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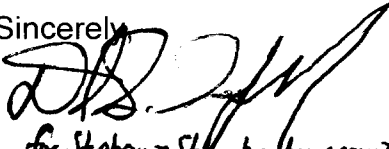
John W. Clay
Commissioner

August 4, 2008

To: Parties of Record
Case No. 2008-00079
Kentucky RSA #4 Cellular

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. 2008-00079

FROM: Tiffany Bowman, Staff Attorney

DATE: August 4, 2008

SUBJECT: Informal Conference
Kentucky RSA #4 Cellular

Pursuant to the Commission's Order of June 17, 2008, an informal conference was held in this matter on Thursday, July 31, 2008. Intervenor Anna Vermillion, representatives for the applicant Kentucky RSA #4 Cellular ("Kentucky RSA"), and Commission Staff were present for the conference. The list of attendees is attached.

The purpose of the conference was to discuss the Intervenor's objections and concerns as to the proposed tower location. Mrs. Vermillion expressed concerns about the tower's close proximity to electric power lines, the tower's distance from nearest public road and the likelihood of the tower's collapse. Mrs. Vermillion raised a number of questions and concerns on issues of health effects and property value reduction if the tower is constructed close to her home.

Kentucky RSA addressed the issues of the proposed tower's durability, the survey methods used to determine a cell site, coverage needs for Highway 88, the development of a lease with property owners and other issues related to tower construction. Kentucky RSA also discussed the additional costs to be expended if it were required to seek another tower location. At the very minimum, Kentucky RSA would expect to spend an additional \$25,000 to \$30,000 to determine if a new site is feasible, in addition to the other expenses for the actual development of the site and tower construction. Kentucky RSA also discussed the issue of tower co-location and explained why co-location is not feasible for coverage needed along the Highway 88 corridor.

Mrs. Vermillion asked questions regarding the type of evidence or information the Commission would consider in order to decide to deny the current proposed tower location.

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's 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.

Commission Staff stated that, after the parties have had the opportunity to submit written comments on the informal conference memo, the Commission would issue an Order requiring Mr. and Mrs. Vermillion to state, in writing, whether they intend to remain as Intervenors in the case. If the Intervenors 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 Intervenors.

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.

Attachment

cc: Parties of Record

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

APPLICATION OF KENTUCKY RSA #4)
CELLULAR FOR ISSUANCE OF A)
CERTIFICATE OF PUBLIC CONVENIENCE)
AND NECESSITY TO CONSTRUCT A)
CELL SITE (WEBB) IN RURAL SERVICE)
AREA #4 (GREEN) OF THE)
COMMONWEALTH OF KENTUCKY)

CASE NO. 2008-00079

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July 31, 2008 Informal Conference
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Please sign in:
NAME

Tiffany Bowman
Eric Bowman
Anna Vermillion
LEE HILL
Tip Depp
Darryl Updegraff
Ebony Glenn
Kermy Ingle

REPRESENTING

PSC Staff
PSC Staff
self
BLUEGRASS CELLULAR
Dinsmore & Shohl (for Bluegrass Cellular)
Bluegrass Cellular
Dinsmore & Shohl (for Bluegrass Cellular)
Dinsmore & Shohl