

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF CONTEL CELLULAR OF)
KENTUCKY, INC. FOR ISSUANCE OF A)
CERTIFICATE OF PUBLIC CONVENIENCE AND) CASE NO. 95-031
NECESSITY TO CONSTRUCT AN ADDITIONAL CELL)
FACILITY IN THE LOUISVILLE, KENTUCKY)
METROPOLITAN STATISTICAL AREA (BROWNSBORO)
ROAD CELL FACILITY))

O R D E R

The Commission has received the attached letters of opposition from Mrs. Don Midkiff, Dr. John S. Spratt, Walt and Marianne Dula, John W. Stewart, F. E. Mayo, Mr. and Mrs. Donald A. Appledorn, and Saeid Shafizadeh (hereinafter referred to collectively as "Petitioners") regarding the proposed cellular telecommunications facility to be located at 1913 Rudy Lane, Louisville, Jefferson County, Kentucky.

IT IS THEREFORE ORDERED that:

1. Contel Cellular of Kentucky, Inc. ("Contel Cellular") shall respond to the Petitioners' concerns by certified letter within 10 days of the date of this Order.
2. Contel Cellular shall file a copy of each certified letter and dated receipt within 7 days of the date on the receipt.

Done at Frankfort, Kentucky, this 15th day of March, 1995.

ATTEST:


Executive Director

PUBLIC SERVICE COMMISSION

For the Commission

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FEB 28 1995
GENERAL COUNSEL

Feb 22 1995
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Case # 95-031

As a resident of Winding Falls, I want you to know my husband and I are upset to say the least about Cellular one wanting to put a tower in our neighborhood - I can't believe something like that would be considered in our neighborhood. Please - having the Ramada Inn on one corner of our entrance is something we have had to try to tolerate. At least they can't put up tall signs - but now a tower - no one would dare talk about putting one in Northfield or Indian Hills or neighbors in St. Matthews - Put it on the Interstate - that's where it belongs - away from home. We have heard about the effects on our children of utility lines - Now this -

Mrs Don Midkiff
1814 Bainbridge Row Dr.
Louisville, KY 40207

FEB 27 1995
PUBLIC SERVICE
COMMISSION



University of Louisville
Health Sciences Center

John S. Spratt, M.D., F.A.C.S.
Division of Surgical Oncology

Mailing Address:
J. Graham Brown Cancer Center
529 South Jackson Street
Louisville, Ky. 40202
(502) 852-5592

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FEB 28 1995

GENERAL COUNSEL

February 22, 1995

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

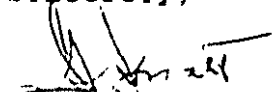
Re: Case No.: 95-031

Dear Sir:

I have been advised that a cellular radio telecommunications tower may be built at 1913 Rudy Lane, behind the Ramada Inn, in Louisville. I call to your attention the fact that this will not only be an eyesore, but it will also be a potential health problem. You, undoubtedly, are aware of the ongoing dialogue about the effect of electromagnetic radiation on health. Counter arguments have been that such towers put out a very small level of additional exposure. However, there is a completely new observation with respect to these electromagnetic wave sources referred to as stochastic enhancement. By the presence of stochastic enhancement, the electromagnetic radiation intensity may be actually enhanced by the body's own electromagnetic field. You are aware that Dunn Elementary School is in very close proximity to this proposed tower and the tower would be exposing a lot of young people to enhanced electromagnetic radiation.

I sincerely hope you will deny the permit for the construct of this tower in this highly undesirable location.

Sincerely,


John S. Spratt, M.D., F.A.C.S.

JSS:rlh

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95-031

FEB 23 1995

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

GENERAL COUNSEL

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FEB 27 1995

RE: Proposed tower on Rudy Lane for
CONTEL CELLULAR behind the Ramada
Inn on Brownsboro Lane in Louisville

Dear Sir or Madam:

I am writing about our concerns with regards to the above-mentioned proposed tower on Rudy Lane. I am a resident of Winding Falls subdivision directly across from the proposed sight; I question the appropriateness of such an eyesore near a residential community!!! I also have some concerns as to how this tower construction will affect the property values of our community, as well as any other detrimental affects that may be linked to its placement (i.e. effects of radio waves on nearby residents and school children, television reception)

I hope these matters are fully researched before any decision is made to approve Contel's request. I am sure that a more appropriate location can be found that would be agreed upon by all parties' involved.

Thank you for your time and I hope you consider our concerns in making your decision.

Very truly yours,

Walt and Marianne Dula

Walt and Marianne Dula
5902 Hickman Court
Louisville, KY 40207
(502)896-8911

JOHN W. STEWART
2306 FALLSVIEW ROAD
LOUISVILLE, KENTUCKY 40207

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GENERAL COUNSEL

FEB 27 1995

PUBLIC SERVICE
COMMISSION

February 22, 1995

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

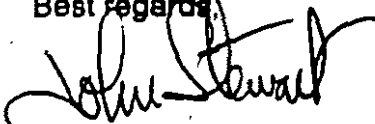
REFERENCE CASE NO. 95-031

It is my understanding that Contel Cellular of Kentucky, Inc., which does business as Cellular One, has applied to the Public Service Commission of Kentucky to construct a tower at 1913 Rudy Lane, adjacent to the Winding Falls subdivision.

This tower, which will extend 138 feet in the air, is inappropriate for a subdivision. I fear it will adversely affect property values, plus it will not be aesthetically appealing. Other concerns include health effects of such a tower in a residential neighborhood and the effects it will have on television and radio reception.

Residents of this community work very hard to keep up our properties and make our neighborhood safe for our families. Please consider locating this tower at a different site than Winding Falls.

Best regards,



JOHN W. STEWART

F. E. Mayo
1804 Bambridge Road
Louisville, KY 40207

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GENERAL COUNSEL

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PUBLIC SERVICE
COMMISSION

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

RE: 45-031

DEAR Sir,

I am in opposition to
CORTEL CELLULAR OF KENTUCKY INC
locating a tower behind Ramada
Inn at 1913 Rudy Lane. The
tower would be a detriment
to this neighborhood.

Thank you for not approving
this request.

Sincerely
F. E. Mayo

February 21, 1995

Mr. & Mrs. Donald A. Appledorn
6002 Hackney Coach Drive
Louisville, KY 40207

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

RE: CASE #95-031

TO WHOM IT MAY CONCERN:

We would like to register our protest concerning the construction of the cellular radio tower at 1913 Rudy Lane. We feel it would be unsightly and inappropriate in our neighborhood and possibly a health hazard. The case number is referenced above.

Thank you for your attention to this matter.

Mr. and Mrs. Donald A. Appledorn

Mr. & Mrs. Don Appledorn

cc: Mr. Robert A. Murphy, Mayor
City of Winding Falls

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FEB 28 1995
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GENERAL COUNSEL FEB 27 1995
PUBLIC SERVICE
COMMISSION



PARS INTERNATIONAL CORPORATION

P.O. BOX 37184 • LOUISVILLE, KY 40233 • U.S.A.

95-031

February 23, 1995

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

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FEB 28 1995

GENERAL COUNSEL

TELEPHONE (502) 383-0000
TELEX 856841 PARS INTL UD
FAX (502) 387-8900

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FEB 27 1995

PUBLIC SERVICE
COMMISSION

Dear Sir or Madam,

I am writing this letter to express my strong opposition to the application filed by Contel Cellular of Kentucky Incorporated for construction of a tower at 1913 Rudy Lane in Louisville, Kentucky. Our House is located in the City of Winding Falls, at 1912 Rudy Lane, across the street from the proposed site location. Our neighborhood has already been over-exploited by a greedy developer and we are not going to allow any further deterioration of the area. We are determined to stop this preposterous proposal. We feel that the tower will be an eye sore to our neighborhood and will reduce the value of our property. Further, the tower will create additional radio frequency pollution, plus other pollution such noise, air, and traffic caused by the maintenance crews servicing the tower. In fact, to my knowledge no Environmental Impact Study has been conducted for this project. Therefore, we urge the commission to deny the application. We are peaceful people and would like to believe that the system would give serious consideration to our legitimate request. Pursuant to the provisions of the KRS 61.872, I am requesting the disclosure of the Following:

Names and personal process addresses for all the representatives of the Public Service Commission of Kentucky who will have influence and/or vote on the application filed by Contel Cellular of Kentucky Incorporated for construction of a tower at 1913 Rudy Lane, Louisville, Kentucky 40207.

If you have any questions or need additional information, please feel free to contact me.

Cordially

Saaid Shafizadeh
Director