

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

FIRST KENTUCKY CELLULAR CORP., A)
DELAWARE CORPORATION D/B/A CELLULAR)
TELEPHONE COMPANY OF KENTUCKY, FOR THE)
ISSUANCE OF A CERTIFICATE OF PUBLIC) CASE NO. 92-035
CONVENIENCE AND NECESSITY FOR THE)
OPERATION AND CONSTRUCTION OF A TOWER)
AT THE LOCATION OF THE MTSO)

O R D E R

On January 31, 1992, the Commission received the attached letter from a property owner within 500 feet of the tower proposed to be constructed behind Tri-County Square Shopping Center at 1629 Ohler Road, referred to as the MTSO cell site. Also attached is a copy of Mr. Faulkner's comments, filed on December 9, 1991, in Case No. 91-247,¹ which were referenced in the letter.

IT IS HEREBY ORDERED that First Kentucky Cellular Corporation ("First Kentucky") shall:

1. Respond in writing to Mr. Faulkner's concerns regarding the alleged hazard that exists due to the proposed tower's close

¹ Case No. 91-247, The Application of First Kentucky Cellular Corp., a Delaware Corporation d/b/a Cellular Telephone Company of Kentucky, for the Issuance of a Certificate of Public Convenience and Necessity to Provide Domestic Public Cellular Radio Telecommunications Service to the Public in the Kentucky Rural Service Area which Includes Bell, Clay, Harlan, Knox, Leslie and Whitley Counties in Kentucky, and for the Establishment of Initial Rates.

proximity to high voltage electric transmission lines, with a copy to the Commission.

2. Respond to the Commission with documentation from Kentucky Utilities Company regarding whether or not the proposed construction of the tower will create a potential hazard, and whether any precautions should be taken during the construction to avoid contact with the high voltage electric transmission lines.

Done at Frankfort, Kentucky, this 6th day of March, 1992.

PUBLIC SERVICE COMMISSION


For the Commission

ATTEST:


Executive Director

Herman C. Faulkner
5 Canary Circle
Carlin KY 40701

29 January 1992

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

RECEIVED
JAN 31 1992
PUBLIC SERVICE
COMMISSION

Gentlemen:

Please consider my comments relative to Cases
No. 91-247, which were forwarded to you on
4 December 1991, applicable to Case No. 92-035
as well.

The following additional comment is offered:

General Layout Drawing, dated 14 Oct 1991,
by Meredith General Survey, Inc. indicated
that the 20' x 25' structure, near the tower base,
to be an "Outbuilding". I personally know that
this building has been continually occupied
as a residence for the past 12 years.

Sincerely,

Herman C. Faulkner

Herman C. Faulkner
5 Canary Circle
Corbin, Kentucky 40701

4 December 1991

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

RECEIVED

DEC 9 1991

PUBLIC SERVICE
COMMISSION

Re: Case No. 91-247

Gentlemen:

My Comments and objections to the proposed construction noted in Case No. 91-247 are as follows:

1. The proposed location of this tower is in the center hub of a shopping center, a drive-in restaurant and a housing subdivision. This leads me to believe that surrounding property owners were of little concern to Kentucky Cellular Corporation when this site was selected.

2. The proposed tower (concrete base of which is already in place) will be constructed within Fifty (50) to Seventy (70) feet of two (2) homes and a High Voltage Electric Transmission Line (Kentucky Utilities Co.). Should this tower ever be toppled by winds, toranados or other means, catastrophic consequences could occur.

3. The proposed tower with attached guy wires, being within the near proximity of my home, will create an unsightly view and will definitely be determintal to the value of my property.

4. The proposed tower will most likely require permanent blinking lights to be installed on it. This will create a perpetual nuisance when viewing the area from my home. Also, the blinking lights would always show through my windows at night.

Sincerely,

Herman C. Faulkner
Herman C. Faulkner