

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF VOICESTREAM WIRELESS	)	
D/B/A VOICESTREAM COLUMBUS, INC., AND SBA,	)	
INC., JOINTLY, FOR ISSUANCE OF A	)	
CERTIFICATE OF PUBLIC CONVENIENCE AND	)	CASE NO.
NECESSITY TO CONSTRUCT A PERSONAL	)	2001-00335-UAC
COMMUNICATIONS SERVICES FACILITY IN THE	)	
CINCINNATI BASIC TRADING AREA	)	
[EDGEWOOD FACILITY]	)	

O R D E R

On October 19, 2001, VoiceStream Wireless d/b/a VoiceStream Columbus, Inc. and SBA, Inc. ( 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 900 Medical Village Drive, Edgewood, Kenton County, Kentucky.

The proposed facility is located within an area subject to the authority of the Kenton County and Municipal Planning and Zoning Commission and the Northern Kentucky Area Planning Commission ( local planning unit ). Pursuant to 807 KAR 5:063, the Applicants notified the local planning unit of the proposed construction. The local planning unit is duly authorized to review the uniform application and is to notify the Commission of its decision within 60 days absent a written agreement between the utility and the local planning unit pursuant to KRS 100.987(4)(c). The time period in this case for the notification to have been filed would have been December 17, 2001. However, on December 19, 2001, a

previously executed agreement between the Applicants and the local planning unit extending the time to February 28, 2002, was filed.

On January 14, 2002, an Order inadvertently was issued, granting the Applicants a Certificate of Public Convenience and Necessity to construct and operate the requested wireless telecommunications facility in Kenton County, Kentucky.

The Commission finds that it may not, pursuant to KRS 100.987(5), issue any certificate until the local planning unit informs the Commission of its decision according to law or the time limit expires according to law. Therefore, the Commission, upon its own motion, finds that the Order of January 14, 2002 should be revoked.

IT IS THEREFORE ORDERED that the Order dated January 14, 2002 granting Applicants a Certificate of Public Convenience and Necessity to construct and operate a wireless telecommunications facility at Edgewood, Kenton County, Kentucky is revoked.

Done at Frankfort, Kentucky, this 25<sup>th</sup> day of January, 2002.

By the Commission

ATTEST:

  
Executive Director

