

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF GTE WIRELESS OF THE)	
MIDWEST INCORPORATED FOR ISSUANCE OF)	
A CERTIFICATE OF PUBLIC CONVENIENCE AND)	
NECESSITY TO CONSTRUCT AN ADDITIONAL)	CASE NO.
CELL FACILITY IN THE OWENSBORO)	98-546-UAC
METROPOLITAN STATISTICAL AREA WHICH)	
INCLUDES DAVIESS COUNTY, KENTUCKY)	
(THE KY0299/OWENSBORO CELL FACILITY))	

O R D E R

This matter arising upon the motion of Richard E. Brown¹ for full intervention and a public hearing in this matter, and it appearing to the Commission that Mr. Brown has 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 Richard E. Brown to intervene is granted.
2. Mr. Brown 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,

¹ Mr. Brown is being granted intervention individually. Mr. Brown's letter stated that he wished to intervene on behalf of Hawes State Park Community Association. However, if the association wishes to intervene, it must be represented by a licensed attorney. Representation of the rights of others before an administrative agency is considered the practice of law and must be performed by a licensed attorney. Kentucky Bar Association v. Henry Vogt Machine Co., 416 S.W.2d 727 (Ky. 1967).

correspondence, and all other documents submitted by parties after the date of this Order.

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

4. A hearing on the proposed cell site is scheduled for March 23, 1999, at 9:00 a.m., Eastern Standard Time, in Hearing Room 1 of the Commission's offices at 730 Schenkel Lane, Frankfort, Kentucky.

5. GTE Wireless of the Midwest (GTE Wireless) shall appear at the hearing and be prepared to present testimony on the engineering design, location, and construction of the proposed cell site, as well as the jurisdictional safety issues relating to the cell site.

6. Neither opening statements nor witnesses summaries of prefiled testimony shall be permitted.

7. Any interested person shall have the opportunity to present testimony or comment on any aspect of the proposed cell site.

8. Prefiled testimony, if any, shall be filed by March 16, 1999.

9. Pursuant to KRS 100.324, a copy of this Order is being sent to the Owensboro Metropolitan Planning and Zoning Commission for the purpose of notification that the above-scheduled hearing may affect locations or relocations of service facilities within the planning unit's jurisdiction.

Done at Frankfort, Kentucky, this 26th day of January, 1999.

ATTEST:

By the Commission

Executive Director