CASE NUMBER:

99.290

KY. PUBLIC SERVICE COMMISSION

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Index for Case: 1999-00290UAC

AS OF: 06/28/04

Powertel/Kentucky, Inc.

Construct

CELL SITE - 1366 CATNIP HILL ROAD - NICHOLASVILLE

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 COMMUNICATIONS SERVICES FACILITY IN THE BASIC TRADING AREA B-252 WHICH INCLUDES JESSAMINE COUNTY (THE RHINEHEIMER/L-KY- 057-248 FACILITY)

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Index for Case: 1999-00290UAC

McBrayer, McGinnis, Leslie & Kir Land PLLC

163 WEST SHORT STREET

SUITE 300

LEXINGTON, KENTUCKY 40507-1361

606-231-8780

FACSIMILE 606-231-6518

REAL ESTATE FAX 606-255-9777

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November 9, 1999

NOV 1 5 1999 WATSON CLAY (1908-1985 OSCAR SAMMONS (1908-1985)

PUBLIC SERVICE MAIN & HARRISONISTREETS

P. O. BOX 280 GREENUP, KENTUCKY 41144-0280

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

JARON P. BLANDFORD ALSO ADMITTED IN OHIO

MARY ELIZABETH CUTTER

J. BRADFORD DERIFIELD ++

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MARY ESTES HAGGIN R. STEPHEN MCGINNIS ++ JON A. WOODALL MARIA S. BUCKLES

MARGARET M. YOUNG

MELINDA G. WILSON

REBECCA L. BRIGGS

+ ALSO ADMITTED IN TEXAS & FLORIDA ++ ALSO ADMITTED IN WEST VIRGINIA

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

> > RE:

Powertel/Kentucky, Inc. - PSC Case No. 99-290 UAC

(The Rhineheimer/L-KY-057-248 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 Jessamine County - City of Wilmore Joint Planning Commission and all property owners within 500' of the proposed facility referenced above. The following property owners have been notified:

George Russell and Pauline Rhineheimer 1366 Catnip Hill Road Nicholasville, KY 40356

Juanita H. Baker 1434 Catnip Hill Road Nicholasville, KY 40356

Bessie Hisel 1368 Catnip Hill Road Nicholasville, KY 40356

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

a . Sport Micio

W. Brent Rice

Counsel for Powertel/Kentucky, Inc.

WBR/dkw

Enclosures

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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. 99-290 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 October 20, 1999.

Parties of Record:

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

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

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Secretary of the Commission

COMMONWEALTH OF KENTUCKY BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

DELAWARE CORPORATION, FOR ISSUANCE OF) A CERTIFICATE OF PUBLIC CONVENIENCE AND) NECESSITY TO CONSTRUCT A PERSONAL) CASE NO	
•	
NECESSITY TO CONSTRUCT A PERSONAL) CASE NO	
).
COMMUNICATIONS SERVICES FACILITY IN THE) 99-290-U	AC
BASIC TRADING AREA B-252 WHICH INCLUDES)	
JESSAMINE COUNTY (THE RHINEHEIMER/L-KY-)	
057-248 FACILITY))	

<u>ORDER</u>

On July 8, 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 1366 Catnip Hill Road, Nicholasville, Jessamine County, Kentucky. The coordinates for the proposed facility are North Latitude 37° 56' 2.9" by West Longitude 84° 35' 21.9".

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.

¹ The coordinate information from the FAA and KAZC exhibits to the application appears to be more accurate and was used instead of different coordinate information reported in the application.

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 1366 Catnip Hill Road, Nicholasville, Jessamine County, Kentucky. The coordinates for the proposed facility are North Latitude 37° 56' 2.9" by West Longitude 84° 35' 21.9".

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 20th day of October, 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

July 19, 1999

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

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

RE: Case No. 99-290 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 Secretary of the Commission

SB/hv Enclosure



COMMONWEALTH OF KENTUCKY PUBLIC SERVICE COMMISSION

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

July 12, 1999

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

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

RE: Case No. 99-290 UAC POWERTEL/KENTUCKY, INC. (Construct) CELL SITE - 1366 COTVIE ROAD - NICHOLASVILLE

This letter is to acknowledge receipt of initial application in the above case. The application was date-stamped received July 8, 1999 and has been assigned Case No. 99-290. 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.

Stephal Su

Stephanie Bell

Secretary of the Commission

McBrayes, McGinnis, Leslie & Kirkland PLLC

163 WEST SHORT STREET

SUITE 300

LEXINGTON, KENTUCKY 40507-1361

606-231-8780

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REAL ESTATE FAX 606-255-9777

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July 8, 1999

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

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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 40801-2847
502-875-176
FACSIMILE 502-228-6224

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JARON P. BLANDFORD

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W. TERRY MCBRAYER

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BRENT L. CALDWELL W. BRENT RICE

** ALSO ADMITTED IN COLORADO

+ ALSO ADMITTED IN TEXAS & FLORIDA ++ ALSO ADMITTED IN WEST VIRGINIA

Ms. Stephanie Bell
Secretary of the Commission

P.O. Box 615 730 Schenkel Lane Frankfort, KY 40601

Kentucky Public Service Commission

RE:

Case Number 99-290 (UAC)

Dear Ms. Bell:

This letter is to follow up my request for a case number on July 8, 1999. The application is on behalf of Powertel/Kentucky, Inc., for a cell site located at 1366 Catnip Hill Road, Nicholasville, Jessamine County, Kentucky. I was given Case Number 99-290 (UAC). We intend to file the application no later than July 9, 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

FOR THE PUBLIC RECORD

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 COMMUNICATIONS SERVICES FACILITY IN BASIC TRADING AREA B-252 WHICH INCLUDES))) Case No. 99-290 UAC)
)
(THE RHINEHEIMER/L-KY-057-248 FACILITY))

UNIFORM APPLICATION: CONFIDENTIAL AND PROPRIETARY

- * The specific location of the proposed construction is 1366 Catnip Hill Road, Nicholasville, Jessamine County, Kentucky.
 - ** This additional page is filed pursuant to 807 KAR 5:063 Section 5(2).

JUL 0 8 1999

PUBLIC SERVICE

COMMISSION