

CASE

NUMBER:

99 - 095

INDEX FOR CASE: 99-095
HOUSING AUTHORITY OF MT. VERNON
Investigation - Service

IN THE MATTER OF THE HOUSING AUTHORITY OF MT. VERNON
ALLEGED VIOLATIONS OF ADMINISTRATIVE REGULATION
807 KAR 5:022

SEQ NBR	ENTRY DATE	REMARKS
0001	03/29/99	Order scheduling 4/12 hearing; Mt. Vernon's response to allegations due 4/5
M0001	04/01/99	ART WASSON HOUSING & URBAN DEV-RESPONSE TO FILING DEFICIENCIES
0002	04/07/99	Letter to Art Wasson advising that PSC cannot grant a continuance in case
M0002	04/07/99	ANETA VANCE HOUSING AUTHORITY OF MT-RESPONSE TO SHOW CAUSE ORDER CONCERNING REQ FOR EMERGEN
M0003	04/12/99	HOUSING AUTHORITY OF MT VERNON-FORMAL REQUEST TO POSTPONE HEARING ON APRIL 12,99
M0004	04/26/99	CONNIE SEWELL COURT REPORTER-TRANSCRIPT FILED FOR HEARING ON APRIL 12,99
0003	05/17/99	Final Order assessing a civil penalty of \$175.



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. 99-095
HOUSING AUTHORITY OF MT. VERNON

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 May 17, 1999.

Parties of Record:

Ms. Aneta Vance
Executive Director
Housing Authority of Mt. Vernon
P.O. Box 456
Mt. Vernon, KY. 40456

Stephanie Bell
Secretary of the Commission

SB/hv
Enclosure
Certified Mail

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

HOUSING AUTHORITY OF MT. VERNON)
)
 _____) CASE NO. 99-095
)
 ALLEGED VIOLATIONS OF)
 ADMINISTRATIVE REGULATION)
 807 KAR 5:022)

O R D E R

The Housing Authority of Mt. Vernon ("Mt. Vernon") is a master meter system operator with 20 units that receives propane gas from 3 underground storage tanks which are located on the property. Mt. Vernon redistributes the gas throughout the housing complex for various purposes.

Mt. Vernon is subject to the safety jurisdiction of the Commission, pursuant to KRS 278.040 and KRS 278.495. Mt. Vernon is also subject to Commission jurisdiction under the authority of and in compliance with federal pipeline safety laws, 49 U.S.C. § 60101, *et seq.*, and the regulations of 49 CFR 189-199. Violations of these safety standards by any entity subject to the jurisdiction of the Commission subjects said entity to the penalty provisions of KRS 278.992(1).

Pursuant to these statutes and 49 CFR 189-199, the Commission promulgated Administrative Regulation 807 KAR 5:022. Commission Staff has submitted to the Commission a Comprehensive Inspection Report, dated March 1, 1999, in which Commission Staff alleges:

1. There is no maximum allowable operating pressure ("MAOP") for the distribution system. 49 CFR, Part 192.619(a), and 807 KAR 5:022, Section 13(11).

2. Tracer wire is not buried with the plastic gas pipe. 49 CFR, Part 192.321(e), and 807 KAR 5:022, Section 6(12).

3. The system lacks an Operating & Maintenance Plan. 49 CFR, Part 192.605(a), and 807 KAR 5:022, Section 13(3).

4. The relief valve capacities have not been calculated. 49 CFR, Part 192.739, and 807 KAR 5:022, Section 13(21).

5. There are low or no corrosion readings on some sections of the steel system. Test wires from rectifier to storage tanks have been unhooked in the past for months at a time. There are no test wires on several service lines. 49 CFR, Parts 192.455, 192.469, 192.491, and 807 KAR 5:022, Section 10(4), (11) and (22).

6. There are no shut-off valves on any storage tanks. 49 CFR, Part 192.181, and 807 KAR 5:022, Section 4.

7. No regulator inspection records could be found. 49 CFR, Part 192.739, and 807 KAR 5:022, Section 14(21).

Based on its review of the Comprehensive Inspection Report, the Commission required Mt. Vernon to appear before the Commission on April 12, 1999 for a hearing to determine why Mt. Vernon failed to comply with Administrative Regulation 807 KAR 5:022. At that hearing Mt. Vernon acknowledged the truth of the facts contained in the inspection report. The Commission finds that Mt. Vernon, by its Executive Director, Aneta Vance, has made every effort to bring its facilities into compliance with the safety regulations and has secured funding to have the system

replaced or repaired. The evidence at the hearing revealed that Ms. Vance was making every attempt to determine what needed to be done and to make repairs to the system. After she received the Fire Marshal's Order, she made arrangements to have a temporary tank installed to eliminate use of the three tanks. Mr. Andrew Biesel, of HUD, testified that emergency funding of \$75,000 had been approved for replacing and repairing the system. The cooperation of Mt. Vernon and the prompt efforts of HUD to fund the necessary remedial measures for this system are to be considered by the Commission in its assessment of any penalty.

The Commission makes the following findings:

1. Mt. Vernon is in violation of 807 KAR 5:022, Section 13(11).
2. Mt. Vernon is in violation of 807 KAR 5:022, Section 6(12).
3. Mt. Vernon is in violation of 807 KAR 5:022, Section 13(3).
4. Mt. Vernon is in violation of 807 KAR 5:022, Section 13(21).
5. Mt. Vernon is in violation of 807 KAR 5:022, Section 10(4), (11) and (22).
6. Mt. Vernon is in violation of 807 KAR 5:022, Section 4.
7. Mt. Vernon is in violation of 807 KAR 5:022, Section 14(21).
8. Mt. Vernon may be assessed a civil penalty not to exceed \$25,000, but

Mt. Vernon's cooperation and assistance in this case are to be taken into consideration in the assessment of any civil penalty.

IT IS HEREBY ORDERED that:

1. Mt. Vernon is assessed a civil penalty of \$175 for the violations of Administrative Regulation 807 KAR 5:022, Section 13(11); 807 KAR 5:022, Section 6(12); 807 KAR 5:022, Section 13(3); 807 KAR 5:022, Section 13(21);

807 KAR 5:022, Section 10(4), (11) and (22); 807 KAR 5:022, Section 4 and 807 KAR 5:022, Section 14(21).

2. Within 10 days of the date of this Order, the Housing Authority of Mt. Vernon shall pay to the Commonwealth of Kentucky the sum of One Hundred Seventy-five Dollars (\$175). This payment shall be in the form of a cashier's or certified check made payable to Treasurer, Commonwealth of Kentucky, and shall be mailed or delivered to Office of General Counsel, Public Service Commission, 730 Schenkel Lane, Post Office Box 615, Frankfort, Kentucky 40602.

3. Mt. Vernon shall file with the Commission within 30 days from the date of this Order the following:

- a. A report informing the Commission as to the repairs to or the replacement of the Mt. Vernon system.
- b. A copy of the system operation and maintenance plan.
- c. Upon abandonment of any part of the Mt. Vernon system, Mt. Vernon shall report to the Commission actions taken as required by 807 KAR 5:022, Sections 14 and 15(b).

Done at Frankfort, Kentucky, this 17th day of May, 1999.

By the Commission

ATTEST:


Executive Director



U. S. Department of Housing and Urban Development
Kentucky State Office
Office of Public Housing
P.O. Box 1044
Louisville, KY 40201
502-582-6161 FAX 502-582-6558
KY TDD Relay Service 800-648-6056
www.hud.gov/kentucky.html

March 31, 1999

Ms. Helen C. Helton
Executive Director
Public Service Commission
Commonwealth of Kentucky
P.O. Box 615
Frankfort, KY 40602

RECEIVED
APR 01 1999
PUBLIC SERVICE
COMMISSION

Dear Ms. Helton:

This letter is in reference to the Housing Authority of Mt. Vernon. The gas piping system was inspected by the Public Service Commission on January 21, 1999; and, a formal report on this inspection was issued on March 1, 1999. The inspection/report disclosed alleged violations of the Natural Gas Pipeline Safety Act of 1968. The Commission has ordered the authority to appear at a hearing (Case No. 99-095) on April 12, 1999, for the purpose of presenting evidence concerning the alleged violations, and to show why it should not be subject to penalties available under the Kentucky Revised Statutes.

As you probably know, the Housing Authority of Mt. Vernon is a very small agency administering only 30 apartments; and, its financial means and resources are very limited. In response to the situation discovered at the authority, this office requested \$75,000 in emergency modernization funding from HUD Headquarters on March 17, 1999, for use in correcting the identified deficiencies. The request is currently being processed by Headquarters. The amount requested is based on an estimate prepared by Moore Pipeline Corrosion Service and Mr. Ed Cooper, Modernization Consultant. A copy of our request and a listing of the work items addressed by the estimate are enclosed for your information. You will note that corrective actions for all deficiencies listed in the Comprehensive Inspection Report are addressed in the estimate. It should also be noted that the authority proposes improvements to the system which exceed those recommended by the Public Service Commission's inspection report.

Given the facts that the authority 1) is making a good faith action to resolve the deficiencies, 2) is an agency with limited financial resources, and, 3) is an entity that is assisted by federal, state, and local taxes, we ask that the show cause hearing scheduled for April 12, 1999, be deferred for a reasonable period of time to allow the authority the opportunity to complete the necessary repairs. Any financial penalties provided by KRS 278.992(1) which could be levied against the housing authority would only serve to lessen the agency's ability to provide decent housing to its residents; and, these costs would ultimately be borne by taxpayers.

We appreciate your consideration of this request. If you have any questions, please contact me at 502-582-6161, extension 370.

Sincerely yours,

Art Wasson
Director
Office of Public Housing

enclosures

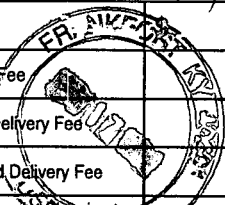
cc: Aneta Vance
Executive Director
HA of Mt. Vernon
P.O. Box 456
Mt. Vernon, KY 40456

Z 319 087 470

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

Sent to	Aneta Vance
Street & Number	P.O. 456
Post Office, State, & ZIP Code	Mt. Vernon Ky 40456
Postage	.55
Certified Fee	1.40
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	1.25
Return Receipt Showing to Whom, Date, & Addressee's Address	
TOTAL Postage & Fees	\$ 3.20
Postmark or Date	

PS Form 3800, April 1995



PH
560-66

Art L. Wasson

03/17/99 12:43:00 PM

To: WILLIAM J. FLOOD@HUD
cc: Don Clem/PHSNG/LOU/HUD@HUD, Joseph A. Biesel/PHSNG/LOU/HUD@HUD, WILLIAM J. BENNETT@HUD, Michael E. Farley/PHSNG/NAS/HUD@HUD, Karen S. Gill/PHSNG/NAS/HUD@HUD
Subject: Emergency CIAP Funding



Hello Bill,

This is to let you know that we have an emergency situation at the HA of Mt. Vernon. Andy said that he spoke to you the other day regarding the situation. The HA has underground propane tanks which are leaking. The Kentucky Public Service Commission recently inspected the system and discovered the leaks and other problems with the HA's distribution system. Further investigation determined that the underground tanks are actually designed for above ground service and must be replaced. The HA has only 30 units and this repair cannot be accomplished using operating reserves.

We have an estimate of costs which has been reviewed by Andy and Bill Bennett, our General Engineer. The estimated cost to correct this situation is \$75,000.

We have also been advised by Mike Farley in the Nashville Office that an emergency situation exists at the HA of Manchester. The HA has water lines that are snapping at two of its four sites. The housing at these sites was constructed in the 1950's and the lines have deteriorated extensively. Mike verified the condition of the pipelines during a recent on-site visit. They are still working on a projected cost but Mike thinks the amount will be around \$250,000. We will provide additional information on this as soon as it is available.

Please advise.

Thanks

Art

CIAP Application
 Comprehensive Improvement Assistance Program (CIAP)

U.S. Department of Housing
 and Urban Development
 Office of Public and Indian Housing

OMB Approval No. 2577-0044 (exp. 12/31/89)

HA Name:

Housing Authority of Mt. Vernon

General Description of Physical Condition and Need

FFY:

1959

Development Priority (1)	Development Number (2)	(3)	Estimated Cost (4)
1	KY97-1	<p>Potentially hazardous deficiencies have been found in the natural gas distribution system for the 20 units at Carter Drive. These deficiencies were identified by the Public Service Commission of Kentucky. Seven findings of noncompliance with applicable Federal and State regulations concerning operation of a natural gas distribution system are documented in an attached letter (Exhibit A).</p> <p>The Public Service Commission recommends the following actions be taken: 1) Establish a Maximum Operating Pressure (MAOP) for the distribution system, 2) Install tracer wire to monitor for gas leaks, 3) Implement an Operating and Maintenance Plan (O&M), 4) Test all relief valves, 5) Uncover and inspect all steel service lines and the three underground steel tanks for corrosion, 6) install valves on all underground tanks, and 7) inspect all regulators. The Commission strongly recommended maintenance staff attend training with the Kentucky Gas Association in order to more safely operate a natural gas system.</p> <p>Further investigation of the underground tanks determined that are not designed for underground use and must be replaced. Date of Full Availability on this site is 9/30/71.</p> <p>Large Oak trees overhang site of new tank and will have to be trimmed or removed. Administration cost of Authority will increase. Necessary Engineering services and consultant services will be required.</p> <p>All work items are considered EMERGENCY work. Total requested</p>	<p>\$30,000</p> <p>\$35,000</p> <p>\$10,000</p> <p>\$75,000</p>

I certify that all developments listed in in Column (2) have long-term physical and social viability, including prospects for full occupancy, and that the requirements for consultation with residents/homebuyers and local officials have been met.

Signature of Executive Director & Date: *Aneta Vance* 3/12/79
 X Aneta Vance

HOUSING AUTHORITY OF MT. VERNON

P.O. Box 456

Mt. Vernon, Kentucky 40456

TDD No. For Hearing Impaired

1-800-247-2510

March 12, 1999

Mr. Art Wasson, Director
U.S. Dept-HUD
Office of Public Housing
Kentucky State Office
P.O. Box 1044
Louisville, KY

Dear Art:

Please find enclosed a Ciap Application for Emergency funding. The Housing Authority of Mt. Vernon has a gas system that acquires attention immediately. We have several leaks and have found out that our underground tanks are above ground type that were installed in 1971.

I have a meeting with the Public Service Commissioners office on Monday, March 15, 1999. They are wanting to know in detail exactly what I have applied for, from HUD, and my intentions once the money has been issued. I expect them to put the Housing Authority on a time frame of completion.

If further information is necessary, please feel free to contact me at the office by calling 606-256-4185.

Sincerely,



Aneta R. Vance
Executive Director

cc: Board Members

HOUSING AUTHORITY OF MT. VERNON

P.O. Box 456

Mt. Vernon, Kentucky 40456

TDD No. For Hearing Impaired

1-800-247-2510

RECEIVED
APR 12 1999
PUBLIC SERVICE
COMMISSION

April 9, 1999

Ms. Helen C. Helton
Executive Director
Public Service Commission
Commonwealth of Kentucky
P.O. Box 615
Frankfort, KY 40602

Dear Ms. Helton:

This letter is a formal request to postpone the hearing for April 12, 1999, (Case No. 99-095). As you know, we are a very small non-profit housing agency administering only 30 units of public housing. We receive all of our financial assistance from the Department of Housing and Urban Development (HUD). HUD has requested \$75,000 in emergency modernization funding from their office in Washington. When we get the money, we will address all necessary repairs.

In addition, we request that the PSC waive any penalties provided by KRS278.992(1) that could be levied against the Housing Authority. The Housing Authority does not have any funds to pay for such a fine. What money we get from HUD is used to pay for our operating expenses. The funding is based on a formula and is barely enough for us to pay our routine expenses.

Finally, we ask that you make HUD a party to any actions or hearings involving this Authority as they too have a vested interest in our program. The Housing Authority operates under an Annual Contributions Contract with HUD. As such, we depend on HUD for guidance and financial support. The Housing Authority is making a good faith effort to resolve the deficiencies and looks to HUD for support.

We appreciate your consideration in this matter. If you have any questions, please give me a call at (606)256-4185. If I am not

available, please leave a message on my answering machine and I will return your call promptly.

Sincerely,

Aneta R. Vance

Aneta R. Vance
Executive Director

cc: Arthur Wasson
Director
Office of Public Housing
U.S. Dept-HUD
P.O. Box 1044
Louisville, KY 40201-1044

HOUSING AUTHORITY OF MT. VERNON

P.O. Box 456
Mt. Vernon, Kentucky 40456
TDD No. For Hearing Impaired
1-800-247-2510

RECEIVED

APR 05 1999

PUBLIC SERVICE
COMMISSION

99-095

RECEIVED

APR 07 1999
PUBLIC SERVICE
COMMISSION

April 3, 1999

Mr. William H. Bowker
Director, Division of Engineering
Public Service Commission
P.O. Box 615
Frankfort, KY 40602

RECEIVED

APR 06 1999

DIVISION OF UTILITY
ENGINEERING & SERVICES

Dear Mr. Bowker:

This letter is in response to the Show Cause Order that has been issued to The Housing Authority of Mt. Vernon. I have submitted a request for EMERGENCY funding from HUD and am waiting an answer at this time. Meanwhile, I have continued to work toward the goal of having everything ready to make all corrections and address all findings found during our inspection. As soon as I receive word that the funding has come through, I will begin work.

The date of June 30, 1999 is still the goal that I am aiming toward to have all work complete which was addressed in your copy of my application submitted to HUD. I will continue to notify PSC of all progress as it happens. Should more information be necessary, please feel free to contact me by calling 606-256-4185.

Sincerely,



Aneta R. Vance
Executive Director

cc: Field office



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 7, 1999

Mr. Art Wasson
Director
Office of Housing
U.S. Department of Housing
and Urban Development
P. O. Box 1044
Louisville, Kentucky 40201

Re: Housing Authority of Mt. Vernon
Case No. 99-095

Dear Mr. Wasson:

This is to advise that the Commission cannot grant a continuance in the above case, which is set for hearing on April 12, 1999, for two reasons.

First, your agency is not a party of record in this proceeding and this would prohibit a consideration of your request.

Second, since possible safety violations are the subject of the hearing it would not be proper to continue this matter to a later date.

Very truly yours,

A handwritten signature in black ink, appearing to read "Helen C. Helton".

Helen C. Helton
Executive Director

cc: Aneta Vance
Executive Director
Housing Authority of Mt. Vernon
P. O. Box 456
Mt. Vernon, Kentucky 40456





U. S. Department of Housing and Urban Development
Kentucky State Office
Office of Public Housing
P.O. Box 1044
Louisville, KY 40201
502-582-6161 FAX 502-582-6558
KY TDD Relay Service 800-648-6056
www.hud.gov/kentucky.html

Dotsun

March 31, 1999

Ms. Helen C. Helton
Executive Director
Public Service Commission
Commonwealth of Kentucky
P.O. Box 615
Frankfort, KY 40602

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PUBLIC SERVICE
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Director
Office of Public Housing

enclosures

cc: Aneta Vance
Executive Director
HA of Mt. Vernon
P.O. Box 456
Mt. Vernon, KY 40456



Art L. Wasson

03/17/99 12:43:00 PM

To: WILLIAM J. FLOOD@HUD
cc: Don Clem/PHSNG/LOU/HUD@HUD, Joseph A. Biesel/PHSNG/LOU/HUD@HUD, WILLIAM J. BENNETT@HUD, Michael E. Farley/PHSNG/NAS/HUD@HUD, Karen S. Gil/PHSNG/NAS/HUD@HUD
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Art

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Comprehensive Improvement Assistance Program (CIAP)

U.S. Department of Housing
 and Urban Development
 Office of Public and Indian Housing

OMB Approval No. 2577-0044 (exp. 12/31/79)

HA Name:

Housing Authority of Mt. Vernon

FFY:

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I certify that all developments listed in in Column (2) have long-term physical and social viability, including prospects for full occupancy, and that the requirements for consultation with residents/homebuyers and local officials have been met.

Signature of Executive Director & Date:
Aneta Vance
 Aneta Vance

3/12/79

HOUSING AUTHORITY OF MT. VERNON

P.O. Box 456

Mt. Vernon, Kentucky 40456

TDD No. For Hearing Impaired

1-800-247-2510

March 12, 1999

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U.S. Dept-HUD
Office of Public Housing
Kentucky State Office
P.O. Box 1044
Louisville, KY

Dear Art:

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Sincerely,



Aneta R. Vance
Executive Director

cc: Board Members

J.R. Leg.

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

HOUSING AUTHORITY OF MT. VERNON)

_____)

ALLEGED VIOLATIONS OF)
ADMINISTRATIVE REGULATION)
807 KAR 5:022)

CASE NO. 99-095

O R D E R

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Mt. Vernon is subject to the safety jurisdiction of the Commission, pursuant to KRS 278.040 and KRS 278.495. Mt. Vernon is also subject to Commission jurisdiction under the authority of and in compliance with federal pipeline safety laws, 49 U.S.C. § 60101, *et seq.*, and the regulations of 49 CFR 189-199.

Pursuant to these statutes and 49 CFR 189-199, the Commission promulgated Administrative Regulation 807 KAR 5:022. Commission Staff has submitted to the Commission a Comprehensive Inspection Report, dated March 1, 1999, in which Commission Staff alleges:

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2. Tracer wire is not buried with the plastic gas pipe. 49 CFR, Part 192.321(e), and 807 KAR 5:022, Section 6(12).

3. Lack of an Operating & Maintenance Plan for the system. 49 CFR, Part 192.605(a), and 807 KAR 5:022, Section 13(3).

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6. There are no shut-off valves on any storage tanks. 49 CFR, Part 192.181, and 807 KAR 5:022, Section 4.

7. No regulator inspection records could be found. 49 CFR, Part 192.739, and 807 KAR 5:022, Section 14(21).

Based on its review of the Comprehensive Inspection Report, and being otherwise sufficiently advised, the Commission finds that *prima facie* evidence exists that Mt. Vernon has failed to comply with Administrative Regulation 807 KAR 5:022.

The Commission, on its own motion, HEREBY ORDERS that:

1. Mt. Vernon shall appear before the Commission on April 12, 1999, at 1:30 p.m., Eastern Daylight Time, in Hearing Room 1 of the Commission's offices at 730 Schenkel Lane, Frankfort, Kentucky, for the purpose of presenting evidence concerning the alleged violations of Administrative Regulation 807 KAR 5:022, and of showing

cause why it should not be subject to the penalties prescribed in KRS 278.992(1) for these alleged violations.

2. The Comprehensive Inspection Report of the Housing Authority of Mt. Vernon, dated March 1, 1999, a copy of which is appended hereto, is made part of the record of this proceeding.

3. On or before April 5, 1999, Mt. Vernon shall submit to the Commission a written response to the allegations contained in the Comprehensive Inspection Report.

Done at Frankfort, Kentucky, this 29th day of March, 1999.

By the Commission

ATTEST:


Executive Director

APPENDIX

AN APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE
COMMISSION IN CASE NO. 99-095 DATED MARCH 29, 1999

COMMONWEALTH OF KENTUCKY
PUBLIC SERVICE COMMISSION

COMPREHENSIVE INSPECTION REPORT

HOUSING AUTHORITY OF MT. VERNON
Mt. Vernon, Kentucky

March 1, 1999

BRIEF

The comprehensive inspection of the natural gas piping system of the Housing Authority of Mt. Vernon ("HA of Mt. Vernon") in Mt. Vernon, Kentucky was conducted on January 21, 1999. This inspection was conducted in accordance with the Public Service Commission's ("PSC") policy of inspecting all jurisdictional operators. Natural gas operators are jurisdictional to the PSC under KRS 278.040, 278.495 and also through a 5(a) Agreement with the United States Department of Transportation, Office of Pipeline Safety, for the enforcement of the Natural Gas Pipeline Safety Act of 1968.

INSPECTION

The HA of Mt. Vernon is a master meter operator with 20 units that receives propane gas from 3 underground storage tanks located on the property. It then redistributes the gas throughout the housing complex for various purposes including cooking, hot water, boilers, and heating.

A master meter system is defined in 49 CFR Part 191.3 as a pipeline system for delivering gas within, but not limited to, a definable area such as a mobile home park, housing or apartment complexes where the operator purchases gas from an outside source for resale through a gas distribution system. The gas distribution pipeline

system supplies the ultimate consumer who either purchases the gas directly or through other means, such as rent.

The intent of this inspection and subsequent inspections of other master meter operators is to afford the residents of these master meter complexes the same standards of safety that are required by other operators.

During the office inspection, a review was made of the HA of Mt. Vernon's Operating and Maintenance ("O&M") and Emergency Plans, and records relating to cathodic protection, valve maintenance, leakage surveys and other pertinent records. Several deficiencies were found during the office inspection.

During the onsite visit several potentially hazardous deficiencies were found. Ms. Aneta Vance accompanied me on this inspection. These deficiencies and the deficiencies found during the office inspection will be addressed in the Findings.

FINDINGS

The following deficiencies were found:

1. No maximum allowable operating pressure ("MAOP") for the distribution system. *49 CFR Part 192.619(a) and 807 KAR 5:022, Section 13(11).*
2. No tracer wire is buried with the plastic gas pipe. *49 CFR Part 192.321(e) and 807 KAR 5:022, Section 6(12).*
3. No O&M Plan for the system. *49 CFR Part 192.605(a) and 807 KAR 5:022, Section 13(3).*
4. Relief valve capacities have not been calculated. *49 CFR Part 192.739 and 807 KAR 5:022, Section 13(21).*

5. Low or no corrosion readings on some sections of the steel system. Test wires from rectifier to storage tanks have been unhooked in the past for months at a time. No test wires on several service lines. *49 CFR Part 192.455, 192.469, 192.491 and 807 KAR 5:022, Section 10(4, 11, 22).*

6. No shut off valves on storage tanks. *49 CFR Part 192.181 and 807 KAR 5:022, Section 4.*

7. No regulator inspection records could be found. *49 CFR Part 192.739 and 807 KAR 5:022, Section 14(21).*

RECOMMENDATIONS

It is recommended that the HA of Mt. Vernon:

1. Establish an MAOP for the system. *Plastic pipe was installed at some time in the past and no test records can be found.*

1. Install tracer wire in the ditch with the plastic pipe.

2. Implement an O & M Plan for the system.

3. Relief valves must be tested each year. *No records could be found to indicate that the relief valves have ever been tested or checked.*

4. Uncover and inspect the steel service lines and the three underground steel storage tanks for corrosion. *This must be done to insure the integrity of the system. Leak survey records indicate numerous leaks on the steel service lines, which may have been caused by the broken wires from the rectifier. This may have accelerated the corrosion process to the tanks and lines. If not repaired this could cause a rupture in the system. This would be extremely dangerous for the residents in the surrounding areas.*

5. Install valves on all underground storage tanks. *At present, to inspect or replace the relief valves or regulators on the tanks the entire system must be shut down and pressure bled from the system.*

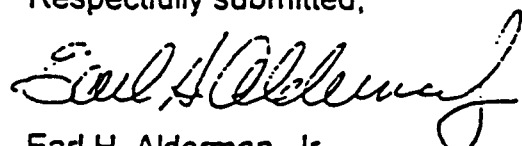
6. Inspect the regulators on each storage tank to ensure proper operation and maintain the records for each regulator. *No records could be found concerning past inspections for the regulators.*

It is further recommended that a copy of this report be sent to Mt Vernon directing it to respond by March 10, 1999 with a schedule of compliance to the cited deficiencies for Commission approval.

It is also strongly recommended that the HA of Mt. Vernon maintenance staff attend the Kentucky Gas Association training seminars in order to more safely operate its natural gas system. Also, someone on staff should be certified to join plastic gas pipe safely and correctly in the event of an emergency.

Further information on the Kentucky Gas Association training seminars may be obtained by contacting Dr. Paul Lyons, Kentucky Gas Association, 92 Chestnut Street, Murray, Kentucky 42071, (502) 753-2151 or (800) 455-9427, email: itskga@ldd.net, web address: <http://www.kygas.org>.

Respectfully submitted,



Earl H. Alderman, Jr.
Gas Utility Investigator

NHT3



COMMONWEALTH OF KENTUCKY
PUBLIC SERVICE COMMISSION

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

March 29, 1999

Sherry Robinson
Executive Director
Housing Authority of Mt. Vernon
50 Lovell Lane
P. O. Box 456
Mt. Vernon, KY. 40456

RE: Case No. 99-095

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/sa
Enclosure

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

HOUSING AUTHORITY OF MT. VERNON)
)
)
 _____) CASE NO. 99-095
)
 ALLEGED VIOLATIONS OF)
 ADMINISTRATIVE REGULATION)
 807 KAR 5:022)

O R D E R

The Housing Authority of Mt. Vernon ("Mt. Vernon") is a master meter system operator with 20 units that receives propane gas from 3 underground storage tanks which are located on the property. Mt. Vernon redistributes the gas throughout the housing complex for various purposes.

Mt. Vernon is subject to the safety jurisdiction of the Commission, pursuant to KRS 278.040 and KRS 278.495. Mt. Vernon is also subject to Commission jurisdiction under the authority of and in compliance with federal pipeline safety laws, 49 U.S.C. § 60101, *et seq.*, and the regulations of 49 CFR 189-199.

Pursuant to these statutes and 49 CFR 189-199, the Commission promulgated Administrative Regulation 807 KAR 5:022. Commission Staff has submitted to the Commission a Comprehensive Inspection Report, dated March 1, 1999, in which Commission Staff alleges:

1. There is no maximum allowable operating pressure ("MAOP") for the distribution system. 49 CFR, Part 192.619(a), and 807 KAR 5:022, Section 13(11).

2. Tracer wire is not buried with the plastic gas pipe. 49 CFR, Part 192.321(e), and 807 KAR 5:022, Section 6(12).

3. Lack of an Operating & Maintenance Plan for the system. 49 CFR, Part 192.605(a), and 807 KAR 5:022, Section 13(3).

4. The relief valve capacities have not been calculated. 49 CFR, Part 192.739, and 807 KAR 5:022, Section 13(21).

5. There are low or no corrosion readings on some sections of the steel system. Test wires from rectifier to storage tanks have been unhooked in the past for months at a time. There are no test wires on several service lines. 49 CFR, Parts 192.455, 192.469, 192.491, and 807 KAR 5:022, Section 10(4), (11) and (22).

6. There are no shut-off valves on any storage tanks. 49 CFR, Part 192.181, and 807 KAR 5:022, Section 4.

7. No regulator inspection records could be found. 49 CFR, Part 192.739, and 807 KAR 5:022, Section 14(21).

Based on its review of the Comprehensive Inspection Report, and being otherwise sufficiently advised, the Commission finds that *prima facie* evidence exists that Mt. Vernon has failed to comply with Administrative Regulation 807 KAR 5:022.

The Commission, on its own motion, HEREBY ORDERS that:

1. Mt. Vernon shall appear before the Commission on April 12, 1999, at 1:30 p.m., Eastern Daylight Time, in Hearing Room 1 of the Commission's offices at 730 Schenkel Lane, Frankfort, Kentucky, for the purpose of presenting evidence concerning the alleged violations of Administrative Regulation 807 KAR 5:022, and of showing

cause why it should not be subject to the penalties prescribed in KRS 278.992(1) for these alleged violations.

2. The Comprehensive Inspection Report of the Housing Authority of Mt. Vernon, dated March 1, 1999, a copy of which is appended hereto, is made part of the record of this proceeding.

3. On or before April 5, 1999, Mt. Vernon shall submit to the Commission a written response to the allegations contained in the Comprehensive Inspection Report.

Done at Frankfort, Kentucky, this 29th day of March, 1999.

By the Commission

ATTEST:


Executive Director

APPENDIX

AN APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE
COMMISSION IN CASE NO. 99-095 DATED MARCH 29, 1999

COMMONWEALTH OF KENTUCKY
PUBLIC SERVICE COMMISSION

COMPREHENSIVE INSPECTION REPORT

HOUSING AUTHORITY OF MT. VERNON
Mt. Vernon, Kentucky

March 1, 1999

BRIEF

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INSPECTION

The HA of Mt. Vernon is a master meter operator with 20 units that receives propane gas from 3 underground storage tanks located on the property. It then redistributes the gas throughout the housing complex for various purposes including cooking, hot water, boilers, and heating.

A master meter system is defined in 49 CFR Part 191.3 as a pipeline system for delivering gas within, but not limited to, a definable area such as a mobile home park, housing or apartment complexes where the operator purchases gas from an outside source for resale through a gas distribution system. The gas distribution pipeline

system supplies the ultimate consumer who either purchases the gas directly or through other means, such as rent.

The intent of this inspection and subsequent inspections of other master meter operators is to afford the residents of these master meter complexes the same standards of safety that are required by other operators.

During the office inspection, a review was made of the HA of Mt. Vernon's Operating and Maintenance ("O&M") and Emergency Plans, and records relating to cathodic protection, valve maintenance, leakage surveys and other pertinent records. Several deficiencies were found during the office inspection.

During the onsite visit several potentially hazardous deficiencies were found. Ms. Aneta Vance accompanied me on this inspection. These deficiencies and the deficiencies found during the office inspection will be addressed in the Findings.

FINDINGS

The following deficiencies were found:

1. No maximum allowable operating pressure ("MAOP") for the distribution system. *49 CFR Part 192.619(a) and 807 KAR 5:022, Section 13(11).*
2. No tracer wire is buried with the plastic gas pipe. *49 CFR Part 192.321(e) and 807 KAR 5:022, Section 6(12).*
3. No O&M Plan for the system. *49 CFR Part 192.605(a) and 807 KAR 5:022, Section 13(3).*
4. Relief valve capacities have not been calculated. *49 CFR Part 192.739 and 807 KAR 5:022, Section 13(21).*

5. Low or no corrosion readings on some sections of the steel system. Test wires from rectifier to storage tanks have been unhooked in the past for months at a time. No test wires on several service lines. 49 CFR Part 192.455, 192.469, 192.491 and 807 KAR 5:022, Section 10(4, 11, 22).

6. No shut off valves on storage tanks. 49 CFR Part 192.181 and 807 KAR 5:022, Section 4.

7. No regulator inspection records could be found. 49 CFR Part 192.739 and 807 KAR 5:022, Section 14(21).

RECOMMENDATIONS

It is recommended that the HA of Mt. Vernon:

1. Establish an MAOP for the system. *Plastic pipe was installed at some time in the past and no test records can be found.*

1. Install tracer wire in the ditch with the plastic pipe.

2. Implement an O & M Plan for the system.

3. Relief valves must be tested each year. *No records could be found to indicate that the relief valves have ever been tested or checked.*

4. Uncover and inspect the steel service lines and the three underground steel storage tanks for corrosion. *This must be done to insure the integrity of the system. Leak survey records indicate numerous leaks on the steel service lines, which may have been caused by the broken wires from the rectifier. This may have accelerated the corrosion process to the tanks and lines. If not repaired this could cause a rupture in the system. This would be extremely dangerous for the residents in the surrounding areas.*

5. Install valves on all underground storage tanks. *At present, to inspect or replace the relief valves or regulators on the tanks the entire system must be shut down and pressure bled from the system.*

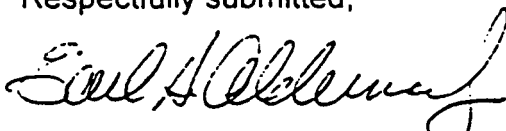
6. Inspect the regulators on each storage tank to ensure proper operation and maintain the records for each regulator. *No records could be found concerning past inspections for the regulators.*

It is further recommended that a copy of this report be sent to Mt Vernon directing it to respond by March 10, 1999 with a schedule of compliance to the cited deficiencies for Commission approval.

It is also strongly recommended that the HA of Mt. Vernon maintenance staff attend the Kentucky Gas Association training seminars in order to more safely operate its natural gas system. Also, someone on staff should be certified to join plastic gas pipe safely and correctly in the event of an emergency.

Further information on the Kentucky Gas Association training seminars may be obtained by contacting Dr. Paul Lyons, Kentucky Gas Association, 92 Chestnut Street, Murray, Kentucky 42071, (502) 753-2151 or (800) 455-9427, email: itskga@ldd.net, web address: <http://www.kygas.org>.

Respectfully submitted,



Earl H. Alderman, Jr.
Gas Utility Investigator

WH73

INDEX FOR CASE: 1999-282UAC
POWERTEL/KENTUCKY, INC.

Construct

CELL SITE - 176 CLAY LICK ROAD - SALVISA, ANDERSON

IN THE MATTER OF THE APPLICATION OF POWERTEL/KENTUCKY, INC.,
A DELAWARE CORPORATION, FOR ISSUANCE OF A CERTIFICATE OF
PUBLIC CONVENIENCE AND NECESSITY TO CONSTRUCT A PERSONAL
COMMUNICATIONS SERVICES FACILITY IN B-252 BASIC TRADING
AREA

SEQ NBR	ENTRY DATE	REMARKS
0001	07/02/1999	Application.
0002	07/06/1999	Acknowledgement letter.
0003	07/13/1999	No deficiency letter.
M0001	07/19/1999	JAMES & BETTY JENKINS/RESIDENTS-LETTER OF PROTEST
M0002	07/20/1999	BETTY WEBB LAWRENCEBURG/ANDERSON CO-REQUEST FOR INTERVENTION
M0003	07/29/1999	BRENT RICE POWERTEL-RETURN RECEIPTS FOR CERTIFIED MAIL SENT TO PROPERTY OWNERS
0004	07/30/1999	Response sent to James and Betty Kinney letter of concern to rates.
0005	08/13/1999	Order granting motion of Lawrenceburg/Anderson Co. Joint Pl. Com. to intervene.
M0004	08/16/1999	LAWRENCEBURG & ANDERSON CO JOINT PLA-NOTICE TO HOLD PUBLIC HEARING
M0006	09/21/1999	RENEE EVANS LAW,ANDERSON CO JOINT PL-APPROVAL OF APPLICATION
0006	11/22/1999	Final Order granting a Certificate of Public Convenience/Necessity to construct.



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. 1999-282 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 November 22, 1999.

Parties of Record:

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

Honorable W. Brent Rice
Counsel for Powertel/Kentucky, Inc.
McBrayer, McGinnis, Leslie
& Kirkland PLLC
163 West Short Street
Suite 300
Lexington, KY. 40507 1361

Ms. Betty J. Webb
Chairman
Lawrenceburg/Anderson County,
Kentucky Joint Planning Commission
139 South Main Street
Lawrenceburg, KY. 40342

Stephan 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 CONVENIENCE AND)
NECESSITY TO CONSTRUCT A PERSONAL) CASE NO.
COMMUNICATIONS SERVICES FACILITY IN B-252) 99-282-UAC
BASIC TRADING AREA (THEL-KY-084-263(A))
FACILITY))

O R D E R

On July 2, 1999, Powertel/Kentucky, Inc. ("Powertel/Kentucky") 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 176 Clay Lick Road, Salvisa, Anderson County, Kentucky. The coordinates for the proposed facility are North Latitude 37° 56' 47.7" by West Longitude 84° 51' 53.7".

Powertel/Kentucky 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 Registered Professional Engineer.

Pursuant to KRS 100.987, Powertel/Kentucky has submitted a uniform application to the local planning unit. The local planning unit approved the proposed construction. Powertel/Kentucky 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 proposed facility. Both applications are pending.

Powertel/Kentucky has 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. To date, no public comments have been filed with the Commission.

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, Powertel/Kentucky 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 Powertel/Kentucky.

The Commission, having considered the evidence of record and being otherwise sufficiently advised, finds that Powertel/Kentucky has demonstrated that a facility is necessary to provide adequate utility service and therefore should be granted a Certificate of Public Convenience and Necessity to construct the proposed facility.

IT IS THEREFORE ORDERED that:

1. Powertel/Kentucky is granted a Certificate of Public Convenience and Necessity to construct a wireless telecommunications facility to be located at 176 Clay Lick

Road, Salvisa, Anderson County, Kentucky. The coordinates for the proposed facility are North Latitude 37° 56' 47.7" by West Longitude 84° 51' 53.7".

2. Powertel/Kentucky shall file a copy of the final decisions regarding its pending FAA and KAZC applications for the proposed construction within 10 days of receiving these decisions.

3. Powertel/Kentucky 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 22nd day of November, 1999.

By the Commission

ATTEST:


Executive Director

LAWRENCEBURG/ANDERSON COUNTY, KENTUCKY
JOINT PLANNING COMMISSION

139 SOUTH MAIN STREET
LAWRENCEBURG, KENTUCKY 40342

BETTY WEBB, CHAIRMAN
JODY HUGHES, VICE CHAIRMAN
RENEE D. EVANS, SECRETARY

RECEIVED
SEP 21 1999
PUBLIC SERVICE COMMISSION
502-839-3042
FAX 502-839-8151

September 20, 1999

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

RE: Case No.: 99-282 UAC
Site Name: Clay Lick Road, Salvisa, Kentucky

Dear Sir or Madam:

The Lawrenceburg/Anderson County, KY Joint Planning Commission has conducted its review of the uniform application of Powertel/Kentucky Inc.

Following the review of the above referenced application the Planning Commissions approves such application and the site location of 175 Clay Lick Road, Salvisa, Anderson County, Kentucky for the telecommunication's facility.

Sincerely,



Renee D. Evans, Secretary
Lawrenceburg/Anderson County KY Joint Planning Commission

cc: Bob Crammer
Powertel/Kentucky, Inc.

W. Brent Rice
Counsel for Powertel/Kentucky Inc.

Hon. Ed Logan
Commission Attorney

Hon. Anthony D. Stratton,
Anderson Co. Judge/Executive

LAWRENCEBURG/ANDERSON COUNTY, KENTUCKY
JOINT PLANNING COMMISSION

139 SOUTH MAIN STREET
LAWRENCEBURG, KENTUCKY 40342

BETTY WEBB, CHAIRMAN
JODY HUGHES, VICE CHAIRMAN
RENEE D. EVANS, SECRETARY

TELEPHONE
502-839-1505
FAX 502-839-8151

August 13, 1999

McBrayer, McGinnis, Leslie & Kirkland PLLC
ATTN: W. Brent Rice
163 West Short Street
Suite 300
Lexington, KY 40507-1361

RECEIVED
AUG 16 1999
PUBLIC SERVICE
COMMISSION

RE: **Powertel/Kentucky, Inc.**
Case No. 99-282 UAC (The Salvisa/L-KY-084-263(a) Facility)

Dear Mr. Rice:

This correspondence is to notify you of the Lawrenceburg/Anderson Co., KY Joint Planning Commission's intent to have a review and hold a public hearing to consider **Powertel/Kentucky, Inc's** proposal to construct and operate a personal communications service facility to be located at 176 Clay Lick Road, Salvisa, Anderson County, Kentucky.

The public hearing will be held at the Commission's regularly scheduled meeting on September 14, 1999 at 7:00 p.m., located at City Hall, 205 East Woodford Street, Lawrenceburg, Kentucky.

Enclosed is a copy of the regulations, adopted by the Lawrenceburg/Anderson Co., KY Joint Planning Commission, for Wireless Communication Facilities for Lawrenceburg and Anderson County.

Notices required to be published in the news paper need to be directed to:

The Anderson News
133 S. Main Street
Lawrenceburg, Kentucky

The deadline for publication will be Monday, August 30, 1999, at noon. Publication date should be Wednesday, September 1, 1999.

If you have any questions please feel free to contact Renee Evans, Commission Secretary at the number above.

Sincerely,

Betty J. Webb (RDE)

Betty J. Webb, Chairman
Lawrenceburg/Anderson Co., KY Joint Planning Commission

Enclosure

BJW.rde

CC: Powertel/Kentucky, Inc.

Public Service Commission of Kentucky
Executive Directors Office

Anderson Co. Judge/Executive
Hon. Anthony Stratton

Commission Attorney
Hon. Ed Logan



COMMONWEALTH OF KENTUCKY
PUBLIC SERVICE COMMISSION

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

August 13, 1999

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

Honorable W. Brent Rice
Counsel for Powertel/Kentucky, Inc.
McBrayer, McGinnis, Leslie
& Kirkland PLLC
163 West Short Street
Suite 300
Lexington, KY. 40507 1361

Ms. Betty J. Webb
Chairman
Lawrenceburg/Anderson County,
Kentucky Joint Planning Commission
139 South Main Street
Lawrenceburg, KY. 40342

RE: Case No. 99-282 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 CONVENIENCE) CASE NO.
AND NECESSITY TO CONSTRUCT A PERSONAL) 99-282-UAC
COMMUNICATIONS SERVICES FACILITY IN)
B-252 BASIC TRADING AREA)
(THE L-KY-084-263(a) FACILITY))

O R D E R

This matter arising upon the motion of the Lawrenceburg/Anderson County Joint Planning Commission ("Planning Commission"), filed July 20, 1999, for full intervention, and it appearing to the Commission that the Planning Commission 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:

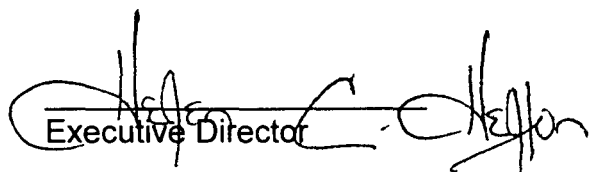
1. The motion of the Planning Commission to intervene is granted.
2. The Planning Commission shall be entitled to the full rights of a party and shall be served with the Commission's Orders and with filed testimony, exhibits, pleadings, correspondence, and all other documents submitted by parties after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

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

Done at Frankfort, Kentucky, this 13th day of August, 1999.

By the Commission

ATTEST:


Executive Director



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

July 30, 1999

Mr. James Kinney
Ms. Betty Kinney
244 Claylick Road
Salvisa, KY 40372

Re: Case No. 99-282 UAC

Dear Mr. and Ms. Kinney:

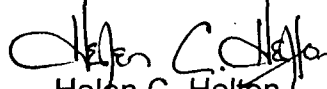
Thank you for your letter of July 15, stating your concerns regarding the utility construction proposed in the above-referenced case. Your letter has been placed in the official case file of this proceeding. Please be assured that the Commission will carefully scrutinize this matter before rendering a final decision.

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.

You may contact the applying utility and request additional information. Before supplying such information, the utility may require you to enter into an agreement specifying that you will not release the information to other persons. The attorney of record for the applying utility in this case is Sandra F. Keene, Tilford, Dobbins, Alexander, Buckaway & Black, 1400 One Riverfront Plaza, Louisville, KY, 40202. Her phone number is (502) 584-6137.

Once again, thank you for your interest and concern.

Sincerely yours,


Helen C. Helton
Executive Director

/rlm



AN EQUAL OPPORTUNITY EMPLOYER M/F/D

7-15-99

RECEIVED
JUL 19 1999
PUBLIC SERVICE
COMMISSION

Dear Sir,

I the under signed PROTEST to the puting up this tower righth in my front door. If it is like some of the rest of the towers see. I know I don't want it put there.

This tower will have a bright light that flashes all the time and we stand a good chance of lighting moveing into our vacnity. As you know lightening strikes the highest point in the aeria. So I protest against the ugly thing being put there.

Yours Truly,
James Kinney

Bethy and James Kinney

PS. This letter is pertaining to the CODE OR CASE NO. 99-282 UAC

ADDRESS
244 CLAYLICK RD
SALVISA, Ky 40372

LAWRENCEBURG/ANDERSON COUNTY, KENTUCKY
JOINT PLANNING COMMISSION

139 SOUTH MAIN STREET
LAWRENCEBURG, KENTUCKY 40342

BETTY WEBB, VICE CHAIRMAN
RENEE D. EVANS, SECRETARY

TELEPHONE
502-839-1505
FAX 502-839-8151

July 19, 1999

RECEIVED

JUL 20 1999

PUBLIC SERVICE
COMMISSION

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

RE: Case No. 99-282 UAC

Dear Sir or Madam:

Please consider this correspondence as **NOTICE** of our request for intervention, as it is our intent to conduct a review and hold public hearings regarding the proposed construction of the Powertel/Kentucky, Inc. personal communications facility.

Sincerely,

Betty J. Webb ^(RDE)

Betty J. Webb, Chairman
Lawrenceburg/Anderson Co., KY Joint Planning Commission

BJW/rde



COMMONWEALTH OF KENTUCKY
PUBLIC SERVICE COMMISSION

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

July 13, 1999

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

Honorable W. Brent Rice
Counsel for Powertel/Kentucky, Inc.
McBrayer, McGinnis, Leslie
& Kirkland PLLC
163 West Short Street
Suite 300
Lexington, KY. 40507 1361

RE: Case No. 99-282 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,

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

Stephanie Bell
Secretary of the Commission

SB/sh
Enclosure

RECEIVED FOR THE PUBLIC RECORD

JUL - 2 1999 COMMONWEALTH OF KENTUCKY

PUBLIC SERVICE COMMISSION BEFORE THE PUBLIC SERVICE COMMISSION

FILED

JUL 2 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. 99-282 UAC
 COMMUNICATIONS SERVICES FACILITY IN)
 B-252 BASIC TRADING AREA)
 (THE L-KY-084-263(a) FACILITY))

UNIFORM APPLICATION: CONFIDENTIAL AND PROPRIETARY

* The specific location of the proposed construction is 176 Clay Lick Road, Salvisa, Anderson County, Kentucky.

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



COMMONWEALTH OF KENTUCKY
PUBLIC SERVICE COMMISSION

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

July 6, 1999

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

Honorable W. Brent Rice
Counsel for Powertel/Kentucky, Inc.
McBrayer, McGinnis, Leslie
& Kirkland PLLC
163 West Short Street
Suite 300
Lexington, KY. 40507 1361

RE: Case No. 99-282 UAC
POWERTEL/KENTUCKY, INC.
(Construct) CELL SITE - 176 CLAY LICK ROAD - SALVISA, ANDERSON

This letter is to acknowledge receipt of initial application in the above case. The application was date-stamped received July 2, 1999 and has been assigned Case No. 99-282. 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 Bell

Stephanie Bell
Secretary of the Commission

SB/lmh

RECEIVED FOR THE PUBLIC RECORD

JUL - 2 1999 COMMONWEALTH OF KENTUCKY

PUBLIC SERVICE COMMISSION BEFORE THE PUBLIC SERVICE COMMISSION

FILED

JUL 2 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. 99-282 UAC
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