

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF BLUEGRASS WIRELESS,	)	
LLC FOR ISSUANCE OF A CERTIFICATE OF	)	
PUBLIC CONVENIENCE AND NECESSITY TO	)	CASE NO.
CONSTRUCT A CELL SITE (DABNEY) IN	)	2009-00112
RURAL SERVICE AREA #6 (PULASKI) OF THE	)	
COMMONWEALTH OF KENTUCKY	)	

O R D E R

On April 17, 2009, Bluegrass Wireless, LLC ("Bluegrass Wireless") filed an application seeking a Certificate of Public Convenience and Necessity ("CPCN") to construct and operate a wireless telecommunications facility. Bluegrass Wireless proposes to locate the facility at 265 Garrison Road, Somerset, Pulaski County, Kentucky. Prior to the submission of the application, the Commission received the following:

- 16 requests from individuals listing concerns over the proposed construction and seeking to become intervenors; and
- Petitions dated March 30, 2009, April 7, 2009 and April 9, 2009, signed by 63 individual members of the Pulaski County community requesting that the Commission deny Bluegrass Wireless's CPCN application.

The Commission finds that, as Bluegrass Wireless is seeking to construct a facility within Pulaski County and, as evidenced by the petition signatures, comments and motions for intervention, numerous individuals have concerns regarding the location and potential effects of a tower, a Community Meeting should be held in Pulaski County. Commission Staff shall conduct this meeting to discuss procedural issues, to take

comments from citizens about the proposed tower construction, and to facilitate discussion between the applicant and the Pulaski County general public regarding the site selection and other concerns related to the proposed construction. The Commission will properly weigh the concerns expressed by the public, both at the upcoming Community Meeting and in the previously filed comments, during the course of its review of Bluegrass Wireless's CPCN application. The time, date and location of the Community Meeting in Pulaski County shall be:

Tuesday, June 30, 2009, 5:30 p.m., Eastern Daylight Time,  
Somerset Community College, Meece Hall,  
Multipurpose Meeting Room,  
808 Monticello Street, Somerset, KY 42501

The Commission also finds that representatives of Bluegrass Wireless should attend the Community Meeting for the purposes of presenting details on its CPCN application and addressing questions about the proposed tower and location.

#### PUBLICATION AND NOTICE OF THE COMMUNITY MEETING

By this Order, the Commission shall require Bluegrass Wireless to publish notification of this Community Meeting in a newspaper of general circulation in Pulaski County. Bluegrass Wireless shall have this notice published no less than two times prior to the date of the Community Meeting. The first publication shall occur no less than seven days prior to the date of the Community Meeting. The notice shall include the date, time and location of the Community Meeting. Evidence of this publication shall be submitted to the record in this proceeding within five days after the Community Meeting has taken place.

By this Order, the Commission shall also require Bluegrass Wireless to send written notice of the Community Meeting to every individual who owns property within

500 feet of the proposed tower site and to all individuals who have requested intervention in this proceeding. Duplicate mailings of this notice shall not be required by the Commission. If an individual who has requested intervention is also an individual who owns property within 500 feet of the proposed tower site, Bluegrass Wireless shall be required to mail only one notice to that person. The notices shall be mailed first-class, postage prepaid, no later than seven days prior to the date of the Community Meeting. Bluegrass Wireless shall submit an affidavit to the record in this proceeding attesting to the mailing of the notices. The affidavit shall be submitted within five days after the Community Meeting has taken place.

MOTION FOR AN INFORMAL CONFERENCE AND MOTIONS FOR INTERVENTION

In addition to 16 separate requests for intervention, the Commission has also received a motion by Bluegrass Wireless for the scheduling of an informal conference at Commission offices.<sup>1</sup> By separate Order, the Commission shall address the motions for intervention, the motion for an informal conference, and other procedural issues after Commission Staff have conducted the Community Meeting in Pulaski County.

IT IS HEREBY ORDERED that:

1. The Commission shall hold a Community Meeting on June 30, 2009 at 5:30 p.m., Eastern Daylight Time, at Somerset Community College, Meece Hall, Multipurpose Meeting Room, 808 Monticello Street, Somerset, Pulaski County, Kentucky 42501.

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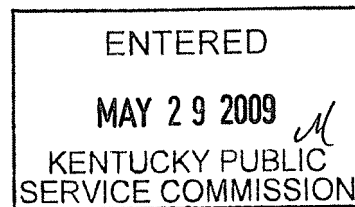
<sup>1</sup> Filed on April 17, 2009.

2. Representatives of Bluegrass Wireless shall attend the meeting for the purposes of presenting details of its CPCN application and addressing questions about the proposed tower and location.

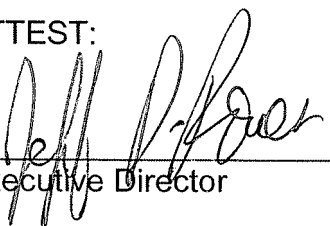
3. Bluegrass Wireless shall publish notice of the Community Meeting and submit evidence to the record of such publication, as provided within this Order.

4. Bluegrass Wireless shall send notice of the Community Meeting to every individual who owns property within 500 feet of the proposed tower site and to all individuals who have requested intervention in this proceeding, as provided within this Order. The notice shall be mailed first-class, postage prepaid, no later than seven days prior to the date of the Community Meeting. Bluegrass Wireless shall submit evidence of the mailing of the notices, as provided within this Order.

By the Commission



ATTEST:

  
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Executive Director

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