

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF CROWN COMMUNICATION, INC.)	
AND TRITEL COMMUNICATIONS, INC. AND TRITEL FINANCE,)	
INC. FOR ISSUANCE OF A CERTIFICATE OF PUBLIC)	
CONVENIENCE AND NECESSITY TO CONSTRUCT)	
A WIRELESS COMMUNICATIONS FACILITY AT)	CASE NO.
151 JIM LAMBERT ROAD, MT. VERNON, KY 40456)	99-432
IN THE WIRELESS COMMUNICATIONS LICENSE AREA)	
IN THE COMMONWEALTH OF KENTUCKY)	
IN THE COUNTY OF ROCKCASTLE)	
SITE NAME: CONWAY)	
SITE NUMBER: 353KY)	

O R D E R

On November 1, 1999, Crown Communication Inc. ("Crown"), as ultimate owner, and Tritel Communications, Inc. ("Tritel") and Tritel Finance, Inc. filed an application seeking a Certificate of Public Convenience and Necessity to build and operate a cellular radio telecommunications system for the Louisville Major Trading Area ("MTA"). Crown has requested authorization to construct a cell site in Rockcastle County, and Tritel has provided evidence that the public convenience and necessity will be served by the proposed construction.

The proposed cell site consists of a 350-foot or less lattice antenna tower to be located at 151 Jim Lambert Road, Mt. Vernon, Rockcastle County, Kentucky ("the Conway site"). The coordinates for the Conway site are North Latitude 37° 30' 13.98" by West Longitude 84° 19' 39.51".

Crown has provided information regarding the structure of the tower, safety measures, and antenna design criteria for the Conway 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 807 KAR 5:063, Section 1, Crown notified the Rockcastle County Judge/Executive of the pending construction. Crown has filed applications with and received approval from the Federal Aviation Administration and the Kentucky Airport Zoning Commission for the construction and operation of the Conway site.

Crown has filed notices verifying that each person who owns property within 500 feet of the Conway site has been notified of the pending construction. The notice solicited any comments and informed the property owners of their right to intervene. In addition, notices were published in a newspaper of general circulation in Rockcastle County and were posted in a visible location on the proposed site and on the nearest public road. The notices remained posted for at least two weeks after Crown's application was filed. To date, no intervention requests have been received.

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, Crown should notify the Commission if it does not use this antenna tower to provide cellular 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 Crown.

The Commission, having considered the evidence of record and being otherwise sufficiently advised, finds that Crown should be granted a Certificate of Public Convenience and Necessity to construct and operate the Conway site in the Louisville MTA.

IT IS THEREFORE ORDERED that:

1. Crown is granted a Certificate of Public Convenience and Necessity to construct and operate the Conway site.
2. Crown 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 10th day of February, 2000.

By the Commission

ATTEST:

Executive Director