

COMMONWEALTH OF KENTUCKY

BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF EVANSVILLE LIMITED)
PARTNERSHIP FOR ISSUANCE OF A)
CERTIFICATE OF PUBLIC CONVENIENCE AND)
NECESSITY TO CONSTRUCT AN ADDITIONAL) CASE NO. 94-225
CELL FACILITY IN THE OWENSBORO,)
KENTUCKY METROPOLITAN STATISTICAL AREA)
(OWENSBORO CELL FACILITY))

O R D E R

IT IS HEREBY ORDERED that:

1. Within 20 days of the date of this Order, Evansville MSA Limited Partnership ("Evansville Limited Partnership") shall file with the Commission, with a copy to all parties of record, the original and 10 copies of its response to the questions contained in Marty Walker's July 1, 1994 letter, which is attached hereto as Appendix A.

2. A hearing on the proposed cell site to be located at 2937 Newbolt Road, Owensboro, Daviess County, Kentucky is scheduled for September 7, 1994, at 10:00 a.m., Eastern Daylight Time, in Hearing Room 1 of the Commission's offices at 730 Schenkel Lane, Frankfort, Kentucky.

3. Evansville Limited Partnership shall appear at the hearing and present testimony on the engineering design, location, and construction of the proposed cell site, and the health and safety issues relating to the operation of the cell site.

4. Any interested person shall have the opportunity to present testimony or comment on any aspect of the proposed cell site, including local issues such as impact on property values.

5. Pursuant to KRS 100.324, a copy of this Order is being sent to the Owensboro Metropolitan Planning Commission for the purpose of notification that the above-scheduled hearing may affect locations or relocations of service facilities within the planning unit's jurisdiction.

Done at Frankfort, Kentucky, this 29th day of July, 1994.

PUBLIC SERVICE COMMISSION


For the Commission,

ATTEST:


Executive Director

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE
COMMISSION IN CASE NO. 94-225 DATED July 29, 1994

Executive Director's Office

Public Service Commission of Kentucky

Post Office Box 615

Frankfort, KY 40602

Marty and Sarah Walker

2880 Settles Road

Owensboro, KY 42303

(502)683-8061

July 1, 1994

REVISED

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

RECEIVED

JUL 22 1994

PUBLIC SERVICE
COMMISSION

Re: Public Notice - Public Service Commission of Kentucky
Case No. 94-225

Dear Sir:

This letter is to fully and formally intervene in the above-referenced case. I am requesting that Evansville MSA Limited Partnership respond to the following questions and concerns prior to the hearing.

- Provide copies of all required applications with federal, state and local authorities.
- Provide a blue print, schematic and picture of the proposed tower.
- Will this tower solely be used by Evansville MSA Limited Partnership as Cellular One?
- What types of services will this tower support?
- Will you be leasing on this tower to other parties?
- Will you ever build anything more than what is being proposed?
- How are you planning to supply support functions to this tower (Electrical service, telephone service and access road)?


Please provide details on these functions. Are you planning to use our land for these services?

- Why did you chose this location on the Neubauer Estate?
- Why was the original location changed?
- Why couldn't the tower be moved to another part of the large Neubauer farm that wouldn't affect any residence?
- Why couldn't the tower be located next to Green River toll road?
- Will the tower create any safety hazards to my family?
- Are the Radio Frequencies or other energies created by the tower a potential health risk? What documentation do you have to support this answer. I would like a copy of this documentation.
- What construction safety features does the tower have in case of tornado, earthquake or construction flaw?
- This area has been underground mined in the past. Have you done any geological studies for mine subsidence?
- I would like a copy of your insurance policy in case your tower causes physical harm to my family.
- What minimum acreage is required for this tower? Is our land included in this minimum?
- What minimum footage is required from property lines, trees and buildings for this tower?
- Can you prove this tower will not devalue our property? If so, please provide detailed documentation.
- What gives a profit making company the right to devalue other's property?

- What type of safety lighting will be on the tower? Will this lighting be a nuisance to my family?
- Will the tower effect our T.V. reception, telephone clarity or any other electrical devices? What supports your answer?
- What are your long-term plans of the proposed tower: 5 (five) years, 10 (ten) years and 20 (twenty) years?
- Can the tower be sold to another party?
- What are your detailed plans for the tower after your lease with the Neubauer Estate expires in 5 (five) years?
- Why does the one of the support (guyed) wires have to be located next to our property?
- Is the lease with the Neubauer Estate location specific? Can you locate the tower anywhere on their property?
- Was the enclosed letter from, Collins Commercial Realty for this same proposed tower? Is Contel Cellular a affiliated company of Evansville MSA Limited Partnership or Cellular One?
- Is this tower absolutely required at this specific location to provide cellular service to this area? Will this tower only service this area?
- My final comment is that the address of the proposed location on the Neubauer Estate is incorrect. Please have Evansville MSA Limited Partnership refile all necessary applications with the correct address.

Please have Evansville MSA Limited Partnership as Cellular One respond to these questions and concerns as soon as possible so that I might prepare for the hearing. Thank you for your cooperation in this matter.

Sincerely,



Marty Walker