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Environmental and Public
Protection Cabinet

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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

Louis E. Fister, Jr.
401 Lewis Hargett Circle, Suite 110
Lexington, KY 40503

RE: Case No. 2006-00052
Bluegrass Cellular

Dear Mr Fister:

This is in response to your letter received on February 17, 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.

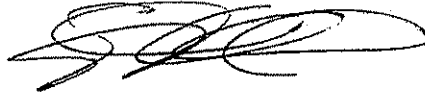
Commission Staff requests the Applicant to submit a written response to the request for information, with a copy to the Commission, within 15 days of the date of this letter. After receipt of the Applicant's response, the party requesting the information should submit to the Commission a request for 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', written in a cursive style.

Beth O'Donnell
Executive Director

BOD/jc

cc: Parties of Record

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

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RECEIVED
FEB 17 2006
PUBLIC SERVICE
COMMISSION

Louis E. Fister, Jr.
Jim Mike Williams

Phone (859) 219-0098
Fax (859) 219-9058

February 10, 2006

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

Re: Case Number 2006-00052

Dear Sir:

We are owners near the above referenced cellular tower service facility to be located at 57 Missionary Drive, Russell Springs, KY (we are Lot 'P' on the plat sent to us). We would like to be consulted with regards to the following items:

1. Construction drawings of the actual tower
2. Pictures of towers similar to the one planned
3. Location of tower on the Lot
4. Construction timetable of tower
5. Buffering plans around the tower
6. Maintenance fo landscaping planted near the tower
7. Request for additional berm and landscaping to be placed on the Cove Road side of Missionary Drive (specifically along the side years of Lots "L" and "T")
8. What cell companies have been contacted to lease space on the tower (specifically, I am interned in Verizon cell service availability).

Please understand, that before we can make an informed decision about this proposed project, we need additional information. Please call us at any time, and we will meet with you or talk to you over the phone. Thank you for your help.

Sincerely,



Louis E. Fister, Jr.

c: Allen McGimsey
Project Manager
Bluegrass Cellular
2902 Ring Road
Elizabethtown, KY 42701

Mr. Kerry Ingle
Dinsmore & Shohl Attorneys
1400 PNC Plaza
Louisville, KY 40202

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