

CASE

NUMBER:

99-462

HISTORY INDEX FOR CASE: 1999-462U

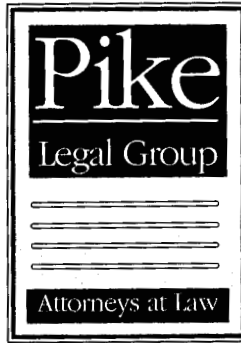
TRITEL FINANCE, INC.

Construct

CELL SITE - 1140 THREE SPRINGS ROAD - BOWLING GREEN

IN THE MATTER OF 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
1140 THREE SPRINGS ROAD BOWLING GREEN, KENTUCKY
IN THE WIRELESS COMMUNICAITONS LICENSE AREA
IN THE COMMONWEALTH OF KENTUCKY
IN THE COUNTY OF WARREN
SITE NAME: THREE SPRINGS

SEQ NBR	ENTRY DATE	REMARKS
0001	12/08/1999	Application.
0002	12/09/1999	Acknowledgement letter.
0003	01/04/2000	No deficiencies letter
M0001	01/10/2000	CROWN COMMUNICATIONS DAVID PIKE-NOTICE OF FIRST AMENDMENT OF APPLICATION
M0002	01/28/2000	CROWN COMMUNICATIONS DAVID PIKE-NOTICE OF SECOND AMENDMENT OF APPLICATION
M0003	02/14/2000	CROWN COMMUNICATIONS DAVID PIKE-MOTION TO SUBMIT FOR EXPIDITED DECISION WITHOUT HEARING
M0004	02/14/2000	SHIRLEY CARTER CITY CO PLANNING COMM-MINUTES OF HEARING & STAFF REPORT
0004	03/14/2000	Final Order granting a Certificate to construct and operate the site.
M0005	05/15/2000	DAVID PIKE/CROWN COMMUNICATION-FAA & KAZC APPROVALS PER FINAL ORDER



May 11, 2000

RECEIVED

MAY 15 2000

PUBLIC SERVICE
COMMISSION

Susan G. Hutcherson
Filings Division Manager, Docket Branch
Kentucky Public Service Commission
P.O. Box 615
Frankfort, KY 40602

Re: Applicant: Crown Communication, Inc.
PSC Case No.: 99-462UAC
Crown Site No.: 052-078
Crown Site Name: Three Springs
Federal Aviation Administration Approval
Kentucky Airport Zoning Commission Approval

Dear Susan:

Please accept this letter and the attached documents as an official filing in the above-referenced Public Service Commission action. The Certificate of Public Convenience and Necessity issued in this action called for the Applicant to file a copy of the Federal Aviation Administration and Kentucky Airport Zoning Commission approvals once they were obtained. Copies of this relevant documentation are attached to this letter for inclusion in the official case file.

If you have any questions or comments concerning this matter, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "D. Pike", written over a horizontal line.

David A. Pike
Regional Counsel, Crown Communication Inc.
E-mail: pikelegal@aol.com

DAP/slb

Enclosures



May-09-00 04:36pm From-CCIC

724-416-225

T-156 P.02/06 F-382

800522/KY-Three Springs

AERONAUTICAL STUDY
No: 99-ASO-6335-OEFederal Aviation Administration
Southern Region, ASO-520
P.O. BOX 20636
Atlanta, GA 30320

ISSUED DATE: 01/03/00

CHRISTINE VERRE
CROWN COMMUNICATION, INC
375 SOUTHPOINTE BLVD
CANONSBURG, PA 15317**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has completed an aeronautical study under the provisions of 49 U.S.C., Section 44718 and, if applicable, Title 14 of the Code of Federal Regulations, part 77, concerning:

Description: NEW ANTENNA TOWER .
SEE ATTACHED FREQUENCIES
Location: LOST RIVER KY
Latitude: 36-55-15.13 NAD 83
Longitude: 086-25-38.45
Heights: 205 feet above ground level (AGL)
766 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure would have no substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on the operation of air navigation facilities. Therefore, pursuant to the authority delegated to me, it is hereby determined that the structure would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

-As a condition to this determination, the structure should be marked and/or lighted in accordance with FAA Advisory Circular 70/7460-1J, Obstruction Marking and Lighting, Chapters 4, 8 (M-Dual), & 13.

-It is required that the enclosed FAA Form 7460-2, Notice of Actual Construction or Alteration, be completed and returned to this office any time the project is abandoned or:

MJ At least 10 days prior to start of construction
(7460-2, Part I)

X Within 5 days after construction reaches its greatest height
(7460-2, Part II)

-To coordinate frequency activation and verify that no interference is caused to FAA facilities, prior to beginning any transmission from the site you must contact Roger Smith at 803 822 4410

While the structure does not constitute a hazard to air navigation, it would be located within or near a military training area and/or route.

This determination expires on 08/12/01 unless:

- (a) extended, revised or terminated by the issuing office or
- (b) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case the determination expires on the date prescribed by the FCC for completion of construction or on the date the FCC denies the

May-09-00 04:36pm From-CCIC

724-416-225

T-156 P.03/06 F-382

application.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE POSTMARKED OR DELIVERED TO THIS OFFICE AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE.

-As a result of this structure being critical to flight safety, it is required that the FAA be kept apprised as to the status of this project. Failure to respond to periodic FAA inquiries could invalidate this determination.

This determination is subject to review if an interested party files a petition on or before 02/02/00. In the event a petition for review is filed, it must contain a full statement of the basis upon which it is made and be submitted in triplicate to the Manager, Airspace & Rules Division, ATA-400 Federal Aviation Administration, Washington, D.C. 20591.

This determination becomes final on 02/12/00 unless a petition is timely filed. In which case, this determination will not become final pending disposition of the petition. Interested parties will be notified of the grant of any review.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, frequency(ies) or use of greater power will void this determination. Any future construction or alteration, including increase in heights, power, or the addition of other transmitters, requires separate notice to the FAA.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

This aeronautical study considered and analyzed the impact on existing and proposed arrival, departure, and en route procedures for aircraft operating under both visual flight rules and instrument flight rules; the impact on all existing and planned public-use airports, military airports and aeronautical facilities; and the cumulative impact resulting from the studied structure when combined with the impact of other existing or proposed structures. The study disclosed that the described structure would have no substantial adverse effect to air navigation.

An account of the study findings, aeronautical objections received by the FAA during the study (if any), and the basis for the FAA's decision in this matter can be found on the following page(s).

A copy of this determination will be forwarded to the Federal Communications Commission if the structure is subject to their licensing authority.

If we can be of further assistance, please contact our office at 404-305-5581. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 99-ASO-6335-OE.

Nancy B. Shelton

Nancy B. Shelton
Manager, Airspace Branch

7460.2 ATTACHED

ATTACHMENTS

(DNH)

ATTACHMENT

**AERONAUTICAL STUDY
NO. 99-ASO-6335-OE**

FREQUENCIES

33-54 MHz	100 Watts
72-73 MHz	100 Watts
144-162 MHz	250 Watts
220-222 MHz	100 Watts
450-502 MHz	250 Watts
800-960 MHz	500 Watts
1,500 MHz	500 Watts
1,900-2,000 MHz	500 Watts
5,000-6,500 MHz	100 Watts
10,000-11,000 MHz	100 Watts
18,000 MHz	100 Watts
21,000 MHz	100 Watts
24,000 MHz	100 Watts
38,000 MHz	100 Watts
2-18 GHz	80 dbm EIRP

May-08-00 04:37pm From-CCIC

724-416-2254

T-156 P.06/06 F-382



125 Holmes Street
Frankfort, KY 40622

loc: (502) 564-7953
No.: AS-114-BWG-99-271

800522/KY- I-65 off Three Springs

March 10, 2000

APPROVAL OF APPLICATION

APPLICANT:
CROWN COMMUNICATION INC
CHRISTINE VERRE, REGULATORY COORDINATOR
375 SOUTH POINTE BOULEVARD
Cannonsburg, PA 15317

SUBJECT: AS-114-BWG-99-271

STRUCTURE: Antenna Tower
LOCATION: Lost River, KY
COORDINATES: 36°55'15.13"N / 86°25'38.45"W
HEIGHT: 205'AGL/766'AMSL

The Kentucky Airport Zoning Commission has approved your application for a permit to construct (205'AGL/766'AMSL) Antenna Tower near Lost River, KY 36°55'15"N, 86°25'38"W.

This permit is valid for a period of 18 Month(s) from its date of issuance. If construction is not completed within said 18-Month period, this permit shall lapse and be void, and no work shall be performed without the issuance of a new permit.

A copy of the approved application is enclosed for your files.

Dual obstruction lighting is required in accordance with 602 KAR 50:1067

Ronald Bland, Administrator

ATTACHMENT

**AERONAUTICAL STUDY
NO. 99-ASO-6335-OE**

The proposed antenna tower will be located approximately 2.64 nautical miles (NM) south of the Bowling Green-Warren County Regional Airport (BWG), Bowling Green, Kentucky, Airport Reference Point. The proposed structure exceeds the standard for determining obstructions to air navigation under the provisions of Title 14, Code of Federal Regulations (CFR), part 77 standards as follows:

Exceeds FAR 77.23 (a) (2) by 5 feet, its height more than 200 ft above ground level (AGL), as applied to the BWG Airport.

Details of the proposal were not circulated to the aeronautical public for comments, as the proposed tower did not affect an airport or require a change in aeronautical operations or procedures.

////////////////////////////////////End of Comments////////////////////////////////////



COMMONWEALTH OF KENTUCKY
PUBLIC SERVICE COMMISSION
211 SOWER BOULEVARD
POST OFFICE BOX 615
FRANKFORT, KY. 40602
(502) 564-3940

CERTIFICATE OF SERVICE

RE: Case No. 1999-462 UAC
TRITEL FINANCE, 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 March 14, 2000.

See attached parties of record.

Stephanie Bell
Secretary of the Commission

SB/hv
Enclosure

David Burak
Tritel Finance, Inc.
1512 Crums Lane
Louisville, KY. 40216

Lloyd McCarthy
Crown Communication Inc.
Commonwealth Business Center
11001 Bluegrass Parkway, Suite 330
Louisville, KY. 40299

Honorable David A. Pike
Attorney for Crown Communication Inc
Pike Legal Group
200 South Buckman Street
P. O. Box 369
Shepherdsville , KY. 40165 0369

Honorable Sandra F. Keene
& Honorable Mark W. Dobbins
Attorneys for Tritel
tiford, Dobbins, Alexander,
Buckaway & Black
One Riverfront Plaza, Suite 1400
Louisville, KY. 40202

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

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) CASE NO.
FACILITY AT 1140 THREE SPRINGS ROAD) 99-462-UAC
BOWLING GREEN, KENTUCKY)
IN THE WIRELESS COMMUNICATIONS LICENSE AREA)
IN THE COMMONWEALTH OF KENTUCKY)
IN THE COUNTY OF WARREN)
SITE NAME: THREE SPRINGS)
SITE NUMBER: 052-078)

O R D E R

On December 8, 1999, Crown Communication Inc. ("Crown"), as ultimate owner, and Tritel Communications, Inc. and Tritel Finance, Inc. filed an application seeking a Certificate of Public Convenience and Necessity to build and operate a cellular radio telecommunications system for the Louisville Major Trading Area ("MTA"). Crown has requested authorization to construct a cell site in Warren County, and Tritel has provided evidence that the public convenience and necessity will be served by the proposed construction.

The proposed cell site is to be located at 1140 Three Springs Road, Bowling Green, Warren County, Kentucky ("the Three Springs site"). The coordinates for the cell site are North Latitude 36° 55' 15.13" by West Longitude 86° 25' 38.45".

Crown has provided information regarding the structure of the tower, safety measures, and antenna design criteria for the Three Springs site. Based upon the application, the design of the tower and foundation conforms to applicable nationally recognized building standards, and a Licensed Professional Engineer has certified the plans.

Pursuant to KRS 100.987(2), Crown has submitted the uniform application to the Warren County Planning and Zoning Commission for the proposed construction and, as no response has been filed with the Commission, pursuant to KRS 100.987(4)(c), the application is deemed to have been approved. Crown has filed applications with the Federal Aviation Administration ("FAA") and the Kentucky Airport Zoning Commission ("KAZC") for the construction and operation of the Three Springs site. Both applications are pending.

Crown has filed notices verifying that each person who owns property within 500 feet of the cell site has been notified of the pending construction. The notice solicited any comments and informed the property owners of their right to intervene. 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, Crown should notify the Commission if it does not use this antenna tower to provide cellular 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 consider the proper practices, including removal of the unused antenna tower, which should be observed by Crown.

The Commission, having considered the evidence of record and being otherwise sufficiently advised, finds that Crown should be granted a Certificate of Public Convenience and Necessity to construct and operate the Three Springs site in the Louisville MTA under its previously approved tariff.

IT IS THEREFORE ORDERED that:

1. Crown is granted a Certificate of Public Convenience and Necessity to construct and operate the Three Springs site.
2. Crown shall file a copy of the final decisions regarding the pending FAA and KAZC applications for this cell site construction within 10 days of receiving the decisions.
3. Crown 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 14th day of March, 2000.

By the Commission

ATTEST:


Executive Director

CITY-COUNTY PLANNING COMMISSION OF WARREN COUNTY

1141 State Street • Bowling Green, KY 42101 • Phone: (270) 781-3076 • Fax: (270) 842-1282

February 10, 2000

RECEIVED
FEB 14 2000
PUBLIC SERVICE
COMMISSION

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

SUBJECT: Recommendation to Approve
Telecommunications Tower, 1440 Three Springs Road
Bowling Green, KY 42104
Case No. 99-462-UAC

To Whom It May Concern:

The City-County Planning Commission of Warren County met in regular session on February 3, 2000 in the Bowling Green City Commission Chambers with nine (9) members present. After a public hearing had been conducted, the Planning Commission approved by seven (7) yeas and two (2) nays subject telecommunications tower application based on the findings of fact as presented in the staff report and testimony presented in the public hearing that the proposed telecommunications tower is in agreement with the adopted Comprehensive Plan.

Please find attached a copy of the Minutes of this hearing and the staff's report.

Sincerely,

CITY-COUNTY PLANNING COMMISSION


Shirley J. Carter
Zoning Administrator

PC: Lloyd McCarthy, Crown Communication, Inc.
David A. Pike, Attorney for Crown Communication, Inc.
Tilford, Dobbins, Alexander, Buckaway & Black, Attorneys for Tritel Communications, Inc.
and Tritel Finance, Inc.

TELECOMMUNICATIONS TOWER STAFF REPORT

City-County Planning Commission
1141 State Street
Bowling Green, Kentucky 42104
(502) 842-1953

PUBLIC HEARING DATE: February 3, 2000
DOCKET NUMBER: 00-1-T-CO
PETITIONER'S NAME: Crown Communications, Inc. and Tritel Finance, Inc.

LOCATION OF PROPOSED TOWER: 1440 Three Springs Road, Bowling Green, KY

FOCAL POINT: (38) I-65 Interchange. *Dominant Use Area.* Highway commercial and service area.

CURRENT ZONING: Agriculture

COMPREHENSIVE PLAN COMPLIANCE:

- G-5 The citizens of Warren County are committed to providing infrastructure and public services at levels of service consistent with the "quality of life" we now enjoy. To that end, we expect all to assume their fair share of the burden.
- EC-2 Warren County recognizes the importance of maintaining and fostering the growth of existing business and industry. The community should monitor the continuing needs of existing businesses and be prepared to meet those needs in areas of infrastructure, public service and education of the labor force.

This proposed telecommunications tower provides improved wireless service, as well as opportunities for emergency service access, for parts of Bowling Green and Warren County. An increase in the overall level of service is anticipated.

STAFF REVIEW:

1. The application was complete and was submitted in a timely manner.
2. The proposed telecommunications tower will be located in an appropriate zoning district. The site is located on the property of Three Springs Baptist Church and is predominantly surrounded by agricultural uses as well as single family residential uses.

STAFF REVIEW (continued):

3. No existing towers and no opportunities for collocation were found within the applicant's engineered search ring.
4. The applicant has filed a subdivision plat that is currently under review. The tower will be a monopole construction with a total height of 180 feet.
5. Unless required otherwise by state or federal regulations, the proposed tower will be of a uniform light gray color to enhance its ability to blend with the surrounding environment.
6. Initial review of the applicant's landscaping plan indicates that it will comply with the requirements of the City of Bowling Green's Landscaping and Land Use Buffer Ordinance. Approval of the landscaping plan will be required before a building permit can be issued.
7. The initial option/lease agreement has been amended at staff request to adequately address the removal of the tower within 90 days upon termination of use.

STAFF RECOMMENDATION:

The Staff recommends that the application for a telecommunications tower be **approved**.

3. MJ2000-08-CO Meng Farm Subdivision Lots 21 and 22 (with no plat restrictions); Rita and Odell Sparks, owner and developer of 2 lots containing 21.852 acres located on Meng Road, 1,081' northwest of the center line of Homer Murray Road. Bernard W. Blakeman, Jr., surveyor.
4. MJ2000-12-BG Revision of Lot 1 Russellville Road Neighborhood Park Subdivision (with no plat restrictions); City of Bowling Green and Kenway Contracting, Inc., owners and developers of 3 lots containing 90.61 acres located on the northwest corner of Tomblinson Way and Veterans Memorial Lane. Gregory S. Hughes, surveyor; Shane N. Van Meter, engineer.

Chairman Runner asked if any of the Commissioners wished an individual review of any of the subdivisions.

Commissioner Chelf asked what the restrictions are on Cambridge Grove Subdivision, and the developer, Darrell Oliver, submitted a copy of the restrictions to the Commissioners. Commissioner Chelf asked if the Commission had been approving these with plat restrictions, and Attorney Hamp Moore replied some yes and some no, they will indicate when they have plat restrictions.

Chairman Runner asked if there was anyone from the audience who wished to review these individually, and no one came forward.

ACTION: The motion was made by Williams, seconded by Butler and unanimously approved to grant preliminary subdivision approval on MJ2000-01-CO; MJ2000-05-CO; MJ2000-08-CO; and MJ2000-12-BG.

PUBLIC HEARING:

II. WIRELESS TRANSMISSION TOWER:

1. 2000-01-T-CO Crown Communication Inc., Tritel Communications, Inc. and Tritel Finance, Inc. have filed an application with the Public Service Commission to locate a wireless communications facility at 1440 Three Springs Road.

Alice Burks, in giving the staff's report, stated this site is between the Three Springs Baptist Church and I-65. She said it is in focal point I-65 Interchange which is a dominant use area. She said the zoning is Agriculture. Ms. Burks said we are limited in the policies in the Comprehensive Plan for telecommunication towers. She said, however, the two policies we have, this particular tower provides an improved wireless service as well as some opportunities for emergency service access. She said we found there were no other existing towers or opportunities for co-location. She said they have filed a subdivision plat that is currently under review

and they have agreed that the tower will be uniform like gray in color to enhance the ability to blend with the surrounding environment. She said they will be complying with the City of Bowling Green's landscape and buffering ordinance. Ms. Burks said they have also amended their initial lease agreement at our request to address the removal of the tower within 90 days if it ceases to be used. Ms. Burks said we recommend approval of the telecommunications tower.

Attorney Moore explained we have been given limited opportunity to comment about these applications from the General Assembly. He said the primary responsibility for approving cell towers rest with the State Public Service Commission. He said we can comment to them whether the placement of this tower is consistent with the Comprehensive Plan and whether or not the applicant has exhausted efforts to co-locate.

David Pike, Regional Council for Crown Communication, Inc., P. O. Box 369, Shepardsville, KY, 40165, came forward and stated they are pleased with the staff's report. He said we worked hard to address some of the concerns your staff had which includes two amendments of our application. He said we previously waived confidentiality as to all elements of our application with the exception of the grid map. He said we have a strong Federal and State overlay and it is our obligation to minimize tower proliferation by maximizing co-location by trying to co-locate on existing structures either towers or other suitable structures in the area like buildings, water towers, etc. He said, secondly, to meet the needs not only of the current tenant but will meet the needs of other tenants in the future. Mr. Pike introduced other staff people with Crown Communication, Inc. and Tritel Communications. He also introduced members present of Three Springs Baptist Church. Mr. Pike said this facility is 160', and is pre-engineered to provide four full slots for four wireless providers. He said our regulatory process is also National, FAA and FCC. He said at the State level we also have regulations by the Kentucky Airport Zoning Commission and PSC. Mr. Pike showed their site plan. He said we have some natural and manmade screening, the church screens the tower facility at its base from the roadway and there is a natural tree line along one side which provides additional screening. Mr. Pike said the co-applicant is Tritel Communications, an AT & T affiliate. Mr. Pike said we recognize these are not popular land uses but it is providing a critical, technological hedge to this community and for other communities just as other infrastructure.

Commissioner Mansfield said you mentioned 160' and the application says 180' and Mr. Pike said there is a 20' lightning arrester which goes on top of this facility and naturally the FAA is concerned about the total height of the facility. Commissioner Mansfield asked, did we not approve another tower and Mr. Pike said yes. Commissioner Mansfield asked about the flight plan of the present airport, and Mr. Pike said we already have both FAA and Kentucky Airport Zoning Commission approval.

Commissioner Ritter said if this particular footprint is very specific, it would appear for a radio tower, why is it such a small area.

Mr. Pike said there are radio frequency plots for different areas of coverage, and the ideal situation is for wireless communications to be as reliable as the phone on your wall and to do that you have to have overlapping coverage. He said radio frequency engineers look at the test data they have obtained and they develop models in order to see what would be necessary to fill in the gaps. He said PCS facilities tend to have smaller footprints for search range than other types of facilities.

Commissioner Ritter asked, is the one at Porter Pike the same basic system, and Mr. Pike said yes. He asked, did we not know when that was installed we would have to have another one at this location. Mr. Pike said yes it was reflected on our grid map at that time as a planned facility. Commissioner Ritter asked, have we got others up and down I-65 we will need to fill in with after this one and Mr. Pike as far as I know for Tritel this will meet Warren County coverage requirements. He said it is entirely possible, however, that other providers as they arrive will need other facilities. He said as a practical matter, the more of these new technology facilities that are built the less likely it is there will be new ones constructed because they will not issue an approval for a new facility if there is a way to serve it based on existing facilities. Commissioner Ritter asked, suppose their footprint doesn't match where your facility is, are they going to need another tower between your Porter Pike tower and this one, and Mr. Pike said it is possible. Mr. Pike said these are expensive to build and what you want to do is find an existing facility where you can co-locate. He said we built this way because we anticipate renting those other three slots, this is like vertical real estate. Commissioner Ritter said if there is going to be other facilities we would like to know about it and the footprints and Mr. Pike said we waived all the confidentiality except for that and the reason we don't waive that is because this is a competitive business and on that map we put possible planned locations based on our market analysis for what other carriers are likely to need. He said although my client is the leading provider of these services, they are not the only provider. Commissioner Ritter said he thought they had a responsibility to know what to anticipate before we just keep approving them. Mr. Pike said we have no additional pending applications in Warren County nor had he seen any.

Chairman Runner asked if there were any other questions, and there were none. She asked if there were any questions from the audience, and there were none.

ACTION: The motion was made by Williams and seconded by Brown to approve the proposed telecommunications tower application, Docket #2000-01-T-CO based on the findings of fact as presented in the staff report and testimony presented in this public hearing that the proposed telecommunications tower is in agreement with the adopted Comprehensive Plan and further request that the findings of fact and recommendation include a summary of the evidence and testimony as presented by the proponents and/or opponents of the proposed telecommunications tower. This motion was approved by seven (7) yeas and two (2) nays.

III. ZONE CHANGES & VARIANCE:

1. 2000-01-Z-BG Ronald Ford has filed an application in order to rezone a tract of land containing 10,000 sq.ft. located at 1323 E. 15th Avenue, 283' to the center line of Smallhouse Road from R-2 (Low Density Residential) to R-4 (High Density Residential), with a general development plan. The development plan considered concurrently with the zone change request.

Alice Burks, in giving the staff's report, stated this site is located in the T. C. Cherry focal point which is a Traditional Residential neighborhood that is almost completely developed, it is primarily of homes in small lots. She said the applicant proposes to divide this into two lots and under the current Zoning Ordinance can only do this in the R-4 which allows the minimum of a 5,000 sq.ft. lot.

Ms. Burks said Timeliness is assumed because it is located in the city of Bowling Green.

In regard to Suitability Ms. Burks said we found it had adequate water, public sanitary sewers and is just under 300' from Smallhouse Road which is a minor collector road, therefore, we found the proposed development is Suitable.

Ms. Burks said in regard to Compatibility, we found the overall density would not be unduly increased and found the proposed development is Compatible and that the proposed zoning is in agreement with the adopted Comprehensive Plan and we recommend approval of both the general development plan and zoning map amendment.

Ronald Ford, 184 Pinewood Court, Bowling Green, was sworn in and said the property didn't match his deed and he just wanted to clear it up.

Attorney Moore said you filed with your application a Statement of Binding Elements which was signed by you on December 27, 1999, and do you agree to be bound by the terms of those binding elements, and he replied yes.



COMMONWEALTH OF KENTUCKY
PUBLIC SERVICE COMMISSION

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

January 4, 2000

To: All parties of record

RE: Case No. 1999-462 UAC
TRITEL FINANCE, 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/hv
Enclosure

David Burak
Tritel Finance, Inc.
1512 Crums Lane
Louisville, KY. 40216

Lloyd McCarthy
Crown Communication Inc.
Commonwealth Business Center
11001 Bluegrass Parkway, Suite 330
Louisville, KY. 40299

Honorable David A. Pike
Attorney for Crown Communication Inc
Pike Legal Group
200 South Buckman Street
P. O. Box 369
Shepherdsville , KY. 40165 0369

Honorable Sandra F. Keene
& Honorable Mark W. Dobbins
Attorneys for Tritel
Tilford, Dobbins, Alexander,
Buckaway & Black
One Riverfront Plaza, Suite 1400
Louisville, KY. 40202

FOR THE PUBLIC RECORD

**COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION**

RECEIVED
DEC 0 8 1999
PUBLIC SERVICE
COMMISSION

In the Matter of:

APPLICATION OF CROWN COMMUNICATION INC.,)	
TRITEL COMMUNICATIONS, INC. AND TRITEL)	
FINANCE, INC. FOR ISSUANCE OF A CERTIFICATE OF)	CASE NO.: 99-462 UAC
PUBLIC CONVENIENCE AND NECESSITY TO)	
CONSTRUCT A WIRELESS COMMUNICATIONS)	
FACILITY AT 1140 THREE SPRINGS ROAD)	
BOWLING GREEN, KENTUCKY)	
IN THE WIRELESS COMMUNICATIONS LICENSE AREA)	
IN THE COMMONWEALTH OF KENTUCKY)	
IN THE COUNTY OF WARREN)	

FILED

DEC 0 8 1999

**PUBLIC SERVICE
COMMISSION**

SITE NAME: THREE SPRINGS
SITE NUMBER: 052-078

Crown Communication Inc., as ultimate owner; and Tritel communications, Inc. and Tritel Finance, Inc., as licensed public utilities in the Commonwealth of Kentucky, make this application.

The property on which the Wireless Communications Facility ("WCF") will be built is located at 1140 Three Springs Road, Bowling Green, Kentucky, 42104. The WCF site is geographically positioned at 36° 55' 15.13" North latitude, 86° 25' 38.45" West longitude.



COMMONWEALTH OF KENTUCKY
PUBLIC SERVICE COMMISSION
730 SCHENKEL LANE
POST OFFICE BOX 615
FRANKFORT, KY. 40602
(502) 564-3940

December 9, 1999

To: All parties of record

RE: Case No. 1999-462 UAC
TRITEL FINANCE, INC.
(Construct) CELL SITE - 1140 THREE SPRINGS ROAD - BOWLING GREEN

This letter is to acknowledge receipt of initial application in the above case. The application was date-stamped received December 8, 1999 and has been assigned Case No. 1999-462. 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,

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

Stephanie Bell
Secretary of the Commission

SB/jc

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tilford, Dobbins, Alexander,
Buckaway & Black
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Louisville, KY. 40202

FOR THE PUBLIC RECORD

**COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION**

RECEIVED
DEC 0 8 1999
PUBLIC SERVICE
COMMISSION

In the Matter of:

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 1140 THREE SPRINGS ROAD)
BOWLING GREEN, KENTUCKY)
IN THE WIRELESS COMMUNICATIONS LICENSE AREA)
IN THE COMMONWEALTH OF KENTUCKY)
IN THE COUNTY OF WARREN)

CASE NO.: 99-462 UAC

FILED

DEC 0 8 1999

**PUBLIC SERVICE
COMMISSION**

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