

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF CROWN COMMUNICATION INC.,)	
TRITEL COMMUNICATIONS, INC. AND TRITEL)	
FINANCE, INC. FOR ISSUANCE OF A CERTIFICATE OF)	
PUBLIC CONVENIENCE AND NECESSITY TO)	
CONSTRUCT A WIRELESS COMMUNICATIONS FACILITY)	CASE NO.
AT 600 CRUMP ROAD, SMITHS GROVE, KY 42171)	99-461
IN THE WIRELESS COMMUNICATIONS LICENSE AREA)	
IN THE COMMONWEALTH OF KENTUCKY)	
IN THE COUNTY OF EDMONSON)	
SITE NAME: INTERCHANGE I-65)	
SITE NUMBER: 052-306)	

O R D E R

On November 23, 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 a wireless telecommunications facility for the Louisville Major Trading Area ("MTA"). Crown has requested authorization to construct a tower site in Edmonson County, and Tritel has provided evidence that the public convenience and necessity will be served by the proposed construction.

The proposed wireless site consists of a 250-foot or less guyed antenna tower to be located at 600 Crump Road, Smiths Grove, Edmonson County, Kentucky ("the

Interchange I-65 site"). The coordinates for the Interchange I-65 site are North Latitude 37° 4' 12.19" by West Longitude 86° 5' 7.09".

Crown has provided information regarding the structure of the tower, safety measures, and antenna design criteria for the Interchange I-65 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 Edmonson County Judge/Executive of the pending construction. Crown has filed applications with the Federal Aviation Administration ("FAA") and the Kentucky Airport Zoning Commission ("KAZC") seeking approval for the construction and operation of the Interchange I-65 site. Both applications are pending.

Crown has filed notices verifying that each person who owns property within 500 feet of the Interchange I-65 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 Edmonson County and were posted in a visible location on the proposed site and on the nearest public road. The posted 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 wireless 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 Interchange I-65 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 Interchange I-65 site.
2. Crown shall file a copy of the final decisions regarding the pending FAA and KAZC applications for this wireless site construction within 10 days of receiving these decisions.
3. 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.

By the Commission

ATTEST:

Done at Frankfort, Kentucky, this 28th day of January, 2000.

Executive Director