

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF WIRELESSCO, L.P., BY AND THROUGH ITS )  
AGENT AND GENERAL PARTNER SPRINT SPECTRUM, L.P., )  
FOR ISSUANCE OF A CERTIFICATE OF PUBLIC )  
CONVENIENCE AND NECESSITY TO CONSTRUCT A ) CASE NO.  
PERSONAL COMMUNICATIONS SERVICE FACILITY IN THE ) 98-521-UAC  
LOUISVILLE MAJOR TRADING AREA [TOWNE MALL FACILITY])

O R D E R

WirelessCo, L.P., by and through its general partner Sprint Spectrum, L.P. ("WirelessCo"), filed an application seeking a Certificate of Public Convenience and Necessity to build and operate a personal communications system ("PCS") for the Louisville Major Trading Area, which encompasses the entire Commonwealth of Kentucky. WirelessCo has requested authorization to construct a PCS site in Hardin County. WirelessCo was previously granted the authority to operate in Case No. 96-077.<sup>1</sup>

The proposed PCS site is located at 204 Pear Orchard Road, Elizabethtown, Hardin County, Kentucky. The coordinates for the site are North Latitude 37° 44' 42.4" by West Longitude 85° 53' 20.5".

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<sup>1</sup> Case No. 96-077, The Application of WirelessCo, L.P., d/b/a Sprint Telecommunications Venture for Operating Authority and Issuance of Certificate of Public Convenience and Necessity to Construct Commercial Mobile Radio Service Transmission Facilities in Kentucky.

WirelessCo has provided information regarding the structure of the tower, safety measures, and antenna design criteria for the site. Based upon the application, the design of the tower and foundation conforms to applicable nationally recognized building standards, and a Registered Professional Engineer has certified the plans.

Pursuant to KRS 278.280, the Commission is required to determine proper practices to be observed when it finds, upon complaint or on its own motion, that the facilities of any utility subject to its jurisdiction are unreasonable, unsafe, improper, or insufficient. To assist the Commission in its efforts to comply with this mandate, WirelessCo should notify the Commission if it does not use this antenna tower to provide PCS radio telecommunications services in the manner set out in its application and this Order. Upon receipt of such notice, the Commission may, on its own motion, institute proceedings to consider the proper practices, including removal of the unused antenna tower, which should be observed by WirelessCo.

The Commission, having considered the evidence of record and being otherwise sufficiently advised, finds that WirelessCo should be granted a Certificate of Public Convenience and Necessity to construct and operate the PCS site under its previously approved tariff.

IT IS THEREFORE ORDERED that:

1. WirelessCo is granted a Certificate of Public Convenience and Necessity to construct and operate the PCS site.
2. WirelessCo shall file a copy of the final decisions regarding the pending FAA and KAZC applications for this site within 10 days of receiving these decisions.

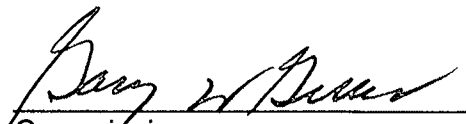
3. WirelessCo shall immediately notify the Commission in writing, if, after the antenna tower is built and utility service is commenced, the tower is not used for a period of 3 months in the manner authorized by this Order.

Done at Frankfort, Kentucky, this 22nd day of December, 1998.

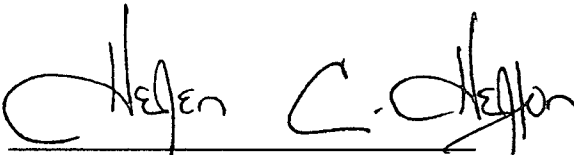
PUBLIC SERVICE COMMISSION

  
Chairman

  
Vice Chairman

  
Commissioner

ATTEST:

  
Executive Director