



File Code: 2700

Date: JAN 29 2008

2008-00018

Ms. Beth O'Donnell, Executive Director
Kentucky Public Service Commission
211 Sower Blvd.
P.O. Box 615
Frankfort, KY 40602-0615

RECEIVED

JAN 31 2008

PUBLIC SERVICE
COMMISSION

Dear Ms. O'Donnell:

Thank you for the opportunity to review Bluegrass Wireless, LLC dba Bluegrass Cellular and Hemphill Corporation's proposal to construct a 340 foot guyed tower located at Whitley City, Kentucky in Pulaski County. This proposal occurs on a small tract of private land that is surrounded by National Forest System (NFS) lands. The proposal is also in close proximity to NFS lands. My concerns are as follow:

- 1) Landline boundaries – Boundary lines should be clearly designated in order to avoid potential trespass onto NFS lands. If these lines are not clear, they should be surveyed prior to construction. Use of NFS lands has not been requested. Therefore, I would not expect activities related to this proposal to be on NFS land.
- 2) Road access – The map provided as an attachment to the January 15, 2008 letter indicates that the access road is entirely on private land. It is unclear if the proposal is to construct a new road, or to use the existing road. Our records indicate that existing access is a Forest Service road that crosses NFS lands from road 861 (Liz Worley Circle) to the private tract. If this road is needed for construction and operational purposes, a special use permit would need to be issued from this office.
- 3) Migratory birds - It is well documented that guyed towers cause migratory birds to die from collisions with the tower or guy wires. I encourage you to explore and use proven deterrents.

For additional information or coordination of requests for a Special Use Permit should go through District Ranger Fred Noack at the Stearns Ranger Station, (606) 376-5323 ext. 118.

Sincerely,

JEROME E. PEREZ
Forest Supervisor



CC: Fred Noack, Stearns District Ranger

Patrick R. Hughes
Counsel for Hemphill Corporation
207 Thomas More Parkway
Crestview Hills, KY 41017