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Governor

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Environmental and Public  
Protection Cabinet

Christopher L. Lilly  
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Commonwealth of Kentucky  
**Public Service Commission**  
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Chairman

Teresa J. Hill  
Vice Chairman

Gregory Coker  
Commissioner

March 17, 2006

Tracer Bryant  
2704 Stonefield Lane  
LaGrange, KY 40031

RE: Case No. 2006-00052  
Bluegrass Cellular

Dear Tracer Bryant:

This is in response to your letter received on February 28, 2006 requesting information regarding the application for approval to construct a wireless tower facility. The letter has been placed in the official case file of this proceeding and the Commission will carefully analyze this application before rendering its final decision. By this letter, the attached request for information has been forwarded to the Applicant for a response.

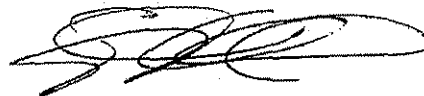
Commission Staff requests the Applicant to submit a written response to the request for information, with a copy to the Commission, within 15 days of the date of this letter. After receipt of the Applicant's response, the party requesting the information should submit to the Commission a request for intervention or a hearing, if intervention or a hearing is desired. If no request for intervention or a hearing is received within 30 days of the date of this letter, the Commission Staff will presume that the Applicant's reply has satisfied the concerns raised in the attached request for information.

It may be helpful for you to know the state authority, specifically that of the Public Service Commission, in this matter has been limited by federal law. For example, Section 704 of the federal Telecommunications Act of 1996 prohibits this Commission from regulating the placement of wireless facilities on the basis of environmental effects of the radio frequency emissions to the extent that facilities comply with Federal Communications Commission regulations. Section 704 also prohibits a state or local government from prohibiting telecommunications facilities construction if such denial will have the effect of prohibiting service. In addition, this Commission is required by statute to ensure that utility service, including telecommunications service, is adequate and reliable. The Commission does, however, consider appropriate placement of necessary facilities within applicable engineering boundaries. It also pursues a policy of collocation of facilities whenever possible.

You may view Orders and data requests issued by the Commission or other formal case documents on our website <http://psc.ky.gov>.

Thank you for your letter of interest and concern in this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Beth O'Donnell", with a large, sweeping flourish at the end.

Beth O'Donnell  
Executive Director

BOD/jc

cc: Parties of Record

Honorable John E. Selent  
Attorney at Law  
Dinsmore & Shohl, LLP  
1400 PNC Plaza  
500 West Jefferson Street  
Louisville, KY 40202

m7

Tracer L Bryant  
2704 Stonefield Lane  
LaGrange, KY 40031

February 22, 2006

RECEIVED

FEB 28 2006

PUBLIC SERVICE  
COMMISSION

Executive Director's Office  
Public Service Commission of Kentucky  
PO Box 615  
Frankfort, KY 40602

**RE: Case Number 2006-00052**

Dear Sir or Madam:

This letter is in response to a recent public notice concerning the construction of a 240 foot cellular tower at 57 Missionary Drive, Russell Springs, Kentucky. The notice did not provide us with enough detailed information to draw a conclusion. In addition to the lack of information provided. We believe the information that has been provided may be inaccurate. Specifically, the proximity of the tower in relation to surrounding structures. Would you please provide the homeowners with the construction timetable, construction drawings, and the location of the tower in the proposed site?

We come to Lake Cumberland throughout the year, not just in the summer, and it will eventually become our permanent residence. We do not agree with the location of the proposed cellular tower. We question the necessity of constructing the tower within such a rustic and scenic community. We purchased our property at a premium to enjoy the rustic environment and lake view. If the tower is placed at the proposed site our once relaxing view from our bedrooms will be replaced with a 240 foot blinking cellular tower.

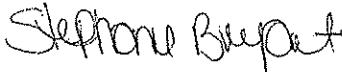
It is our understanding this project was initiated to accommodate the request for cellular coverage by resort and marina customers. We ask the Commission to realize the aesthetic and financial damage that surrounding landowners would incur to appease the resort and marina customers, who have no vested interest in the community. We do realize the convenience that cellular service would provide. However, we ask the Commission to consider in its decision a recommendation locating the tower in an open area where no homes would exist within the 500 foot vicinity of the tower.

We would like to thank the Commission for the opportunity to express our concerns regarding the tower construction, and would appreciate any additional information concerning your decision in this matter.

Sincerely,



Tracer Bryant  
Map 71SE Lots 1&2  
Lot L Bluegrass Cellular Map



Stephanie Bryant

CC: Allen McGimsey  
Project Manager  
2902 Ring Road  
BlueGrass Cellular  
Elizabethtown, KY 42701

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