



Steven L. Beshear
Governor

Leonard K. Peters
Secretary
Energy and Environment Cabinet

Commonwealth of Kentucky
Public Service Commission
211 Sower Blvd.
P.O. Box 615
Frankfort, Kentucky 40602-0615
Telephone: (502) 564-3940
Fax: (502) 564-3460
psc.ky.gov

David L. Armstrong
Chairman

James Gardner
Vice-Chairman

John W. Clay
Commissioner

August 4, 2008

To: Parties of Record
Case No. 2008-00080
Bluegrass Wireless (Whitley County)

Enclosed please find a memorandum that has been filed in the record of the above-referenced case. Any comments regarding this memorandum's content should be submitted to the Commission within seven days of receipt of this letter. Questions regarding this memorandum should be directed to Tiffany Bowman at (502) 564-3940, extension 465, or by e-mail at TiffanyJ.Bowman@ky.gov.

Sincerely,

for Stephanie Stumbo by permission
Stephanie Stumbo
Executive Director

TJB:v

INTRA-AGENCY MEMORANDUM
KENTUCKY PUBLIC SERVICE COMMISSION

TO: Main Case File – Case No. 2008-00080
FROM: Tiffany Bowman, Staff Attorney
DATE: August 4, 2008
SUBJECT: Informal Conference
Bluegrass Wireless

Pursuant to the Commission Order of June 20, 2008, an informal conference was held in this matter on Thursday, July 31, 2008. Present for the conference were: Terry Beckner, counsel for Intervenor Tracy Sullivan Sears and the Edith Sullivan Life Estate; representatives for the applicant Kentucky RSA #11 Cellular ("Kentucky RSA"); and Commission Staff. The list of attendees is attached hereto.

The purpose of the conference was to discuss the Intervenor's objections and concerns as to the proposed tower location. A topographical map of the proposed site was given to each attendee and is also attached hereto.

Mr. Beckner stated that his clients were primarily concerned about the decline in property values if a tower were to be constructed. The Intervenor may consider retaining a real estate appraiser to conduct an estimate on changes to real estate values if a tower were to be constructed. Mr. Beckner stated, however, that it is not likely that his clients would be able to propose suitable alternative sites for the cellular tower.

Kentucky RSA addressed the Intervenor's concerns about property values and also discussed coverage objectives within and around the areas of Corbin, Siler, and Williamsburg. Kentucky RSA also stated that the terrain within Whitley County is particularly rugged, especially around the proposed tower site. The terrain directly influences the availability of proposed sites.

Commission Staff discussed the factors, under the law, which the Commission is allowed to consider when wireless companies seek approval for new tower construction. Commission Staff also stated that Intervenor may present specific information on suitable alternative sites for cell tower construction and that the applicant is allowed to rebut such evidence and argue why the alternate sites are not conducive or feasible for the company's needs.

Based on the discussion during the conference, Commission Staff stated that the parties seem to be close to a possible resolution of the Intervenor's concerns.

Commission Staff stated that a memo would be issued shortly after the conference to memorialize the issues that were discussed. The parties would then have the opportunity to comment on the memo.

Commission Staff stated that, after the comments on the memo are submitted, the parties would be given a short time to informally negotiate a resolution of the Intervenor's concerns.

The Commission will subsequently issue an Order requiring Tracy Sullivan Sears and the Edith Sullivan Life Estate to declare, in writing, whether they intend to remain as Intervenor's in the case. If the Intervenor's choose to remain in the case, the Commission would give them the opportunity to submit evidence into the record supporting their opposition to the tower's construction. The applicant would then be given equal opportunity to rebut any evidence presented by the Intervenor's.

After the parties have submitted their information to the record, the Commission would make a determination as to whether a hearing should be held in this matter.

The conference was then adjourned.

Attachments

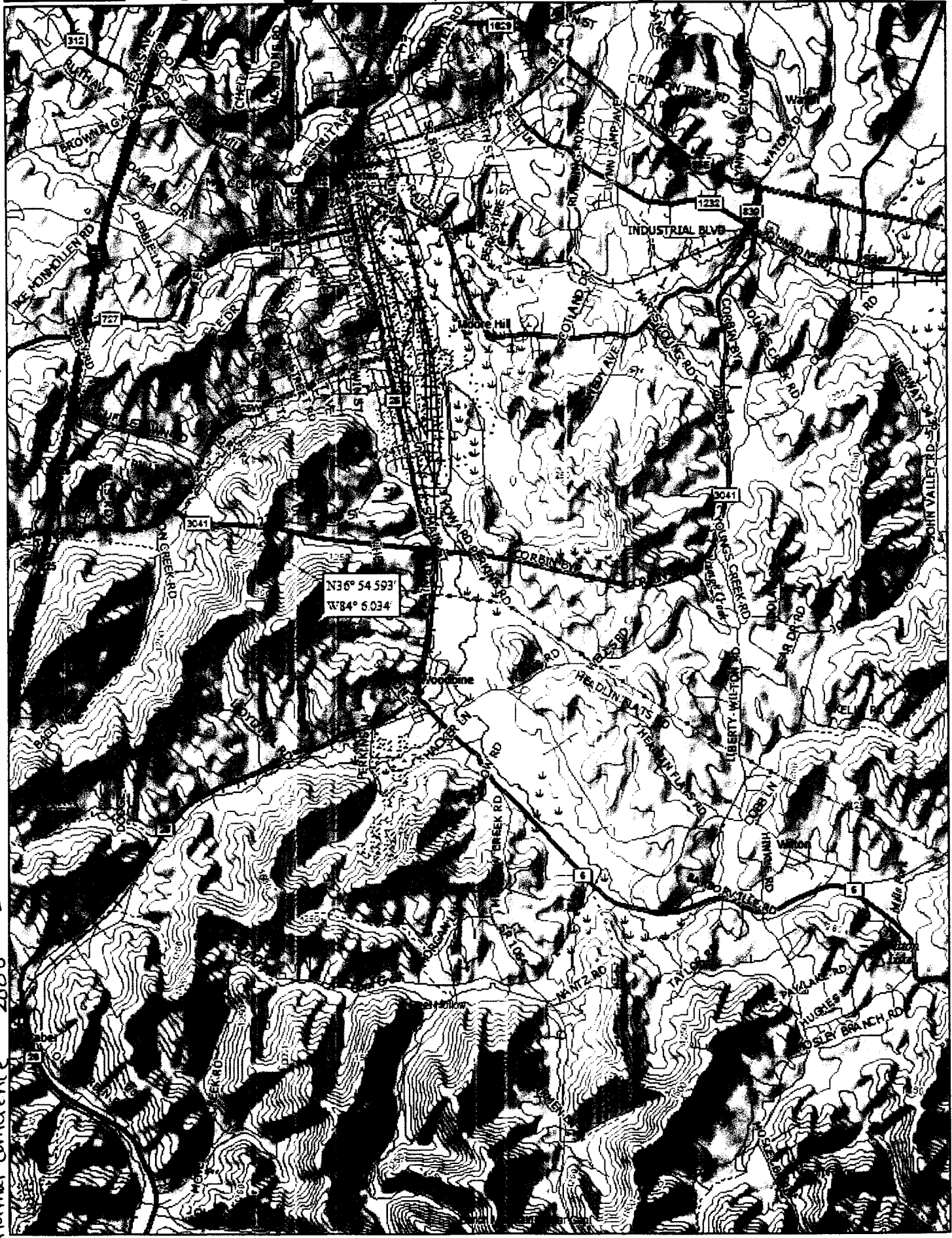
cc: Parties of Record (without map)

Informal Conference - July 31, 2008
2008-00080 - Bluegrass Wireless (Whitley County)

DELORME

DeLorme Topo USA® 7.0

Provided at
Informal Conference
July 31, 2008 - 2008-00080 - (Whitley County)



Data use subject to license.

© DeLorme. DeLorme Topo USA® 7.0.

