

CASE

NUMBER:

99-304

AS OF : 10/20/99

INDEX FOR CASE: 99-304UAC
 NPCR, INC. DBA NEXTEL PARTNERS
 Construct
 CELL SITE - 2265 SOUTH WILSON ROAD - RADCLIFF

IN THE MATTER OF THE APPLICATION OF CROWN COMMUNICATIONS INC
 AND NPCR, INC., D/B/A NEXTEL PARTNERS FOR ISSUANCE OF A
 CERTIFICATE OF CONVENIENCE AND NECESSITY TO CONSTRUCT A
 WIRELESS COMMUNICATIONS FACILITY AT 2265 S. WILSON ROAD,
 RADCLIFF, KY 40160

IN THE WIRELESS COMMUNICATIONS LICENSE AREA
 IN THE COMMONWEALTH OF KENTUCKY
 IN THE COUNTY OF HARDIN
 SITE NAME: RADCLIFF

SEQ NBR	ENTRY DATE	REMARKS
0001	07/22/99	Application.
0002	07/28/99	Acknowledgement letter.
M0001	08/02/99	STEVEN BARNO CITY OF RATCLIFF-LETTER TO INFORM THAT INFO WILL BE FILED WITHIN 60 DAY LIMIT
0003	08/04/99	No def. letter
M0002	09/07/99	STEVEN BARNO CITY OF RADCLIFF-APPROVAL FOR APPLICATION
M0003	09/09/99	CROWN COMMUNICAITONS DAVID PIKE-MOTION TO SUBMIT FOR EXPEDITED DECISION WITHOUT PUBLIC HEARI
0004	10/20/99	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. 99-304 UAC
NPCR, INC. DBA NEXTEL PARTNERS

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.

See attached parties of record.

Stephanie J. Bell

Secretary of the Commission

SB/sa
Enclosure

Donald J. Manning
Vice President and General Counsel
NPCR, Inc.
dba Nextel Partners
4500 Carillon Point
Kirkland, WA. 98033

Rodney Strong
Crown Communications, Inc.
Commonwealth Business Center
11001 Bluegrass Parkway, Suite 330
Louisville, KY. 40299

Honorable David A. Pike
Counsel for Crown Communications
Pike Legal Group
200 S. Buckman Street
P. O. Box 369
Shepherdsville , KY. 40165 0369

Honorable W. Brent Rice
Counsel for Nextel Partners
McBrayer, McGinnis,
Leslie & Kirland
163 W. Short Street
Lexington, KY. 40507 1361

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF CROWN COMMUNICATION INC.)
AND NPCR, INC., D/B/A NEXTEL PARTNERS FOR)
ISSUANCE OF A CERTIFICATE OF PUBLIC)
CONVENIENCE AND NECESSITY TO CONSTRUCT)
A WIRELESS COMMUNICATIONS FACILITY AT)
2265 S. WILSON ROAD, RADCLIFF, KY 40160 IN)
THE WIRELESS COMMUNICATIONS LICENSE)
AREA IN THE COMMONWEALTH OF KENTUCKY)
IN THE COUNTY OF HARDIN)
SITE NAME: RADCLIFF)
SITE NUMBER: 044KY)

CASE NO.
99-304-UAC

O R D E R

On July 22, 1999, Crown Communication Inc. ("Crown") and NPCR, Inc., d/b/a Nextel Partners (collectively, the "Applicants") 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 2265 S. Wilson Road, Radcliff, Hardin County, Kentucky. The coordinates for the proposed facility are North Latitude 37° 48' 42.34" by West Longitude 85° 55' 33.32".

Crown 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, the Applicants have submitted a uniform application to the City of Radcliff ("City"). The City ultimately approved the application. The Applicants have 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.

The Applicants have 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 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, Crown 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 Crown.

The Commission, having considered the evidence of record and being otherwise sufficiently advised, finds that the Applicants have 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. Crown is granted a Certificate of Public Convenience and Necessity to construct a wireless telecommunications facility to be located at 2265 S. Wilson Road, Radcliff, Hardin County, Kentucky. The coordinates for the proposed facility are North Latitude 37° 48' 42.34" by West Longitude 85° 55' 33.32".

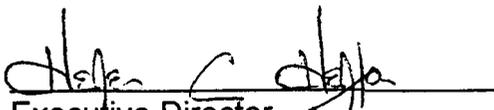
2. The Applicants shall file a copy of the final decisions regarding its pending FAA and KAZC applications for the proposed construction within 10 days of receiving these decisions.

3. 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 20th day of October, 1999.

By the Commission

ATTEST:


Executive Director

CITY OF RADCLIFF



P.O. Drawer 519
411 W. Lincoln Trail Blvd.
Radcliff, Kentucky 40159-0519

September 3, 1999

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

RECEIVED
SEP 07 1999
PUBLIC SERVICE
COMMISSION

Subject: Case No.: 99-304 UAC

Dear Commissioners:

On September 2, 1999, a public hearing was held in reference to the above subject case. In regular session the Planning Commission found that the application was in compliance with The Zoning Ordinance and Development Regulation for The City of Radcliff, and has approved the application as submitted.

If any further information is required, please contact this office at (502) 351-1875.

Sincerely,

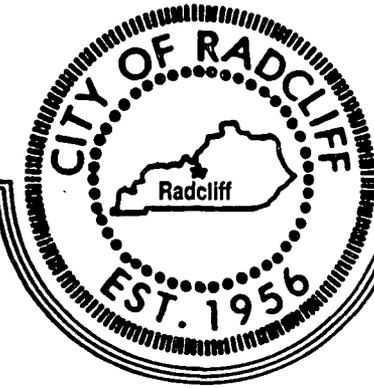
Steven B. Barno
Interim Planning Director

City Hall (502) 351-4714
Maintenance (502) 351-8150
Police Records (502) 351-4470
Development (502) 351-3178

Colvin Center (502) 351-4079
Planning/Zoning (502) 351-1875
Police Chief (502) 351-4479
City TDD (502) 351-4746

Fire Chief (502) 351-1975
Building/Codes (502) 351-1875
Wastewater (502) 351-6270
FAX (502) 351-7329

CITY OF RADCLIFF



P.O. Drawer 519
411 W. Lincoln Trail Blvd.
Radcliff, Kentucky 40159-0519

July 28, 1999

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

RECEIVED

AUG 02 1999

PUBLIC SERVICE
COMMISSION

Re: Case No.: 99-304 UAC

Dear Commissioners:

On July 23, 1999, we received a copy of the Uniform Application and attachments in connection with the reference case. We are currently in the process of reviewing the material for compliance with The Zoning Ordinance and Development Regulation for The City of Radcliff, and will hold a public hearing on this matter on September 2, 1999.

The final decision of the Planning Commissions will be submitted to you, within the required sixty days from the date the application was received. If any further information is required, please contact this office at (502) 351-1875.

Sincerely,

Steven B. Barno
Interim Planning Director

Z 235 688 520-Certified Mail Number

City Hall (502) 351-4714
Maintenance (502) 351-8150
Police Records (502) 351-4470
Development (502) 351-3178

Colvin Center (502) 351-4079
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COMMONWEALTH OF KENTUCKY
PUBLIC SERVICE COMMISSION

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

August 4, 1999

To: All parties of record

RE: Case No. 99-304 UAC
NPCR, INC. DBA NEXTEL PARTNERS

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/sa
Enclosure

Donald J. Manning
Vice President and General Counsel
NPCR, Inc.
dba Nextel Partners
4500 Carillon Point
Kirkland, WA. 98033

Rodney Strong
Crown Communications, Inc.
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11001 Bluegrass Parkway, Suite 330
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200 S. Buckman Street
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Honorable W. Brent Rice
Counsel for Nextel Partners
McBrayer, McGinnis,
Leslie & Kirland
163 W. Short Street
Lexington, KY. 40507 1361

FOR THE PUBLIC RECORD

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

RECORDED
JUL 22 1999
PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF CROWN COMMUNICATION INC.)
AND NPCR, INC., (NEXTEL PARTNERS))
FOR ISSUANCE OF A CERTIFICATE OF PUBLIC)
CONVENIENCE AND NECESSITY TO CONSTRUCT)
A WIRELESS COMMUNICATIONS FACILITY AT)
2265 S. WILSON ROAD, RADCLIFF, KY 40160)
IN THE WIRELESS COMMUNICATIONS LICENSE AREA)
IN THE COMMONWEALTH OF KENTUCKY)
IN THE COUNTY OF HARDIN)

CASE NO.: 99-304 UAC

FILED
JUL 22 1999
PUBLIC SERVICE
COMMISSION

SITE NAME: RADCLIFF
SITE NUMBER: 044KY

Crown Communication Inc. (Crown), as ultimate owner, and and NPCR, INC., d/b/a Nextel Partners (Provider), as a licensed public utility in the Commonwealth of Kentucky make this application.

The property on which the WCF will be located is located at 2265 S. Wilson Road, Radcliff, Kentucky 40160. The WCF site is geographically positioned at 37° 48' 42.34" North latitude, 85° 55' 33.32" West longitude.



COMMONWEALTH OF KENTUCKY
PUBLIC SERVICE COMMISSION

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

July 28, 1999

To: All parties of record

RE: Case No. 99-304 UAC
NPCR, INC. DBA NEXTEL PARTNERS
(Construct) CELL SITE - 2265 SOUTH WILSON ROAD - RADCLIFF

This letter is to acknowledge receipt of initial application in the above case. The application was date-stamped received July 22, 1999 and has been assigned Case No. 99-304. 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

Donald J. Manning
Vice President and General Counsel
NPCR, Inc.
dba Nextel Partners
4500 Carillon Point
Kirkland, WA. 98033

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FOR THE PUBLIC RECORD

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

RECEIVED
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JUL 22 1999

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