

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

THE APPLICATION OF CROWN COMMUNICATION)	
INC. AND CELLCO PARTNERSHIP D/B/A VERIZON)	
WIRELESS FOR ISSUANCE OF A CERTIFICATE)	
OF PUBLIC CONVENIENCE AND NECESSITY TO)	CASE NO.
CONSTRUCT A WIRELESS COMMUNICATIONS)	2001-028-UAC
FACILITY AT 1070 NORTH TANYARD ROAD,)	
CADIZ, KENTUCKY 42211)	
)	

O R D E R

On February 6, 2001, Crown Communication Inc. ("Crown") and Cellco Partnership d/b/a Verizon Wireless ("Applicants") filed an application seeking a Certificate of Public Convenience and Necessity to construct and operate a wireless telecommunications facility. The proposed facility is to be located at 1070 North Tanyard Road, Cadiz, Trigg County, Kentucky. The coordinates for the proposed facility are North Latitude 36° 50' 2.66" by West Longitude 87° 50' 17.26".

Crown has provided information regarding the structure of the tower, safety measures, and antenna design criteria for the proposed facility. Based upon the application, the design of the tower and foundation conforms to applicable nationally recognized building standards, and the plans have been certified by a Licensed Professional Engineer.

Pursuant to 807 KAR 5:063, the Applicants have notified the local planning unit of the proposed construction. To date, no comments have been filed by the local planning unit. The Applicants have filed applications with the Federal Aviation Administration and

the Kentucky Airport Zoning Commission seeking approval for the construction and operation of the proposed facility. Both decisions have been approved.

The Applicants have filed evidence of the appropriate notices provided pursuant to 807 KAR 5:063. The notices solicited any comments and informed the recipients of their right to request intervention. The Commission received comments from one property owner, but no request for intervention or a public hearing has been filed.

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 service 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 the Applicants have demonstrated that a facility is necessary to provide adequate utility service and therefore a Certificate of Public Convenience and Necessity to construct the proposed facility should be granted.

IT IS THEREFORE ORDERED that:

1. Crown is granted a Certificate of Public Convenience and Necessity to construct a wireless telecommunications facility. The proposed facility is to be located at

1070 North Tanyard Road, Cadiz, Trigg County, Kentucky. The coordinates for the proposed facility are North Latitude 36° 50' 2.66" by West Longitude 87° 50' 17.26".

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 1st day of May, 2001.

By the Commission

ATTEST:


Executive Director