

CASE

NUMBER:

99-100



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) 564-1582

Ronald B. McCloud, Secretary
Public Protection and
Regulation Cabinet

Helen Helton
Executive Director
Public Service Commission

Paul E. Patton
Governor

November 24, 1999

Mr. Jeffrey M. Pfaff
Legal/Regulatory Department
SprintCom, Inc.
C/O Sprint PCS
4900 Main St.
11th Floor
Kansas City, MO 64112

Re: Case No. SprintCom, Inc. 99-100 UAC
Second Non-Compliance Reminder Letter

Dear Mr. Pfaff:

The Commission entered the Final Order in this case on August 10, 1999. The Final Order requires that SprintCom, Inc. shall file a copy of the final decisions regarding the pending FAA and KAZC applications for this site within 10 days of receiving these decisions.

You must comply with this requirement not later than 10 days from the date of this letter. If you do not comply with this Order, you will cause the Commission to take all appropriate legal remedies against you. If you have any questions concerning this filing, please contact Howell Brady, Principal Assistant to the Executive Director, at 502-564-3940, extension 265.

Yours truly,

A handwritten signature in black ink, appearing to read "H. Howell Brady, Jr.", written over a horizontal line.

H. Howell Brady, Jr.
Principal Assistant to the Executive Director

HB/lc

C: The Honorable Sandra Keene



INDEX FOR CASE: 99-100UAC

SPRINTCOM, INC.

Construct

CELL SITE - 517 SOUTH MAIN STREET - WILLIAMSTOWN, GRANT

IN THE MATTER OF THE APPLICATION OF SPRINTCOM, INC., FOR
ISSUANCE OF A CERTIFICATE OF PUBLIC CONVENIENCE AND
NECESSITY TO CONSTRUCT A PERSONAL COMMUNICATIONS FACILITY IN
THE CINCINNATI BASIC TRADING AREA
(WILLIAMSTOWN FACILITY)

| SEQ NBR | ENTRY DATE | REMARKS |
|------------|---------------|--|
| M0001 | 03/25/99 | SANDRA KEENE / SPRINTCOM, INC.-NOTICE OF INTENT TO FILE |
| 0001 | 05/03/99 | Application. |
| 0002 | 05/04/99 | Acknowledgement letter. |
| 0003 | 05/14/99 | No deficiency letter. |
| M0002 | 06/07/99 | JOHN SIMKONIS GRANT CO PLANNING-MEETING MINUTES CONCERN IN LOCATION OF CELL FACILITY |
| M0003 | 06/30/99 | SPRINTCOM SANDRA KEENE-MOTION TO SUBMIT MATTER FOR APPROVAL OF RECORD |
| M0004 | 08/05/99 | SANDRA KEENE SPRINTCOM-NOTICE OF FILING SUPPLEMENTAL MATERIAL |
| 0004 | 08/10/99 | FINAL ORDER GRANTING CONSTRUCTION |



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. 99-100 UAC
SPRINTCOM, 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 August 10, 1999.

Parties of Record:

Honorable Sandra F. Keene
Tilford, Dobbins, Alexander
Buckaway & Black
1400 One Riverfront Plaza
Louisville, KY. 40202

Jeffrey M. Pfaff
Legal/Regulatory Department
SprintCom, Inc.
c/o Sprint PCS
4900 Main Street, 11th. Floor
Kansas City, MO. 64112

Stephanie J. Bell

Secretary of the Commission

SB/sa
Enclosure

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF SPRINTCOM, INC. FOR A CERTIFICATE OF)
PUBLIC CONVENIENCE AND NECESSITY TO CONSTRUCT) CASE NO.
A PERSONAL COMMUNICATIONS SERVICE FACILITY IN THE) 99-100-UAC
CINCINNATI BASIC TRADING AREA [WILLIAMSTOWN FACILITY])

O R D E R

On May 3, 1999, SprintCom, Inc. ("SprintCom") filed an application seeking a Certificate of Public Convenience and Necessity to build and operate a personal communications system ("PCS") for the Cincinnati Basic Trading Area. SprintCom has requested authorization to construct a PCS site in Grant County. SprintCom was previously granted the authority to operate in Case No. 97-294.¹

The proposed PCS site is located at 517 South Main Street, Williamstown, Grant County, Kentucky ("the Williamstown PCS site"). The coordinates for the Williamstown PCS site are North Latitude 38° 37' 14" by West Longitude 84° 34' 15".

SprintCom has provided information regarding the structure of the tower, safety measures, and antenna design criteria for the Williamstown PCS site. Based upon the application, the design of the tower and foundation conforms to applicable nationally

¹ Case No. 97-294, The Application of SprintCom, Inc. for Operating Authority and Issuance of Certificate of Public Convenience and Necessity to Construct Personal Communications Services Facilities in Kentucky.

recognized building standards, and a Registered Professional Engineer has certified the plans.

Pursuant to KRS 100.987(2)(a), SprintCom has submitted the uniform application and received approval from the Grant County Planning & Zoning Commission for the pending construction. SprintCom 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 Williamstown PCS site. Both applications are pending.

SprintCom has filed notices verifying that each person who owns property within 500 feet of the Williamstown PCS site has been notified of the pending construction. The notice solicited any comments and informed the property owners or residents of their right to intervene. In addition, notice was posted in a visible location on the proposed site for at least two weeks after SprintCom's application was filed. To date, no intervention requests have been received.

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, SprintCom should notify the Commission if it does not use this antenna tower to provide PCS radio telecommunications services 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

The Commission, having considered the evidence of record and being otherwise sufficiently advised, finds that SprintCom should be granted a Certificate of Public Convenience and Necessity to construct and operate the Williamstown PCS site under its previously approved tariff.

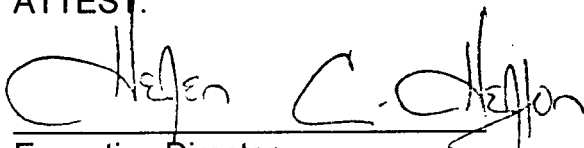
IT IS THEREFORE ORDERED that:

1. SprintCom is granted a Certificate of Public Convenience and Necessity to construct and operate the Williamstown PCS site.
2. SprintCom shall file a copy of the final decisions regarding the pending FAA and KAZC applications for this site within 10 days of receiving these decisions.
3. SprintCom 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 10th day of August, 1999.

By the Commission

ATTEST:


Executive Director

Grant County Planning Commission

Grant County Courthouse – 101 North Main Street

Williamstown, Kentucky 41097

606 824 7770 – 606 824 7796 – www.grantcopz.com

RECEIVED
JUN 07 1999
PUBLIC SERVICE
COMMISSION

Kentucky Public Service Commission (KYPSC)

Attn: Helen C. Helton, Executive Director

730 Schenkel Lane

Frankfort, Kentucky 40602-0615

June 2, 1999

RE: *Communications Services Facility* – **Case Number 99-100 UAC.**

Dear Mrs. Helton:

On Monday April 26, 1999 the Grant County Planning Commission received an application from SPRINTCOM, Inc (4801 West Higgins Road – Suite 220, Rosemont, Illinois 60018), to construct a communications facility (“tower”) at 517 South Main Street, Williamstown, Grant County, Kentucky.

The Grant County Planning Commission met on May 24, 1999 to review SPRINTCOM’s application and will make the recommendation of approval for this site with the following conditions:

1. The communications facility (“tower”) have a permitted height of 250 feet.
2. The communications facility (“tower”) have at least one parking space.
3. The communications facility (“tower”) have all access drives and parking spaces paved with asphalt.
4. The communications facility (“tower”) use barbwire on the top of the fences and slats within the chain links for privacy when building the compound.
5. The communications facility (“tower”) have landscaping on all four sides of the compound.
6. A written agreement between SPRINTCOM and the local governing body for the upkeep of all landscaping and equipment.


Please see attached meeting minutes for more details on the public hearing for this communications facility (“tower”) at Williamstown.

In addition, please contact me with any questions about the hearing or application for SPRINTCOM.

Thank you,

John V. Simkonis, Executive Director

john@grantcopz.com



cc: Spectra Site Communications, Inc. – Terry Shumate, Zoning Manager

**GRANT COUNTY
PLANNING
COMMISSION**

~~~~~  
 GRANT COUNTY COURTHOUSE  
 101 NORTH MAIN STREET  
 WILLIAMSTOWN, KY 41097  
 (606) 824-7770  
 (606) 824-7796 fax  
 Web: [www.grantcopz.com](http://www.grantcopz.com)  
 Email: [grantpz@cinternet.net](mailto:grantpz@cinternet.net)

Regular Meeting to Conduct Business

**May 1999**

5/24/99 7:00 PM

**Grant County Courthouse**

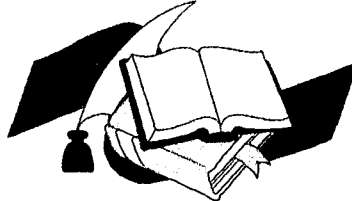
~~~~~ **Agenda Topics** ~~~~~

| ~~~~~ Agenda Topics ~~~~~ | |
|--|---------------------------------------|
| 1. Previous meeting minutes | Commission |
| 2. Financial report | Commission |
| 3. Public Hearing for a Zone Change - A-1 to R-1 | Vernon & Jo Ann Scott – County |
| 4. Public Hearing for a Zone Change - A-1 to R-1 | Lonnie & Kay Kerr – County |
| 5. Public Hearing for a Zone Change - R-1 to CBD | Jim Simpson/Francis Mitts – Dry Ridge |
| 6. Public Hearing for a Zone Change – R-2 to R-3 | CAC Properties – Crittenden |
| 7. Public Hearing for a Zone Change - A-1 to R-1 | James & Vicki Cull – County |
| 8. Public Hearing for a Zone Change - A-1 to RR | Ronald Jones – County |
| 9. Public Hearing - Cell Tower Application | 307 North Main Street – Crittenden |
| 10. Public Hearing - Cell Tower Application | 517 South Main Street – Williamstown |
| 11. Public Hearing - Cell Tower Application | 9350 Dixie Hwy. – County |
| 12. Executive Session | |
| 13. Plat reviews | |

GRANT COUNTY PLANNING COMMISSION

REGULAR MEETING

MAY 24 1999



ITEM 10. PUBLIC HEARING – CELL TOWER – 517 SOUTH MAIN STREET – WILLIAMSTOWN

Chairman, John Lawrence declared the public hearing open at 10:10

Mr. Shumate stated they were asking for the same waivers as the previous site

Chairman, John Lawrence asked if anyone wished to speak against the request. No one did.

Chairman, John Lawrence asked if anyone wished to speak for the request. No one did.

Chairman, John Lawrence read a letter from Erpenbeck Engineers and a letter from AT&T stating they could locate on a tower at a height of 290ft.

Mr. Shumate stated that the towers were built "stubbable" which they could add on the top to go to a higher height.

The commission questions sewer easement and AT&T easements through the property.

Greg Frank stated that the AT&T was a dead easement and the sewer was 7.5 acres from the new development.

Logan Murphy stated that the sewer would not cause a problem.

Chairman, John Lawrence declared the public hearing closed at 10:17.

Mike Drysdale made a motion to approve the site with paved parking and access drive, 250 ft. permitted, barbwire on the fence, landscaping and slats in the fence and a written agreement concerning the upkeep of the equipment and replacement of any landscaping, Brooke Wooton seconded the motion. A roll call vote was taken: Vernon Webster – yes, Robert Worthington – yes, Samuel Womble – yes, Dudley Peddicord – yes, Mike Drysdale – yes, William Covington – yes, Steven Mann – yes, Brooke Wooton – yes. Motion passes 8 to 0.



COMMONWEALTH OF KENTUCKY
PUBLIC SERVICE COMMISSION

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

May 14, 1999

Honorable Sandra F. Keene
Tilford, Dobbins, Alexander
Buckaway & Black
1400 One Riverfront Plaza
Louisville, KY. 40202

Jeffrey M. Pfaff
Legal/Regulatory Department
SprintCom, Inc.
c/o Sprint PCS
4900 Main Street, 11th. Floor
Kansas City, MO. 64112

RE: Case No. 99-100 UAC
SPRINTCOM, 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 J. Bell

Stephanie Bell
Secretary of the Commission

SB/sh
Enclosure

FILED

MAY 3 1999

**PUBLIC SERVICE
COMMISSION**

FOR THE PUBLIC RECORD

COMMONWEALTH OF KENTUCKY

BEFORE THE PUBLIC SERVICE COMMISSION

MAY 3 1999
MAY 3 1999

In the matter of:

| | | |
|---------------------------------------|---|---------------------|
| APPLICATION OF SPRINTCOM, INC., |) | |
| FOR ISSUANCE OF A |) | |
| CERTIFICATE OF PUBLIC CONVENIENCE AND |) | |
| NECESSITY TO CONSTRUCT A PERSONAL |) | CASE NO. 99-100 UAC |
| COMMUNICATIONS SERVICES FACILITY |) | |
| IN THE CINCINNATI BASIC TRADING AREA |) | |
| [WILLIAMSTOWN FACILITY] |) | |

SprintCom, Inc., as filed an application to construct a wireless telecommunciations facility at 517 South Main Street, Williamstown, Grant County, Kentucky. The coordinates for the proposed facility are: Latitude:38-37-14 ; Longitude: 84-34-15.



COMMONWEALTH OF KENTUCKY
PUBLIC SERVICE COMMISSION

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

May 4, 1999

Honorable Sandra F. Keene
Tilford, Dobbins, Alexander
Buckaway & Black
1400 One Riverfront Plaza
Louisville, KY. 40202

Jeffrey M. Pfaff
Legal/Regulatory Department
SprintCom, Inc.
c/o Sprint PCS
4900 Main Street, 11th. Floor
Kansas City, MO. 64112

RE: Case No. 99-100 UAC
SPRINTCOM, INC.
(Construct) CELL SITE - 517 SOUTH MAIN STREET - WILLIAMSTOWN, GRANT

This letter is to acknowledge receipt of initial application in the above case. The application was date-stamped received May 3, 1999 and has been assigned Case No. 99-100. 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/jc

FILED

MAY 3 1999

**PUBLIC SERVICE
COMMISSION**

FOR THE PUBLIC RECORD

COMMONWEALTH OF KENTUCKY

BEFORE THE PUBLIC SERVICE COMMISSION

RECEIVED
MAY 03 1999
PUBLIC SERVICE
COMMISSION
~~RECEIVED
APR 30 1999
PUBLIC SERVICE
COMMISSION~~

In the matter of:

| | | |
|---------------------------------------|---|---------------------|
| APPLICATION OF SPRINTCOM, INC., |) | |
| FOR ISSUANCE OF A |) | |
| CERTIFICATE OF PUBLIC CONVENIENCE AND |) | |
| NECESSITY TO CONSTRUCT A PERSONAL |) | CASE NO. 99-100 UAC |
| COMMUNICATIONS SERVICES FACILITY |) | |
| IN THE CINCINNATI BASIC TRADING AREA |) | |
| [WILLIAMSTOWN FACILITY] |) | |

SprintCom, Inc., as filed an application to construct a wireless telecommunications facility at 517 South Main Street, Williamstown, Grant County, Kentucky. The coordinates for the proposed facility are: Latitude:38-37-14 ; Longitude: 84-34-15.

TILFORD, DOBBINS, ALEXANDER,
BUCKAWAY & BLACK

ATTORNEYS AT LAW

1400 ONE RIVERFRONT PLAZA
LOUISVILLE, KENTUCKY 40202

(502) 584-6137

STUART E. ALEXANDER, JR.
WILLIAM A. BUCKAWAY, JR.
CHARLES W. DOBBINS, JR.
TERRELL L. BLACK
JOHN M. NADER³
MARK W. DOBBINS
STUART E. ALEXANDER, III
JOHN A. WILMES
SANDRA F. KEENE
THOMAS J. B. HURST
H. KEVIN EDDINS¹

CAROLYN K. BALLEISEN^{*2}

RANDOLPH NOE^{*1}
MICHAEL G. KAREM^{*4}
^{*} Of Counsel

RECEIVED

MAR 25 1999

PUBLIC SERVICE
COMMISSION
HENRY J. TILFORD (1908-1968)
CHARLES W. DOBBINS (1916-1992)
DONALD H. BALLEISEN (1924-1993)
LAWRENCE W. WETHERBY (1908-1994)

TELECOPIERS
(502) 584-2318
(502) 587-1806

¹ Also admitted in Indiana

² Also admitted in New York

³ Also admitted in District of Columbia
and Maryland

⁴ Also admitted in District of Columbia

NOTICE OF INTENT TO FILE A CELL SITE APPLICATION

March 24, 1999

Stephanie Bell
Secretary of the Commission
Public Service Commission
730 Schenkel Lane
P.O. Box 615
Frankfort, Kentucky 40602

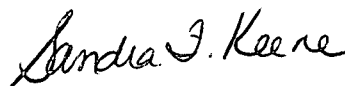
RE: Case No. 99-100 UAC

Dear Ms. Bell:

This letter is to confirm my request for a case number on March 19, 1999. The Application is on behalf of SprintCom, Inc., for a cell site located at 517 South Main Street, Williamstown, Grant County, Kentucky. I was given Case Number 99-100 UAC. We intend to file the Application no later than May 14, 1999, and we understand that the Case Number assigned to us in this matter may be reassigned if we have not submitted an Application by this date. If there are any questions, you may contact Mark Dobbins, Sandra Keene, or Heather Kuhn at 502-584-6137.

Thank you for your attention in this matter.

Sincerely,



Sandra F. Keene