMISSION



2995 Washington Street, Burlington, KY 41005
606-334-2196 FAX 606-334-2264

May 9, 1997

RECEIVED

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PUBLIC SERVICE
COMMISSION

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

RE: Case No. 97-230; 165 Foot Monopole Tower Proposed by AT&T Wireless at
1654 KY 20 (Petersburg Road), Boone County (Hebron), Kentucky

Dear Mr. Mills:

On behalf of the Boone County Planning Commission, and as Zoning Administrator for the Boone County Fiscal Court, I am writing to voice my objection to the above referenced monopole proposal due to the following reasons.

First, the site is within an Industrial One (I-1) zone. The I-1 zone permits "communication relay, transmitting and receiving uses" as a Conditional Use. This means that such uses are reviewed on a case-by-case basis as to their appropriateness to a given area by the Board of Adjustment through a Public Hearing procedure. In addition, the maximum building height in this zone is 50 feet (the proposed tower exceeds this height by 115 feet, or over three times the permitted building height). The area across the street is largely zoned Suburban Residential One (SR-1); this zone is primarily intended for detached, single family residences at a density that does not exceed four units per acre.

Second, the site and its immediate vicinity along the north side of KY 20 are designated for "Industrial" uses by the 1995 Boone County Comprehensive Plan's "2020 Land Use Plan." This designation is described by the Comprehensive Plan as "manufacturing, wholesale, warehousing, distribution, assembly, mining, and terminal uses." In contrast, the map also has a "Public/Institutional" land use designation which normally includes public utility facilities and which is not applied to the site or area in question. In addition, the area immediately across the street to the south is planned for "Suburban Residential" uses (single family housing of up to four units per acre - also includes any low density or estate residential developed as a formal subdivision; this is the same area that is already zoned SR-1).

Mr. Don Mills, Executive Director
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Third, the site is very near the traditional town center of Hebron. A 165 foot tower at this location would be a very noticeable, yet unwelcome visual intrusion in this area, as well as a poor precedent for a multitude of future monopole proposals in smaller-scaled town centers with nearby residential areas. It is my opinion that the proposed monopole would constitute an extremely visible nuisance at the proposed location.

Fourth, in an effort to help coordinate the telecommunications industry's needs and to help reduce the number of individual towers in the area, we strongly advocate collocation. The Hebron Fire Protection District has an existing tower near the intersection of KY 20 and KY 237 that may serve the needs of AT&T Wireless. The Fire District may be contacted through Chief Dale Harshbarger at (606) 586-9009.

I will stress that I am not opposed to telecommunications towers in general, however, the monopole structure in question is extremely inappropriate at this site.

Sincerely,



Kevin T. Wall, AICP CDT
Director, Zoning Services

KTW/vlm

cc: Chief Dale Harshbarger, Hebron Fire Protection District