

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF CELLULAR INFORMATION )  
SYSTEMS OF FLORENCE, INC., AN ALABAMA )  
CORPORATION FOR ISSUANCE OF A )  
CERTIFICATE OF PUBLIC CONVENIENCE AND )  
NECESSITY TO CONSTRUCT AN ADDITIONAL ) CASE NO.  
CELL FACILITY IN THE KENTUCKY RURAL ) 97-487  
SERVICE AREA NO. 3 WHICH INCLUDES ADAIR, )  
BARREN, CLINTON, CUMBERLAND, HART, )  
MCCREARY, METCALFE, MONROE, RUSSELL, )  
AND WAYNE COUNTIES IN KENTUCKY (THE )  
MILL SPRINGS-CONLEY BOTTOM RESORT )  
CELL FACILITY) )

O R D E R

This matter arising upon the motion of Mr. and Mrs. Dale Kenworthy for full intervention, and it appearing to the Commission that Mr. and Mrs. Kenworthy have a special interest which is not otherwise adequately represented, and that such intervention is likely to present issues and develop facts that will assist the Commission in fully considering the matter without unduly complicating or disrupting the proceedings, and this Commission being otherwise sufficiently advised,

IT IS HEREBY ORDERED that:

1. The motion of Mr. and Mrs. Dale Kenworthy to intervene is granted.
2. Mr. and Mrs. Kenworthy shall be entitled to the full rights of a party and shall be served with the Commission's Orders and with filed testimony, exhibits, pleadings, correspondence, and all other documents submitted by parties after the date of this Order.


3. Should Mr. and Mr. Kenworthy file documents of any kind with the Commission in the course of these proceedings, they shall also serve a copy of said documents on all other parties of record.

Done at Frankfort, Kentucky, this 11th day of February, 1998.

PUBLIC SERVICE COMMISSION

  
For the Commission

ATTEST:

  
Executive Director

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

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SYSTEMS OF FLORENCE, INC., AN ALABAMA )  
CORPORATION, FOR ISSUANCE OF A )  
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MCCREARY, METCALFE, MONROE, RUSSELL, )  
AND WAYNE COUNTIES IN KENTUCKY (THE )  
MILL SPRINGS-CONLEY BOTTOM RESORT )  
CELL FACILITY) )

O R D E R

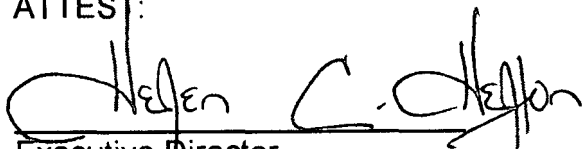
The Commission has received the attached letters regarding the proposed cellular telecommunications services facility to be located at Conley Bottom Resort, Inc. property, Route 5 (108 Boat Storage Road), Monticello, Wayne County, Kentucky.

IT IS THEREFORE ORDERED that:

1. Cellular Information Systems of Florence, Inc. ("Cellular Information") shall respond to the concerns stated in each letter by certified mail, within 10 days from the date of this Order.
2. Cellular Information shall file a copy of the certified letters and dated receipts, within 7 days of the date on the receipts.

Done at Frankfort, Kentucky, this 11th day of February, 1998.

ATTEST:

  
Executive Director

PUBLIC SERVICE COMMISSION

  
For the Commission

**TOP STOP, INC.  
RR 5, BOX 9295  
CONLEY BOTTOM DOCK ROAD  
MONTICELLO, KY. 42633  
(606) 432-4155**

**RECEIVED**  
JAN 20 1998  
PUBLIC SERVICE  
COMMISSION

January 15, 1998

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


Re: Case No. 97-487

Dear Sir or Madam:

A sign has been placed approximately 15 feet from our boat storage building indicating a tower will be placed on this site by Cellular Information Systems of Florence, Inc.

If the tower is actually placed at the location of the sign it may interfere with our boat storage business. Please send a map, indicating the exact location of the tower, and any other information available that can be used to determine if the tower does, in fact, interfere with our business.

Sincerely,

  
Michael Caudill  
Vice President

RECEIVED

JAN 09 1998

PUBLIC SERVICE  
COMMISSION

ALFRED J. WEISBROD  
ATTORNEYS AT LAW

580 Lincoln Park Blvd.  
Dayton, Ohio 45429  
937/643-9999 Fax 937/643-0777

9 W. Water Street  
Troy, Ohio 45373  
937/339-7992

Reply To:

DAYTON, OHIO

Alfred J. Weisbrod  
ajweisbrod@aol.com

JANUARY 7, 1998

**CERTIFIED MAIL**

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

RE: Case No. 97-487  
(Mills Springs-Conley Bottom Resort Cell Facility)

Gentlemen:

Mr. & Mrs. Dale Kenworthy have contacted me regarding a letter they recently received from W. Brent Rice, Counsel for Cellular Information Systems of Florence, Inc. There are a number of reasons why the Kenworthys are concerned regarding this correspondence, not the least of which is the fact that the letter is dated December 4, 1997 but was not sent until December 16, 1997 as evidenced by the postmark. Further, the letter was addressed to the Kenworthys at a Covington, Kentucky address when the Kenworthys live in Covington, Ohio. In light of the fact that the communication from Mr. Rice states that any initial communication by the Kenworthys to the Public Service Commission of Kentucky must be received by the Commission within 20 days of the date of the letter, their intrigue was heightened by the fact that the letter was sent some 12 days after it was dated and to the wrong address.

In any case, the purpose of this letter is to give notice of the Kenworthys' intervention in this matter as a property owner within a 500' radius of the proposed tower. The Kenworthys object most strenuously to the proposed location of the tower.

Location of the tower within 500' of the Kenworthys' property will detract from the natural beauty of the area, not to mention the fact that it will detract substantially from the Kenworthys' property. It is the Kenworthys' belief that the tower will lower their property value.

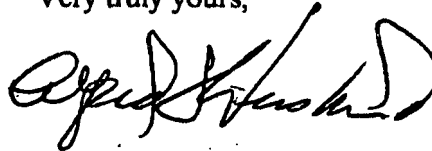
If the Commission reviews this matter, it will see that there is considerable land upon which to place this tower which will not inhibit or detract in any way from the surrounding residence properties. Please note our objection and our willingness to appear before any hearing of the

January 7, 1998

Commission to discuss this matter further.

Notice of any further action taken by the Commission or by Cellular Information Systems of Florence, Inc. should be addressed to the undersigned at the above address. Thank you.

Very truly yours,



Alfred J. Weisbrod

AJW:jak

cc: Mr. W. Brent Rice, Counsel  
Cellular Information Systems of Florence, Inc.  
Mr. Dale E. and Jane Ann Kenworthy