

**CASE**

**NUMBER:**

99-060

**McBRAYER, MCGINNIS, LESLIE & KIRKLAND PLLC**

163 WEST SHORT STREET  
SUITE 300  
LEXINGTON, KENTUCKY 40507-1361  
606-231-8780  
FACSIMILE 606-231-6518  
REAL ESTATE FAX 606-255-9777  
WWW.MMLK.COM

W. TERRY McBRAYER  
JOHN R. MCGINNIS  
PHILLIP BRUCE LESLIE \*  
WILLIAM D. KIRKLAND  
J. D. ATKINSON, JR.  
JAMES G. AMATO  
GEORGE D. GREGORY \*\*  
BRENT L. CALDWELL  
W. BRENT RICE  
JAMES H. FRAZIER, III +  
STEPHEN C. CAWOOD  
LISA ENGLISH HINKLE  
WILLIAM R. PALMER, JR.  
BRUCE W. MACDONALD \*  
LUKE BENTLEY III  
STEPHEN G. AMATO  
MARY ESTES HAGGIN  
R. STEPHEN MCGINNIS \*\*  
JON A. WOODALL  
MARIA S. BUCKLES  
MARGARET M. YOUNG  
MELINDA G. WILSON  
REBECCA L. BRIGGS  
MARY ELIZABETH CUTTER  
J. BRADFORD DERIFIELD \*\*  
JARON P. BLANDFORD

\* ALSO ADMITTED IN OHIO  
\*\* ALSO ADMITTED IN COLORADO  
+ ALSO ADMITTED IN TEXAS & FLORIDA  
\*\* ALSO ADMITTED IN WEST VIRGINIA

November 9, 1999

RECEIVED

NOV 10 1999  
WATSON (1908-1985)  
OSCAR SAMMONS (1908-1988)  
MAIN & HARRISON STREETS  
P. O. BOX 280  
GREENUP, KENTUCKY 40344-0280  
606-473-7303  
FACSIMILE 606-473-9003

300 STATE NATIONAL  
BANK BUILDING  
P. O. BOX 1100  
FRANKFORT, KENTUCKY 40602-1100  
502-223-1200  
FACSIMILE 502-227-7385

DIRECTOR OF GOVERNMENTAL RELATIONS  
MIKE HELTON  
STATE NATIONAL BANK BUILDING  
305 ANN STREET  
SUITE 308  
FRANKFORT, KENTUCKY 40601-2847  
502-875-1176  
FACSIMILE 502-226-6234

Ms. Helen C. Helton, Executive Director  
Public Service Commission  
730 Schenkel Lane  
Frankfort, KY 40602

RE: **Powertel/Kentucky, Inc. - PSC Case No. 99-060 UAC**  
**(The L-KY-120-226 Facility)**

Dear Ms. Helton:

Please find enclosed the originals and one copy each of return receipts for correspondence forwarded via certified mail, return receipt requested, to the Versailles Midway Woodford County Planning Commission and all property owners within 500' of the proposed facility referenced above. The following property owners have been notified:

Larry D. and Anita C. Devine  
6033 Frankfort Road  
Versailles, KY 40383

Gainsborough Farm, Inc.  
P.O. Box 1808  
Lexington, KY 40593

Allen E. Paulson  
6274 Steele Road  
Versailles, KY 40383

Manning Family Trust  
D. Westwick; J. Russell; S. & R. Manning  
6182 Frankfort Road  
Versailles, KY 40383

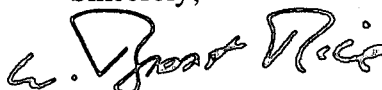
Henton Farms, Inc.  
6749 Frankfort Road  
Versailles, KY 40383

Ms. Helen C. Helton, Executive Director  
November 9, 1999  
Page 2

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Please file the enclosed with the Commission at your earliest convenience. Thank you for your attention to this matter.

Sincerely,



W. Brent Rice  
Counsel for Powertel/Kentucky, Inc.

WBR/dkw

Enclosures

Is your RETURN ADDRESS completed on the reverse side?

**SENDER:**  
 ■ Complete items 1 and/or 2 for additional services.  
 ■ Complete items 3, 4a, and 4b.  
 ■ Print your name and address on the reverse of this form so that we can return this card to you.  
 ■ Attach this form to the front of the mailpiece, or on the back if space does not permit.  
 ■ Write "Return Receipt Requested" on the mailpiece below the article number.  
 ■ The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):  
 1.  Addressee's Address  
 2.  Restricted Delivery  
 Consult postmaster for fee.

3. Article Addressed to:  
**Allen E. Paulson**  
**6274 Steele Road**  
**Versailles, KY 40383**

4a. Article Number  
**Z 463 757 992 (6928-142)**

4b. Service Type  
 Registered  Certified  
 Express Mail  Insured  
 Return Receipt for Merchandise  COD

7. Date of Delivery  
**2/23/99**

5. Received By: (Print Name)  
**Allen E. Paulson**

8. Addressee's Address (Only if requested and fee is paid)  
**Allen E. Paulson**

6. Signature: (Addressee or Agent)  
*Allen E. Paulson*

PS Form 3811, December 1994 102595-98-B-0229 Domestic Return Receipt

Thank you for using Return Receipt Service.

**Z 463 757 992**

US Postal Service  
**Receipt for Certified Mail**  
 No Insurance Coverage Provided.  
 Do not use for International Mail (See reverse)

Sent to  
**Allen E. Paulson**

Street & Number

Post Office, State, & ZIP Code

Postage \$

Certified Fee

Special Delivery Fee

Restricted Delivery Fee

Return Receipt Showing to Whom & Date Delivered

Return Receipt Showing to Whom, Date, & Addressee's Address

TOTAL Postage & Fees \$

Postmark or Date  
**2/23/99 6928-142**

PS Form 3800, April 1995

Is your RETURN ADDRESS completed on the reverse side?

**SENDER:**  
 ■ Complete items 1 and/or 2 for additional services.  
 ■ Complete items 3, 4a, and 4b.  
 ■ Print your name and address on the reverse of this form so that we can return this card to you.  
 ■ Attach this form to the front of the mailpiece, or on the back if space does not permit.  
 ■ Write "Return Receipt Requested" on the mailpiece below the article number.  
 ■ The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):  
 1.  Addressee's Address  
 2.  Restricted Delivery  
 Consult postmaster for fee.

3. Article Addressed to:  
**VERSAILLES MIDWAY WOODFORD**  
**COUNTY PLANNING COMMISSION**  
**COURTHOUSE, ROOM 204**  
**103 SOUTH MAIN STREET**  
**VERSAILLES, KY 40383**

4a. Article Number  
**Z 463 758 000 (6928-142)**

4b. Service Type  
 Registered  Certified  
 Express Mail  Insured  
 Return Receipt for Merchandise  COD

7. Date of Delivery  
**2/23/99**

5. Received By: (Print Name)  
**Pam Conley**

8. Addressee's Address (Only if requested and fee is paid)  
**Versailles Midway Woodford County Planning Commission**

6. Signature: (Addressee or Agent)  
*Pam Conley*

PS Form 3811, December 1994 102595-98-B-0229 Domestic Return Receipt

Thank you for using Return Receipt Service.

**Z 463 758 000**

US Postal Service  
**Receipt for Certified Mail**  
 No Insurance Coverage Provided.  
 Do not use for International Mail (See reverse)

Sent to  
**Versailles Midway**

Street & Number  
**Woodford County**  
**Planning Commission**

Post Office, State, & ZIP Code

Postage \$

Certified Fee

Special Delivery Fee

Restricted Delivery Fee

Return Receipt Showing to Whom & Date Delivered

Return Receipt Showing to Whom, Date, & Addressee's Address

TOTAL Postage & Fees \$

Postmark or Date  
**2/23/99 6928-142**

PS Form 3800, April 1995

Is your RETURN ADDRESS completed on the reverse side?

**SENDER:**

- Complete items 1 and/or 2 for additional-services.
- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
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- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

- Addressee's Address
- Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:  
**Gainsborough Farm, Inc.**  
**P.O. Box 1808**  
**Lexington, KY 40593**

4a. Article Number  
**Z 463 757 994 (6928-142)**

4b. Service Type  
 Registered  Certified  
 Express Mail  Insured  
 Return Receipt for Merchandise  COD

7. Date of Delivery  
**2/24/99**

5. Received By: (Print Name)

8. Addressee's Address (Only if requested and fee is paid)

6. Signature: (Addressee or Agent)

*[Handwritten Signature]*

PS Form 3811, December 1994

102595-98-B-0229 Domestic Return Receipt

Thank you for using Return Receipt Service.

PS Form 3800, April 1995

Z 463 757 994

US Postal Service  
**Receipt for Certified Mail**  
 No Insurance Coverage Provided.

Do not use for International Mail (See reverse)

Sent to <b>Gainsborough Farm, Inc.</b>	
Street & Number	
Post Office, State, & ZIP Code	
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Addressee's Address	
TOTAL Postage & Fees	\$
Postmark or Date <b>2/23/99 6928-142</b>	

Is your RETURN ADDRESS completed on the reverse side?

**SENDER:**

- Complete items 1 and/or 2 for additional-services.
- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

- Addressee's Address
- Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:  
**Manning Family Trust**  
**D. Westwick; J. Russell; S. & R.**  
**Manning**  
**6182 Frankfort Road**  
**Versailles, KY 40383**

4a. Article Number  
**Z 463 757 995 (6928-142)**

4b. Service Type  
 Registered  Certified  
 Express Mail  Insured  
 Return Receipt for Merchandise  COD

7. Date of Delivery  
**2/23/99**

5. Received By: (Print Name)

8. Addressee's Address (Only if requested and fee is paid)

6. Signature: (Addressee or Agent)

**X**  
*[Handwritten Signature]*

PS Form 3811, December 1994

102595-98-B-0229 Domestic Return Receipt

Thank you for using Return Receipt Service.

PS Form 3800, April 1995

Z 463 757 995

US Postal Service  
**Receipt for Certified Mail**  
 No Insurance Coverage Provided.

Do not use for International Mail (See reverse)

Sent to <b>Manning Family Trust</b>	
Street & Number	
Post Office, State, & ZIP Code	
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Addressee's Address	
TOTAL Postage & Fees	\$
Postmark or Date <b>2/23/99 6928-142</b>	

Is your RETURN ADDRESS completed on the reverse side?

**SENDER:**

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
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- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

- Addressee's Address
- Restricted Delivery

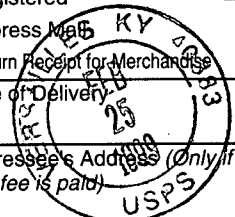
Consult postmaster for fee.

3. Article Addressed to:  
**Larry D. and Anita C. Devine**  
**6033 Frankfort Road**  
**Versailles, KY 40383**

4a. Article Number  
**Z 463 757 991 (6928-142)**

4b. Service Type  
 Registered  Certified  
 Express Mail  Insured  
 Return Receipt for Merchandise  COD

7. Date of Delivery



5. Received By: (Print Name)  
**ANITA DEVINE**

6. Signature: (Addressee or Agent)  
*X Anita Devine*

8. Addressee's Address (Only if requested and fee is paid)

PS Form 3811, December 1994

102595-98-B-0229

Domestic Return Receipt

Thank you for using Return Receipt Service.

PS Form 3800, April 1995

Z 463 757 991

US Postal Service  
**Receipt for Certified Mail**  
 No Insurance Coverage Provided.  
 Do not use for International Mail (See reverse)

Sent to <b>Larry D. and Anita Devine</b>	
Street & Number	
Post Office, State, & ZIP Code	
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Addressee's Address	
TOTAL Postage & Fees	\$
Postmark or Date <b>2/23/99 6928-142</b>	

Is your RETURN ADDRESS completed on the reverse side?

**SENDER:**

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
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- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

- Addressee's Address
- Restricted Delivery

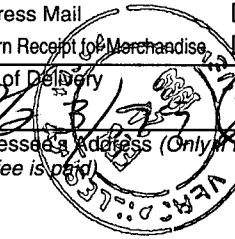
Consult postmaster for fee.

3. Article Addressed to:  
**Henton Farms, Inc.**  
**6749 Frankfort Road**  
**Versailles, KY 40383**

4a. Article Number  
**Z 463 757 993 (6928-142)**

4b. Service Type  
 Registered  Certified  
 Express Mail  Insured  
 Return Receipt for Merchandise  COD

7. Date of Delivery



5. Received By: (Print Name)

6. Signature: (Addressee or Agent)  
*X Neil Henton*

8. Addressee's Address (Only if requested and fee is paid)

PS Form 3811, December 1994

102595-98-B-0229

Domestic Return Receipt

Thank you for using Return Receipt Service.

PS Form 3800, April 1995

Z 463 757 991

US Postal Service  
**Receipt for Certified Mail**  
 No Insurance Coverage Provided.  
 Do not use for International Mail (See reverse)

Sent to <b>Henton Farms, Inc.</b>	
Street & Number	
Post Office, State, & ZIP Code	
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Addressee's Address	
TOTAL Postage & Fees	\$
Postmark or Date <b>2/23/99 6928-142</b>	



COMMONWEALTH OF KENTUCKY  
**PUBLIC SERVICE COMMISSION**

730 SCHENKEL LANE  
POST OFFICE BOX 615  
FRANKFORT, KY. 40602  
(502) 564-3940

CERTIFICATE OF SERVICE

RE: Case No. 99-060 UAC  
POWERTEL/KENTUCKY, INC.

I, Stephanie Bell, Secretary of the Public Service Commission, hereby certify that the enclosed attested copy of the Commission's Order in the above case was served upon the following by U.S. Mail on July 15, 1999.

See attached parties of record.

*Stephanie Bell*  
\_\_\_\_\_  
Secretary of the Commission

SB/hv  
Enclosure

Allen E. Smith  
President  
Powertel/Kentucky, Inc.  
1233 O.G. Skinner Drive  
West Point, GA. 31833

Honorable W. Brent Rice  
Attorney at Law  
McBrayer, McGinnis,  
Leslie & Kirkland PLLC  
163 West Short Street  
Suite 300  
Lexington, KY. 40507 1361

Honorable Phillip D. Scott  
Greenebaum Doll & McDonald PLLC  
333 West Vine Street  
Suite 1400  
Lexington, KY. 40507

Mr. Craig F. Chamberlin  
GlensView Farm  
100 Rose Lane  
Versailles, KY. 40383



COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

THE APPLICATION OF POWERTEL/KENTUCKY, INC., )  
A DELAWARE CORPORATION, FOR ISSUANCE OF )  
A CERTIFICATE OF PUBLIC CONVENIENCE AND ) CASE NO. 99-060-UAC  
NECESSITY TO CONSTRUCT A PERSONAL )  
COMMUNICATIONS SERVICES FACILITY IN )  
B-252 BASIC TRADING AREA )

O R D E R

Upon motion of Applicant, Powertel/Kentucky, Inc. ("Powertel"), by counsel, to dismiss its application herein advising the Commission that the need for a separate cell site as represented by the application was no longer necessary because Powertel now has a co-location agreement with Crown Communication, Inc. and Tritel Communications, Inc. to utilize its nearby tower subject to Commission approval in Case No. 99-092-UAC,<sup>1</sup> and the Commission being otherwise sufficiently advised,

IT IS ORDERED that the application in Case No. 99-060-UAC is hereby dismissed.

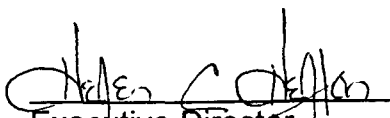
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<sup>1</sup> Case No. 99-092-UAC, The Application of Crown Communication, Inc., Tritel Communications, Inc. and Tritel Finance, Inc. for Issuance of a Certificate of Public Convenience and Necessity to Construct a Wireless Communications Facility at 6045 Frankfort Pike, Versailles, Ky in the Wireless Communications License Area in the Commonwealth of Kentucky in the County of Woodford.

Done at Frankfort, Kentucky, this 15th day of July, 1999.

By the Commission

ATTEST:

  
Executive Director



COMMONWEALTH OF KENTUCKY  
**PUBLIC SERVICE COMMISSION**

730 SCHENKEL LANE  
POST OFFICE BOX 615  
FRANKFORT, KY. 40602  
(502) 564-3940

May 19, 1999

To: All parties of record

RE: Case No. 99-060 UAC

We enclose one attested copy of the Commission's Order in  
the above case.

Sincerely,

A handwritten signature in cursive script that reads "Stephanie Bell".

Stephanie Bell  
Secretary of the Commission

SB/sh  
Enclosure

Allen E. Smith  
President  
Powertel/Kentucky, Inc.  
1233 O.G. Skinner Drive  
West Point, GA 31833

Honorable W. Brent Rice  
Attorney at Law  
McBrayer, McGinnis,  
Leslie & Kirkland PLLC  
163 West Short Street  
Suite 300  
Lexington, KY 40507 1361

Honorable Phillip D. Scott  
Greenebaum Doll & McDonald PLLC  
333 West Vine Street  
Suite 1400  
Lexington, KY 40507

Mr. Craig F. Chamberlin  
GlensView Farm  
100 Rose Lane  
Versailles, KY 40383

Lined area for notes.

MAIN CASE FILE NOTES

KENTUCKY PUBLIC SERVICE COMMISSION

(10/84)

OS - 2

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF POWERTEL/KENTUCKY, )  
INC., A DELAWARE CORPORATION, FOR )  
ISSUANCE OF A CERTIFICATE OF PUBLIC ) CASE NO.  
CONVENIENCE AND NECESSITY TO ) 99-060-UAC  
CONSTRUCT A PERSONAL COMMUNICATIONS )  
FACILITY IN B-252 BASIC TRADING AREA )  
(THE L-KY-120-226 FACILITY) )

O R D E R

This matter arising upon the motion of Craig F. Chamberlin for full intervention, and it appearing to the Commission that Mr. Chamberlin has a special interest which is not otherwise adequately represented, and that such intervention is likely to present issues and develop facts that will assist the Commission in fully considering the matter without unduly complicating or disrupting the proceedings, and this Commission being otherwise sufficiently advised,

IT IS HEREBY ORDERED that:

1. The motion of Craig F. Chamberlin to intervene is granted.
2. Mr. Chamberlin shall be entitled to the full rights of a party and shall be served with the Commission's Orders and with filed testimony, exhibits, pleadings, correspondence, and all other documents submitted by parties after the date of this Order.
3. Should Mr. Chamberlin file documents of any kind with the Commission in the course of these proceedings, he shall also serve a copy of said documents on all other parties of record.

Done at Frankfort, Kentucky, this 19th day of May, 1999.

By the Commission

ATTEST:

  
Executive Director



COMMONWEALTH OF KENTUCKY  
**PUBLIC SERVICE COMMISSION**

730 SCHENKEL LANE  
POST OFFICE BOX 615  
FRANKFORT, KY. 40602  
(502) 564-3940

May 6, 1999

Allen E. Smith  
President  
Powertel/Kentucky, Inc.  
1233 O.G. Skinner Drive  
West Point, GA. 31833

Honorable W. Brent Rice  
Attorney at Law  
McBrayer, McGinnis,  
Leslie & Kirkland PLLC  
163 West Short Street  
Suite 300  
Lexington, KY. 40507 1361

Honorable Phillip D. Scott  
Greenebaum Doll & McDonald PLLC  
333 West Vine Street  
Suite 1400  
Lexington, KY. 40507

RE: Case No. 99-060 UAC

We enclose one attested copy of the Commission's Order in  
the above case.

Sincerely,

A handwritten signature in cursive script that reads "Stephanie Bell".

Stephanie Bell  
Secretary of the Commission

SB/hv  
Enclosure



COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF POWERTEL/KENTUCKY,	)	
INC., A DELAWARE CORPORATION, FOR	)	
ISSUANCE OF A CERTIFICATE OF PUBLIC	)	CASE NO.
CONVENIENCE AND NECESSITY TO	)	99-060-UAC
CONSTRUCT A PERSONAL COMMUNICATIONS	)	
FACILITY IN B-252 BASIC TRADING AREA	)	
(THE L-KY-120-226 FACILITY)	)	

O R D E R

This matter arising upon the joint motion of Gainsborough Farm, LLC, Mr. and Mrs. Hampton H. Henton, and Allen E. Paulson, d/b/a Brookside Farm (hereinafter referred to collectively as "Petitioners"), by and through counsel, filed April 14, 1999, for full intervention, and it appearing to the Commission that Petitioners have a special interest which is not otherwise adequately represented, and that such intervention is likely to present issues and develop facts that will assist the Commission in fully considering the matter without unduly complicating or disrupting the proceedings, and this Commission being otherwise sufficiently advised,

IT IS HEREBY ORDERED that:

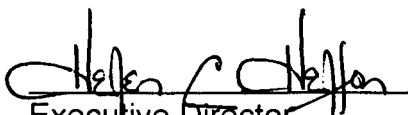
1. The motion of Petitioners to intervene is granted.
2. Each Petitioner shall be entitled to the full rights of a party and shall be served with the Commission's Orders and with filed testimony, exhibits, pleadings, correspondence, and all other documents submitted by parties after the date of this Order.

3. Should any Petitioner file documents of any kind with the Commission in the course of these proceedings, said Petitioner shall also serve a copy of said documents on all other parties of record.

Done at Frankfort, Kentucky, this 6th day of May, 1999.

By the Commission

ATTEST:

  
Executive Director

GREENEBAUM DOLL & McDONALD PLLC

1400 VINE CENTER TOWER  
333 WEST VINE STREET  
LEXINGTON, KENTUCKY 40507-1665  
606/231-8500  
FAX 606/255-2742

PHILLIP D. SCOTT  
606/288-4625  
FAX 606/255-2742  
E-MAIL pds@gdm.com

April 13, 1999

RECEIVED  
APR 14 1999  
PUBLIC SERVICE  
COMMISSION

Helen C. Helton  
Executive Director  
Public Service Commission  
730 Schenkel Lane  
Post Office Box 615  
Frankfort, Kentucky 40602

Re: Application of Powertel/Kentucky for issuance of a certificate of public convenience and necessity to construct a Telecommunications Tower at 6033 Frankfort Pike (rear), Versailles, Woodford County, Kentucky;  
Case No. 99-060 UAC

- and -

Application of Crown Communications, Inc. for issuance of a certificate of public convenience and necessity to construct a Telecommunications Tower (Site No. 412KY) near 6033 Frankfort Pike, Versailles, Woodford County, Kentucky;  
Case No. 99-092 UAC

Dear Executive Director Helton:


You will find enclosed two Motions for Intervention in the applications of Crown Communications and Powertel/Kentucky for a telecommunication tower located at or near 6033 Frankfort Pike near Versailles, Woodford County, Kentucky. We are filing the Motion for Full Intervention as each of the parties wishes to take part in consideration of the respective applications. Gainsborough, Brookside and the Hentons' wish to be fully informed and to take part in the proceedings before the Public Service Commission. Each of these parties is a land owner within 500 feet of the proposed location of the telecommunications tower. They wish to protect the beauty of the surrounding lands as well as the farming operations that take place on their property.

Helen C. Helton  
April 13, 1999  
Page 2

Please date stamp the enclosed file copy of the Motions and return to me in the enclosed postage prepaid envelope.

Thank you for your attention to this matter and should we need to file any additional information in the interim, please do not hesitate to contact the undersigned.

Very truly yours,

  
\_\_\_\_\_  
Phillip D. Scott

PDS/prw  
Enclosures

cc: W. Brent Rice, Esq., Attorney for Powertel/Kentucky  
Rodney C. Strong, Crown Communications, Inc.  
Ted Carr, Brookside Farm  
Mr. and Mrs. Hampton Henton  
Allen P. Kershaw, Gainsborough Farm, LLC  
Dale Wright, Esq.  
Amy Daughtery, Esq.

COMMONWEALTH OF KENTUCKY  
PUBLIC SERVICE COMMISSION  
CASE NO. 99-060 UAC

RECEIVED  
APR 14 1999  
PUBLIC SERVICE  
COMMISSION

Re: Application of Powertel/Kentucky for issuance of a certificate of public convenience and necessity to construct a Telecommunications Tower at 6033 Frankfort Pike (rear), Versailles, Woodford County, Kentucky.


MOTION FOR FULL INTERVENTION

Comes Gainsborough Farm, LLC, 7200 Steele Road, Versailles, Kentucky; Mr. and Mrs. Hampton H. Henton, 6744 Frankfort Road, Versailles, Kentucky; and Allen E. Paulson, d/b/a Brookside Farm, 6274 Steele Pike, Versailles, Kentucky all by way of counsel and respectfully moves the Public Service Commission to grant an order for full intervention pursuant to 807 KAR 5:001, Section 8. The name of the attorney representing the parties wishing to intervene is:

Phillip D. Scott, Esq.  
Greenebaum Doll & McDonald PLLC  
333 West Vine Street  
Suite 1400  
Lexington, Kentucky 40507  
(606) 231-8500

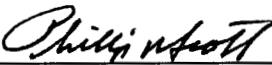
In support of the Motion to Intervene the moving parties state that they are affected land owners owning property within a 500 foot radius of the proposed telecommunication tower and wish to be fully involved in all of the proceedings.

Respectfully submitted,

  
\_\_\_\_\_  
Phillip D. Scott, Esq.  
Greenebaum Doll & McDonald PLLC  
333 West Vine Street  
Suite 1400  
Lexington, Kentucky 40507  
(606) 231-8500

CERTIFICATE OF SERVICE

This is to certify that a true copy of the foregoing has been served on W. Brent Rice, Esq.,  
McBrayer, McGinnis, Leslie & Kirkland, 163 West Short Street, Suite 300, Lexington, Kentucky  
40507-1361 and Hon. Dale Wright, Staff Attorney, Commonwealth of Kentucky, Public Service  
Commission, 730 Schenkel Lane, Post Office Box 615, Frankfort, Kentucky 40602, on this the  
13<sup>th</sup> day of April, 1999.

  
\_\_\_\_\_  
Phillip D. Scott, Esq.

LEX-79782-1



COMMONWEALTH OF KENTUCKY  
**PUBLIC SERVICE COMMISSION**  
730 SCHENKEL LANE  
POST OFFICE BOX 615  
FRANKFORT, KENTUCKY 40602  
www.psc.state.ky.us  
(502) 564-3940  
Fax (502) 564-3460

**Ronald B. McCloud, Secretary**  
**Public Protection and**  
**Regulation Cabinet**

**Helen Helton**  
**Executive Director**  
**Public Service Commission**

**Paul E. Patton**  
**Governor**

April 5, 1999

Mr. Craig F. Chamberlin  
GlennView Farm  
100 Rose Lane  
Versailles, KY 40383

RE: Case Nos. 99-060 UAC & 99-092 UAC

Dear Mr. Chamberlin:

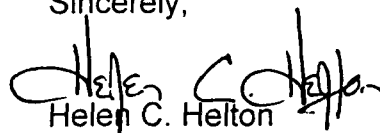
This is in response to your letter received March 31, 1999 concerning the above cases. Your letter is being treated as an official protest and will be placed in the case files. The Commission will carefully analyze these cases before rendering its decisions.

If you wish to intervene in these proceedings, including any hearing which may be held, you must file motions to intervene with the Commission. Attached is a copy of Commission regulations concerning intervention. If you request limited intervention and your request is granted, you will receive copies of all Commission Orders entered in the cases. You will not, however, be served with filed testimony, exhibits, pleadings, correspondence or other documents submitted by the parties. If you wish such information, you must request and be granted full intervention. If you are granted intervention and wish to request a hearing, you should file such a request with Helen C. Helton, the Commission's Executive Director.

Please be advised, however, that this Commission is prohibited by law from releasing information contained in this application other than "information that specifically identifies the proposed location of the cellular antenna tower then being reviewed by the applying utility." KRS 278.665. The statute states that such information is "deemed confidential and proprietary," and that the Commission "shall deny any public request for the inspection of this information...except when ordered to release the information by a court of competent jurisdiction. Any person violating this subsection shall be guilty of official misconduct in the second degree...." Id.

Thank you for your interest and concern in these matters.

Sincerely,

  
Helen C. Helton  
Executive Director

HCH/lh  
Attachment

CRAIG F. CHAMBERLIN  
GLENSVIEW FARM  
100 ROSE LANE  
VERSAILLES, KENTUCKY 40383

March 29, 1999

Ms. Helen Helton  
Executive Director  
**Public Service Commission**  
PO Box 615  
Frankfort, KY 40602

RECEIVED

MAR 31 1999

PUBLIC SERVICE  
COMMISSION

**Re: Docket # 99-060 UAC**  
**Docket # 99-092 UAC**

Dear Executive Director Helton:

I wish to object strongly and want to intervene in the above two referenced dockets.

Docket # 99-060 UAC is an application by Powertel to erect a 180' monopole communications tower on the Devine property in northwest Woodford County. Docket # 99-092 UAC is a joint application by Crown Communications and Tritel Communications to erect a 250' communications tower on the same Devine property, which is the northwest corner of the intersection of Steele Road (Route 1685) and Versailles Road (Route 60).

Be it one or both, a communications tower of such height in the middle of Woodford County's scenic horse farms will be an enormous "scar" upon the County's beauty. The tower will border upon the famous Brookside Farm and infringe upon the Clifton-McCracken neighborhood, which is pending designation as a nationally registered historical area. There are no such communication towers today in this portion of Woodford County and for just such reasons.

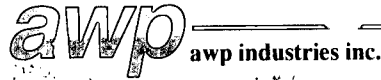
I kindly request a copy of the applications for both dockets. If there will be a delay in providing such, I request separately to be provided now the name of the attorney representing each of the three communication companies in these matters. Also, I kindly request the PSC's status for both dockets, and request to be provided what rights of intervention I have along with the schedule for doing such.

Your prompt attention to this matter is greatly appreciated. Thank you.

Sincerely,







Craig F. Chamberlin  
President &  
Chief Executive Officer

616 Industrial Road  
Frankfort, Kentucky 40601  
1-800-666-9938  
(502) 695-0070, ext. 3002  
Fax: (502) 695-0777  
www.awpind.com

RECEIVED

MAR 26 1999

PUBLIC SERVICE  
COMMISSION

March 23, 1999

Metal Components  
Welded Assemblies  
Wire Mesh Fabrication

Executive Director's Office  
Public Service Commission  
State of Kentucky  
P.O. Box 615  
Frankfort, KY. 40602

Re: Case No. 99-060 UAC

Dear Sir or Madame,

This letter is in response to your letter regarding the proposed tower on the Devine property. We, as do the other involved neighbors, object strenuously to this idea and wish to be present at any and all meetings concerning this project.

A much better location could be found at the industrial park in Franklin county where a similar high site is available, no devaluation of historic property would occur and no lawsuits would be involved. This location would also address the need to provide additional service without destroying the viewscape of prime Bluegrass farmland.

Please inform us of any meetings or any further action on this project.

Thank you for your time and consideration.

Sincerely,

*Mr. & Mrs. Hampton Henton, Jr.*

*6749 Frankfort Road*

*Versailles, KY 40383*

Henton Farms Inc.  
Hampton Henton, Jr.  
Ivey Henton



COMMONWEALTH OF KENTUCKY  
**PUBLIC SERVICE COMMISSION**  
730 SCHENKEL LANE  
POST OFFICE BOX 615  
FRANKFORT, KENTUCKY 40602  
[www.psc.state.ky.us](http://www.psc.state.ky.us)  
(502) 564-3940

March 23, 1999

Mr. Ronald C. Manning  
Trustee, Manning Trust  
6182 Frankfort Road  
Versailles, KY 40383

Re: Case No. 99-060 UAC Application of Powertel/Kentucky for issuance of a certificate of public convenience and necessity to construct a Telecommunications Tower at 6033 Frankfort Pike (rear) Versailles, Woodford County, Kentucky.

Dear Mr. Manning

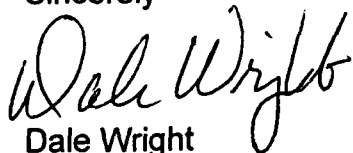
I am the staff attorney of the Public Service Commission ("PSC") assigned to the above name Case No. 99-060 UAC. I have enclosed a copy of the PSC regulation which set out how a person attains the status of limited intervention or full intervention. 807KAR5: 001, section 8. This regulation provides that to become a party to the proceedings/case you must file a motion requesting leave to intervene. Request to be notified of any meetings or hearings regarding the case will be forwarded to parties only.

It is equally important to understand that you can only represent yourself as an individual before the PSC in any proceedings. Under Kentucky law you cannot represent a corporation or other legal entity. Corporations or special legal entities must be represented before the PSC by an attorney, even though it may be a family corporation or entity.

Also be aware that the uniform application filed with the PSC was by law filed with the Versailles-Midway-Woodford County Planning Commission. The Planning Commission has an office in the courthouse in Versailles. You should contact the local Planning Commission to determine what, if any, actions it may take.

If you have any questions, I can be contacted at (502)564-3940 ext. 235.

Sincerely

A handwritten signature in cursive script that reads "Dale Wright".

Dale Wright  
Staff Attorney

cc: W. Brent Rice

Enclosure



COMMONWEALTH OF KENTUCKY  
PUBLIC SERVICE COMMISSION  
730 SCHENKEL LANE  
POST OFFICE BOX 615  
FRANKFORT, KENTUCKY 40602  
www.psc.state.ky.us  
(502) 564-3940

March 23, 1999

Mr. Hampton Henton, Jr.  
Henton Farms, Inc.  
6749 Frankfort Road  
Versailles, KY 40383

Re: Case No. 99-060 UAC Application of Powertel/Kentucky for issuance of a certificate of public convenience and necessity to construct a Telecommunications Tower at 6033 Frankfort Pike (rear) Versailles, Woodford County, Kentucky.

Dear Mr. Henton

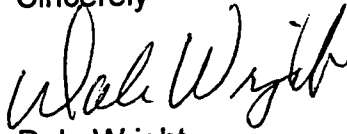
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If you have any questions, I can be contacted at (502)564-3940 ext. 235.

Sincerely

A handwritten signature in cursive script that reads "Dale Wright".

Dale Wright  
Staff Attorney

cc: W. Brent Rice

Enclosure



COMMONWEALTH OF KENTUCKY  
**PUBLIC SERVICE COMMISSION**  
730 SCHENKEL LANE  
POST OFFICE BOX 615  
FRANKFORT, KENTUCKY 40602  
www.psc.state.ky.us  
(502) 564-3940

March 23, 1999

Mr. Allen Kershaw  
Vice-President, Gainsborough Farm  
1400 Vine Center Tower  
P.O. Box 1808  
Lexington, KY 40593

Re: Case No. 99-060 UAC Application of Powertel/Kentucky for issuance of a certificate of public convenience and necessity to construct a Telecommunications Tower at 6033 Frankfort Pike (rear) Versailles, Woodford County, Kentucky.

Dear Mr. Kershaw

I am the staff attorney of the Public Service Commission ("PSC") assigned to the above name Case No. 99-060 UAC. I have enclosed a copy of the PSC regulation which set out how a person attains the status of limited intervention or full intervention. 807KAR5: 001, section 8. This regulation provides that to become a party to the proceedings/case you must file a motion requesting leave to intervene. Request to be notified of any meetings or hearings regarding the case will be forwarded to parties only.

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Also be aware that the uniform application filed with the PSC was by law filed with the Versailles-Midway-Woodford County Planning Commission. The Planning Commission has an office in the courthouse in Versailles. You should contact the local Planning Commission to determine what, if any, actions it may take.

If you have any questions, I can be contacted at (502)564-3940 ext. 235.

Sincerely

A handwritten signature in cursive script, appearing to read "Dale Wright".

Dale Wright  
Staff Attorney

cc: W. Brent Rice

Enclosure



COMMONWEALTH OF KENTUCKY  
**PUBLIC SERVICE COMMISSION**  
730 SCHENKEL LANE  
POST OFFICE BOX 615  
FRANKFORT, KENTUCKY 40602  
www.psc.state.ky.us  
(502) 564-3940

March 23, 1999

Mr. Ted Carr  
Manager, Brookside Farms  
6274 Steele Pike  
Versailles, KY 40383-9733

Re: Case No. 99-060 UAC Application of Powertel/Kentucky for issuance of a certificate of public convenience and necessity to construct a Telecommunications Tower at 6033 Frankfort Pike (rear) Versailles, Woodford County, Kentucky.

Dear Mr. Carr

I am the staff attorney of the Public Service Commission ("PSC") assigned to the above name Case No. 99-060 UAC. I have enclosed a copy of the PSC regulation which set out how a person attains the status of limited intervention or full intervention. 807KAR5: 001, section 8. This regulation provides that to become a party to the proceedings/case you must file a motion requesting leave to intervene. Request to be notified of any meetings or hearings regarding the case will be forwarded to parties only.

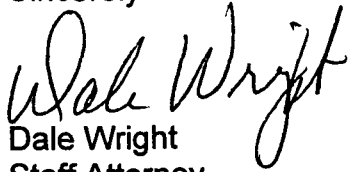
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If you have any questions, I can be contacted at (502)564-3940 ext. 235.

Sincerely

A handwritten signature in cursive script that reads "Dale Wright".

Dale Wright  
Staff Attorney

cc: W. Brent Rice

Enclosure

**Manning Trust.** 6182 FRANKFORT ROAD, VERSAILLES, KY. 40383.

---

3/16/99.

RECEIVED

MAR 19 1999

PUBLIC SERVICE  
COMMISSION

"MEMORANDUM NO: 2."

FROM:- Manning Family Trust,

TO :- Executive Director's Office, Public Service  
Commission of Kentucky.

RE :- Public Notice - Public Service Commission of  
Kentucky Case NO.99-060 UAC (The L-KY-120-226  
Facility.

Dear Sir,

I'm in receipt of your ongoing correspondence re the above matter, we would point out we are not in agreement with the construction of this tower.

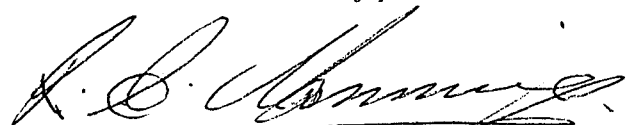
We have notified the local planning commission with a copy of our first memorandum.

We would also appreciate a copy of any further written detail with respect to this matter and notification of any meetings or hearings on the above.

If you would be good enough to forward us copies of any objections from adjoining Owners we would be obliged.

Many Thanks,

Yours faithfully,



Ronald C. Manning, Trustee,  
Manning Family Trust.

RECEIVED

MAR 19 1999

PUBLIC SERVICE  
COMMISSION



GAINSBOROUGH  
FARM

Farm Office

7200 Steele Road  
Versailles, Kentucky 40383  
Phone (606) 873-8918  
Facsimile (606) 873-2462

Corporate Office

1400 Vine Center Tower  
P.O. Box 1808  
Lexington, Kentucky 40593  
Phone (606) 259-0752  
Facsimile (606) 231-9966

Executive Director's Office  
Public Service Commission  
State of Kentucky  
P.O. Box 615  
Frankfort, KY 40602

Re: Case No. 99-060 UAC


March 18, 1999

Dear Sir or Madam:

I am in receipt of your notification of placing a tower at the intersection of Route 60 and Route 1685 in Woodford County. I do disagree with your site selection as this particular corridor is one of the last unobtrusive corridors leading into the Bluegrass region.

I would like to be notified of any future meetings or hearings that you have regarding the proposed site for Powertel/Kentucky's monopole.

Kind regards,

  
Allen P. Kershaw  
Vice President

Cc: Phil Scott  
Secretary, Gainsborough Farm, LLC  
David Cordell  
Operations Manager, Gainsborough Farm, LLC

APK/mcb



COMMONWEALTH OF KENTUCKY  
**PUBLIC SERVICE COMMISSION**  
730 SCHENKEL LANE  
POST OFFICE BOX 615  
FRANKFORT, KENTUCKY 40602  
www.psc.state.ky.us  
(502) 564-3940  
Fax (502) 564-3460

**Paul E. Patton**  
Governor

**Ron McCloud, Secretary**  
Public Protection and  
Regulation Cabinet

March 15, 1999

Mr. Ted Carr, Manager  
Brookside Farms  
6274 Steele Pike  
Versailles, Kentucky 40383-9733

Re: Case No. 99-060 UAC

Dear Mr. Carr:

The Commission is in receipt of your letter concerning the above application for approval to construct a cell facility. The Commission will carefully analyze this application before rendering its final decision. If you wish to intervene in this matter, you must notify the Commission in writing.

It may be helpful for you to know that state authority, specifically that of the Public Service Commission, in this matter has been limited by federal law. For example, Section 704 of the Federal Telecommunications Act of 1996 prohibits this Commission from regulating the placement of wireless facilities on the basis of environmental effects of radio frequency emissions to the extent the facilities comply with Federal Communications Commission regulations. Section 704 also prohibits a state or local government from prohibiting telecommunications facilities construction if such denial will have the effect of prohibiting service. In addition, this Commission is required by statute to ensure that utility service, including telecommunications service, is adequate and reliable. The Commission does, however, consider appropriate placement of necessary facilities within applicable engineering boundaries. It also pursues a policy of collocation of facilities whenever possible.

Thank you for your interest and concern in this matter.

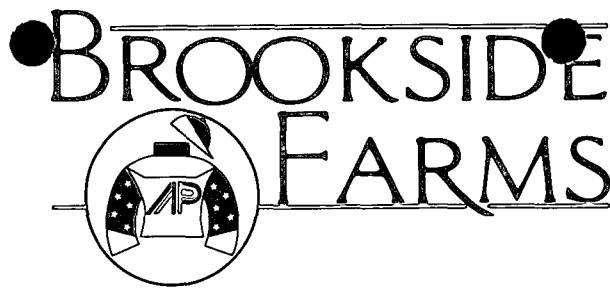
Sincerely,

A handwritten signature in cursive script that reads "Stephanie Bell".

Stephanie Bell  
Secretary of the Commission

hv





RECEIVED

MAR - 8 1999

PUBLIC SERVICE  
COMMISSION

March 5, 1999

Executive Director's Office  
Public Service Commission of Kentucky  
P. O. Box 615  
Frankfort, KY 40602

RE: Case No. 99-060 UAC

To Whom It May Concern,

This letter is in response to notification we received from McBrayer, McGinnis, Leslie and Kirkland in reference to the construction of a 195' monopole by Powertel.

At the request of Mr. and Mrs. Allen E. Paulson, I am objecting to this project on their behalf. The proposed structure would be 150-175 feet from three of our residences. It is also 19 feet from our property line. Therefore, we feel this edifice would adversely affect the value of our property. Also, we cannot, in all good conscience, allow for a structure such as this to be built without objection, essentially, in the front yard of the homes of our employees and guest house.

Mr. and Mrs. Paulson have spent millions of dollars turning Brookside North into a beautiful thoroughbred nursery. The scenic quality of U.S. 60 is unequalled by any other highway in the area. The farms along this road are continuously improving the road front appearance of their properties. This area is truly unique. We feel that instead of adding unsightly structures, all efforts should be made to enhance this area.

Therefore, we are joining with our neighbors in the objection to this proposed structure. Please do not hesitate to contact us, should you have questions or seek information. We will continue to monitor this process.

We appreciate your time and consideration in this matter.

Sincerely,

Ted Carr, Manager



COMMONWEALTH OF KENTUCKY  
**PUBLIC SERVICE COMMISSION**

730 SCHENKEL LANE  
POST OFFICE BOX 615  
FRANKFORT, KY. 40602  
(502) 564-3940

March 9, 1999

Allen E. Smith  
President  
Powertel/Kentucky, Inc.  
1233 O.G. Skinner Drive  
West Point, GA. 31833

Honorable W. Brent Rice  
Attorney at Law  
McBrayer, McGinnis,  
Leslie & Kirkland PLLC  
163 West Short Street  
Suite 300  
Lexington, KY. 40507 1361

RE: Case No. 99-060 UAC  
POWERTEL/KENTUCKY, INC.

The Commission staff has reviewed your application in the above case and finds that it meets the minimum filing requirements. Enclosed please find a stamped filed copy of the first page of your filing. This case has been docketed and will be processed as expeditiously as possible.

If you need further assistance, please contact my staff at 502/564-3940.

Sincerely,  
*Stephanie Bell*

Stephanie Bell  
Secretary of the Commission

SB/hv  
Enclosure

McBRAYER, MCGINNIS, LESLIE & KIRKLAND PLLC

163 WEST SHORT STREET

SUITE 300

LÉXINGTON, KENTUCKY 40507-1361

606-231-8780

FACSIMILE 606-231-6518

REAL ESTATE FAX 606-255-9777

WWW.MMLK.COM

W. TERRY McBRAYER  
JOHN R. MCGINNIS  
PHILLIP BRUCE LESLIE \*  
WILLIAM D. KIRKLAND  
J. D. ATKINSON, JR.  
JAMES G. AMATO  
GEORGE D. GREGORY \*\*  
BRENT L. CALDWELL  
W. BRENT RICE  
JAMES H. FRAZIER, III \*  
STEPHEN C. CAWOOD  
CHRISTOPHER M. HILL  
LISA ENGLISH HINKLE  
WILLIAM R. PALMER, JR.  
BRUCE W. MACDONALD \*\*  
LUKE BENTLEY III  
STEPHEN G. AMATO  
MARY ESTES HAGGIN  
R. STEPHEN MCGINNIS \*\*  
JON A. WOODALL  
MARIA S. BUCKLES  
MARGARET M. YOUNG  
JULIE A. COBBLE  
MELINDA G. WILSON  
MARY ELIZABETH CUTTER  
LINDA J. WEST  
JARON P. BLANDFORD

\* ALSO ADMITTED IN OHIO  
\*\* ALSO ADMITTED IN COLORADO  
\* ALSO ADMITTED IN TEXAS & FLORIDA  
\*\* ALSO ADMITTED IN WEST VIRGINIA

RECEIVED  
FEB 23 1999  
PUBLIC SERVICE COMMISSION

WATSON CLAY 908-1985  
OSCAR SAMMONS 908-1985  
MAIN & HARRISON STS  
P. O. BOX 347  
GREENUP, KENTUCKY 41144-0347  
606-473-7303  
FACSIMILE 606-473-9003

300 STATE NATIONAL  
BANK BUILDING  
P. O. BOX 1100  
FRANKFORT, KENTUCKY 40602-1100  
502-223-1200  
FACSIMILE 502-227-7385

DIRECTOR OF GOVERNMENTAL RELATIONS  
MIKE HELTON  
STATE NATIONAL BANK BUILDING  
305 ANN STREET  
SUITE 308  
FRANKFORT, KENTUCKY 40601-2847  
502-875-1176  
FACSIMILE 502-226-6234

FILED February 23, 1998

FEB 23 1999

PUBLIC SERVICE  
COMMISSION

Ms. Helen C. Helton, Executive Director  
Public Service Commission  
730 Schenkel Lane  
Frankfort, KY 40602

HAND DELIVERED

RE: Application of Powertel/Kentucky, Inc. for Issuance of a Certificate of Public Convenience and Necessity to Construct a Personal Communications Services Facility in B-252 Basic Trading Area Which Includes Woodford County Case No. 99-060 UAC (The L-KY-120-226 Facility)

Dear Ms. Helton:

Please be advised that the undersigned represents Powertel/Kentucky, Inc. in regard to the above-referenced application which I am filing on its behalf today with the Commission.

The original application and five (5) copies of an additional page pursuant to 807 KAR 5:063 Section 5(2) are being submitted for filing. Additionally, three Site Plans are submitted with the application. Any comments or questions in regard to the application should be forwarded to the undersigned.

Thank you for your assistance in this matter.

Sincerely,

W. Brent Rice  
Counsel for Powertel/Kentucky, Inc.

WBR/dkw

Enclosures



COMMONWEALTH OF KENTUCKY  
**PUBLIC SERVICE COMMISSION**  
730 SCHENKEL LANE  
POST OFFICE BOX 615  
FRANKFORT, KENTUCKY 40602  
www.psc.state.ky.us  
(502) 564-3940  
Fax (502) 564-3460

**Paul E. Patton**  
Governor

**Laura Douglas, Secretary**  
**Public Protection and**  
**Regulation Cabinet**

March 3, 1999

Mr. Ronald C. Manning, Trustee  
Manning Family Trust  
6182 Frankfort Road  
Versailles, Kentucky 40383

Re: Case No. 99-060 UAC

Dear Mr. Manning:

The Commission is in receipt of your letter concerning the above application for approval to construct a cell facility. The Commission will carefully analyze this application before rendering its final decision. If you wish to intervene in this matter, you must notify the Commission in writing.

It may be helpful for you to know that state authority, specifically that of the Public Service Commission, in this matter has been limited by federal law. For example, Section 704 of the Federal Telecommunications Act of 1996 prohibits this Commission from regulating the placement of wireless facilities on the basis of environmental effects of radio frequency emissions to the extent the facilities comply with Federal Communications Commission regulations. Section 704 also prohibits a state or local government from prohibiting telecommunications facilities construction if such denial will have the effect of prohibiting service. In addition, this Commission is required by statute to ensure that utility service, including telecommunications service, is adequate and reliable. The Commission does, however, consider appropriate placement of necessary facilities within applicable engineering boundaries. It also pursues a policy of collocation of facilities whenever possible.

Thank you for your interest and concern in this matter.

Sincerely,

A handwritten signature in cursive script that reads "Stephanie Bell".

Stephanie Bell  
Secretary of the Commission

hv



AN EQUAL OPPORTUNITY EMPLOYER M/F/D





COMMONWEALTH OF KENTUCKY  
**PUBLIC SERVICE COMMISSION**  
730 SCHENKEL LANE  
POST OFFICE BOX 615  
FRANKFORT, KENTUCKY 40602  
www.psc.state.ky.us  
(502) 564-3940  
Fax (502) 564-3460

**Paul E. Patton**  
Governor

**Laura Douglas, Secretary**  
**Public Protection and**  
**Regulation Cabinet**

March 3, 1999

Mr. Hampton Henton, Jr.  
Henton Farms, Inc.  
6749 Frankfort Road  
Versailles, Kentucky 40383

Re: Case No. 99-060 UAC

Dear Mr. Henton:

The Commission is in receipt of your letter concerning the above application for approval to construct a cell facility. The Commission will carefully analyze this application before rendering its final decision. If you wish to intervene in this matter, you must notify the Commission in writing.

It may be helpful for you to know that state authority, specifically that of the Public Service Commission, in this matter has been limited by federal law. For example, Section 704 of the Federal Telecommunications Act of 1996 prohibits this Commission from regulating the placement of wireless facilities on the basis of environmental effects of radio frequency emissions to the extent the facilities comply with Federal Communications Commission regulations. Section 704 also prohibits a state or local government from prohibiting telecommunications facilities construction if such denial will have the effect of prohibiting service. In addition, this Commission is required by statute to ensure that utility service, including telecommunications service, is adequate and reliable. The Commission does, however, consider appropriate placement of necessary facilities within applicable engineering boundaries. It also pursues a policy of collocation of facilities whenever possible.

Thank you for your interest and concern in this matter.

Sincerely,

A handwritten signature in cursive script that reads "Stephanie Bell".

Stephanie Bell  
Secretary of the Commission

hv



HENTON FARMS, INC.

6749 FRANKFORT ROAD  
VERSAILLES, KENTUCKY 40383  
(606) 873-8730  
FAX (606) 873-6785

February 24, 1999

RECEIVED  
MAR - 2 1999  
PUBLIC SERVICE  
COMMISSION

Executive Director's Office  
Public Service Commission  
State of Kentucky  
P.O. Box 615  
Frankfort, KY. 40602

Re: Case No. 99-060 UAC

Dear Sir or Madame,

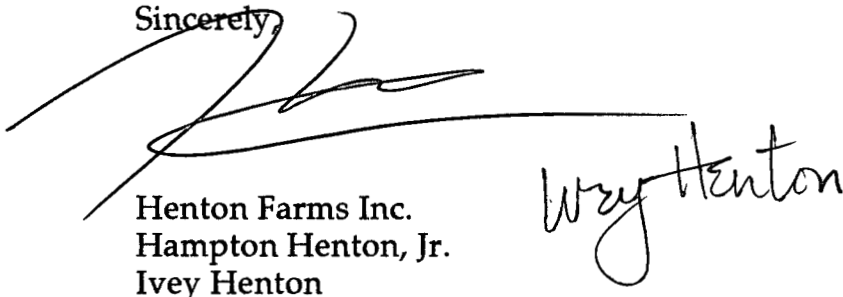
This letter is in response to notification by the firm of McBrayer, McGinnis, Leslie & Kirkland that our neighbors (Larry and Anita Devine) are attempting to allow Powertel to build a 190 foot communications tower next to our property.

Obviously, we are appalled at the suggestion that someone would place this tower at the junction of two historic roads in Woodford county and within 10 feet of our farm. Additionally, it would create an incredible eyesore directly next to our property, negatively affecting our property value and destroying the scenic quality of an area that is totally unique in the American landscape.

In short, we object completely to this proposal and will continue to monitor this situation quite closely. Please inform us of any further action in this matter.

Thank you for your time and consideration.

Sincerely,



Wzy Henton

Henton Farms Inc.  
Hampton Henton, Jr.  
Ivey Henton

Copy - fyi.

# HENTON FARMS, INC.

6749 FRANKFORT ROAD  
VERSAILLES, KENTUCKY 40383  
(606) 873-8730  
FAX (606) 873-6785

February 24, 1999

Planning and Zoning Commission  
Woodford County Courthouse  
Versailles, Ky. 40383

Re: Case No. 99-060 UAC

Dear Sirs,

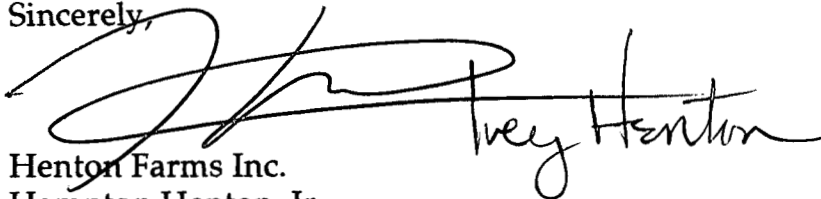
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Sincerely,



Henton Farms Inc.  
Hampton Henton, Jr.  
Ivey Henton

Copy - f.y.i.



COMMONWEALTH OF KENTUCKY  
**PUBLIC SERVICE COMMISSION**

730 SCHENKEL LANE  
POST OFFICE BOX 615  
FRANKFORT, KY. 40602  
(502) 564-3940

February 23, 1999

Allen E. Smith  
President  
Powertel/Kentucky, Inc.  
1233 O.G. Skinner Drive  
West Point, GA. 31833

Honorable W. Brent Rice  
Attorney at Law  
McBrayer, McGinnis,  
Leslie & Kirkland PLLC  
163 West Short Street  
Suite 300  
Lexington, KY. 40507 1361

RE: Case No. 99-060 UAC  
POWERTEL/KENTUCKY, INC.  
(Construct) CELL SITE - 6033 FRANKFORT PIKE - WOODFORD

This letter is to acknowledge receipt of initial application in the above case. The application was date-stamped received February 22, 1999 and has been assigned Case No. 99-060. In all future correspondence or filings in connection with this case, please reference the above case number.

If you need further assistance, please contact my staff at 502/564-3940.

Sincerely,

*Stephanie J. Bell*  
Stephanie Bell  
Secretary of the Commission

SB/jc

# Manning Trust.

6182 FRANKFORT ROAD, VERSAILLES KY.40383.

2/25/99

"MEMORANDUM"

RECEIVED

FEB 26 1999

PUBLIC SERVICE  
COMMISSION

FROM:- Manning Family Trust

TO :- Executive Director's Office, Public Service  
Commission of Kentucky.

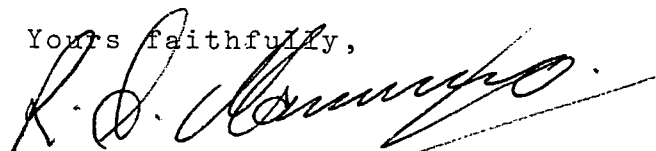
RE :- Public Notice - Public Service Commission of Kentucky  
Case No.99-060 UAC (The L-KY-120-226 Facility.

Dear Sir,

Please accept this correspondence as a rejection of "Powertel/Kentucky Inc.", application for a certificate of Public Convenience to construct and operate a 195 pylon tower which was to be located at #6033 Frankfort Road, Versailles, Kentucky.

Further a copy of this detail will be forwarded to the "Woodford County" local planning commission as well as to W.Brent Rice Counsel for Powertel/Kentucky Inc.,

Yours faithfully,



Ronald C. Manning, Trustee.  
Manning Family Trust.

McBRAYER, MCGINNIS, LESLIE & KIRKLAND PLLC

163 WEST SHORT STREET  
SUITE 300  
LEXINGTON, KENTUCKY 40507-1361  
606-231-8780  
FACSIMILE 606-231-6518  
REAL ESTATE FAX 606-255-9777  
WWW.MMLK.COM

W. TERRY McBRAYER  
JOHN R. MCGINNIS  
PHILLIP BRUCE LESLIE \*  
WILLIAM D. KIRKLAND  
J. D. ATKINSON, JR.  
JAMES G. AMATO  
GEORGE D. GREGORY \*\*  
BRENT L. CALDWELL  
W. BRENT RICE  
JAMES H. FRAZIER, III +  
STEPHEN C. CAWOOD  
CHRISTOPHER M. HILL  
LISA ENGLISH HINKLE  
WILLIAM R. PALMER, JR.  
BRUCE W. MACDONALD \*  
LUKE BENTLEY III  
STEPHEN G. AMATO  
MARY ESTES HAGGIN  
R. STEPHEN MCGINNIS ++  
JON A. WOODALL  
MARIA S. BUCKLES  
MARGARET M. YOUNG  
JULIE A. COBBLE  
MELINDA G. WILSON  
MARY ELIZABETH CUTTER  
LINDA J. WEST  
JARON P. BLANDFORD

\* ALSO ADMITTED IN OHIO  
\*\* ALSO ADMITTED IN COLORADO  
+ ALSO ADMITTED IN TEXAS & FLORIDA  
++ ALSO ADMITTED IN WEST VIRGINIA

RECEIVED  
FEB 23 1999  
PUBLIC SERVICE  
COMMISSION  
WATSON CLARK 1908-1984  
OSCAR SAMMONS 1908-1985  
MAIN & HARRISON STS  
P. O. BOX 347  
GREENUP, KENTUCKY 41144-0347  
606-473-7303  
FACSIMILE 606-473-9003

300 STATE NATIONAL  
BANK BUILDING  
P. O. BOX 1100  
FRANKFORT, KENTUCKY 40602-1100  
502-223-1200  
FACSIMILE 502-227-7385

DIRECTOR OF GOVERNMENTAL RELATIONS  
MIKE HELTON  
STATE NATIONAL BANK BUILDING  
305 ANN STREET  
SUITE 308  
FRANKFORT, KENTUCKY 40601-2847  
502-875-1176  
FACSIMILE 502-226-6234

FILED February 23, 1998

FEB 23 1999

PUBLIC SERVICE  
COMMISSION

Ms. Helen C. Helton, Executive Director  
Public Service Commission  
730 Schenkel Lane  
Frankfort, KY 40602

HAND DELIVERED

RE: **Application of Powertel/Kentucky, Inc. for Issuance of a Certificate of Public Convenience and Necessity to Construct a Personal Communications Services Facility in B-252 Basic Trading Area Which Includes Woodford County Case No. 99-060 UAC (The L-KY-120-226 Facility)**

Dear Ms. Helton:

Please be advised that the undersigned represents Powertel/Kentucky, Inc. in regard to the above-referenced application which I am filing on its behalf today with the Commission.

The original application and five (5) copies of an additional page pursuant to 807 KAR 5:063 Section 5(2) are being submitted for filing. Additionally, three Site Plans are submitted with the application. Any comments or questions in regard to the application should be forwarded to the undersigned.

Thank you for your assistance in this matter.

Sincerely,



W. Brent Rice  
Counsel for Powertel/Kentucky, Inc.

WBR/dkw

Enclosures

**FOR THE PUBLIC RECORD**

COMMONWEALTH OF KENTUCKY

BEFORE THE PUBLIC SERVICE COMMISSION

**RECEIVED**  
FEB 22 1999  
PUBLIC SERVICE  
COMMISSION

In the Matter of:

APPLICATION OF POWERTEL/KENTUCKY, INC., )  
A DELAWARE CORPORATION, FOR ISSUANCE )  
OF A CERTIFICATE OF PUBLIC CONVENIENCE )  
AND NECESSITY TO CONSTRUCT A PERSONAL ) Case No. 99-060 UAC  
COMMUNICATIONS SERVICES FACILITY IN )  
B-252 BASIC TRADING AREA )  
(THE L-KY-120-226 FACILITY) )

**UNIFORM APPLICATION: CONFIDENTIAL AND PROPRIETARY**

\* The specific location of the proposed construction is 6033 Frankfort Pike (rear), Versailles, Woodford County, Kentucky.

\*\* This additional page is filed pursuant to 807 KAR 5:063 Section 5(2).

McBRAYER, MCGINNIS, LESLIE & KIRKLAND PLLC

163 WEST SHORT STREET

SUITE 300

LEXINGTON, KENTUCKY 40507-1361

606-231-8780

FACSIMILE 606-231-6518

REAL ESTATE FAX 606-255-9777

WWW.MMLK.COM

W. TERRY MCBRAYER  
JOHN R. MCGINNIS  
PHILLIP BRUCE LESLIE \*  
WILLIAM D. KIRKLAND  
J. D. ATKINSON, JR.  
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JARON P. BLANDFORD

\* ALSO ADMITTED IN OHIO  
\*\* ALSO ADMITTED IN COLORADO  
+ ALSO ADMITTED IN TEXAS & FLORIDA  
++ ALSO ADMITTED IN WEST VIRGINIA

WATSON CLAY (1908-1985)  
OSCAR SAMMONS (1908-1985)

MAIN & HARRISON STREETS  
P. O. BOX 347  
GREENUP, KENTUCKY 41144-0347  
606-473-7303  
FACSIMILE 606-473-9003

300 STATE NATIONAL  
BANK BUILDING  
P. O. BOX 1100  
FRANKFORT, KENTUCKY 40602-1100  
502-223-1200  
FACSIMILE 502-227-7385

DIRECTOR OF GOVERNMENTAL RELATIONS  
MIKE HELTON  
STATE NATIONAL BANK BUILDING  
305 ANN STREET  
SUITE 308  
FRANKFORT, KENTUCKY 40601-2847  
502-875-1176  
FACSIMILE 502-226-6234

February 19, 1999

RECEIVED

FEB 22 1999

PUBLIC SERVICE  
COMMISSION

Ms. Stephanie Bell  
Secretary of the Commission  
Kentucky Public Service Commission  
P.O. Box 615  
730 Schenkel Lane  
Frankfort, KY 40601

RE: Case Number 99-060 UAC

Dear Ms. Bell:

This letter is to follow up my request for a case number on February 17, 1999. The application is on behalf of Powertel/Kentucky, Inc., for a cell site located at 6033 Frankfort Pike (rear), Versailles, Woodford County, Kentucky. I was given Case Number 99-060 UAC. We intend to file the application no later than February 22, 1999. If there are any questions, you may contact the undersigned at our Lexington office (606)231-8780). Thank you for your attention to this matter.

Sincerely,

  
W. Brent Rice

WBR/dkw