

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

THE APPLICATION OF CONTEL CELLULAR OF)
KENTUCKY, INC. FOR ISSUANCE OF A)
CERTIFICATE OF PUBLIC CONVENIENCE AND)
NECESSITY TO CONSTRUCT AN ADDITIONAL CELL) CASE NO. 95-052
FACILITY IN THE LOUISVILLE, KENTUCKY)
METROPOLITAN STATISTICAL AREA (SOUTH)
HURSTBOURNE CELL FACILITY)

O R D E R

The Commission has received the attached letters of opposition from Mrs. Valory V. Scott, Rev. William D. Hammer, Robert H. Corlein, Mr. and Mrs. Stephan Stine (hereinafter referred to collectively as "petitioners") regarding the proposed cellular telecommunications facility to be located at 8408-U Hudson Lane, Louisville, Jefferson County, Kentucky.

IT IS THEREFORE ORDERED that:

1. Contel Cellular of Kentucky, Inc. ("Contel Cellular") shall respond to 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

VALORY V. SCOTT
8420 HUDSON LANE
LOUISVILLE, KENTUCKY 40291

RECEIVED

FEB 28 1995

February 26, 1995
PUBLIC SERVICE
COMMISSION

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

Gentlemen:

RE: Case No. 95-052

I have been informed by W. Brent Rice, Counsel for Centel Cellular of Ky., Inc. that they have applied to the Public Service Commission of Kentucky for a Certificate of Public Convenience and Necessity to construct and operate a new cell facility to provide cellular radio telecommunication service. This facility would include a tower with a total height of 199' to be located at 8408-U Hudson Lane, Louisville, Jefferson County, Kentucky.

Because this proposed tower would be within 100' of our property and practically in our back yard, it is sincerely requested permission to construct it at that location will be disapproved and denied. I fear it would lower the property values in this residential neighborhood and would be unsightly towering above the tree tops. I am also concerned that it might adversely affect television reception for those of us who do not have Cable. What do you think?

Thanks for listening.

Yours truly,

Valory V. Scott
(Mrs.) Valory V. Scott



St. Gabriel the
Archangel Church

8409 Hudson Lane
Louisville, KY 40291-1997
502-239-5481

RECEIVED

FEB 28 1995

February 24, 1995

GENERAL COUNSEL

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

To Whom It May Concern,

I am writing in reference to Case No. 95-052, a proposal to locate an approximately 199 foot tower for cellular radio communication, to be located at 8408 Hudson Lane, on property listed as Happy Acres Swim Club. Though I am located directly across the street at 8409 Hudson Lane, I was not officially notified since I fall a few feet outside the legal 500 foot radius from the tower. Neighbors who are also members of the congregation showed me copies of their letter of notification.

In addition to the obvious concern of locating such a tower in a residential neighborhood, I have concerns for the safety of the 780 students enrolled in our school. I have received assurances that there are no concerns regarding emissions or transmission from the tower, however, my concern for safety focuses on the natural attraction of youth to the challenge of climbing such a structure. Even with surrounding fences, as a pastor I remain concerned by locating such a structure so close to a grade school as well as the aesthetics of locating such a tower so near our sanctuary.

Since we were not even acknowledged on any of the maps used in the mailing, I wanted the commission to make sure it was aware that the proposed tower would be located so near a large grade school as well as a 5000 member congregation.

Sincerely,

Rev. William D. Hammer

Rev. William D. Hammer
Pastor

RECEIVED

RECEIVED

MAR 01 1995

MAR 02 1995

PUBLIC SERVICE
COMMISSION
February 18, 1995

GENERAL COUNSEL

Executive Director's Office
Public Service Commission of Kentucky . Re: Case No 95-052

We have received a letter from a firm in Lexington that is counsel for Contel Cellular of Kentucky, Inc. regarding the erection of a tower with a total height of 199 feet. This is the first communication on this project we have received and are very upset that as a property owner within 250 feet of the tower we have not been notified before. Also, across the street on Hudson Lane is a private school, Kindergarten through grade 8 with approximately 750 students. They were never notified of this project.

We do not know if there are any health problems associated with a tower of this sort, nor do we know where to obtain this information. We also believe that its presence would lower property values, be an eyesore in our residential area and could be an "attractive nuisance" for adventurous young people.

For these reasons we write this letter to voice our objections to the location of this tower at 8408 Hudson Lane. We ask that no approval be granted until after Mr. Don Mills, your Executive Director, meets with representatives of the Jefferson County Planning Commission and local officials later this month.

We would appreciate a reply in regard to health hazards and any other problems, such as interference with television reception, etc. or other considerations.

Also, why is approval reserved for your office in Frankfort and not the Planning & Environment office in Jefferson County?

Sincerely,

Robert H. Corbin
8416 Hudson Lane
Louis Ky 40291

February 26, 1995

Mr. and Mrs. Stephan Stine
8418 Hudson Lane
Louisville, KY. 40291

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

Re: Case No. 95-052

We have received a letter from a law firm in Lexington concerning a proposal to construct and operate a 199' tower to be located at 8408 Hudson Lane in Louisville. This location is right next door to our residence. This is the first information we have received regarding this project. As the property owners next door to the proposed site, we are upset to have been notified in such a manner as well as being upset about the proposed tower.

We would like to know what health concerns, if any, have been associated with these towers. We would also like written assurance that there are no health problems related to these towers. We also have not been given any information as to how this tower would effect our television and telephone receptions. We are also concerned for the well being of the wildlife which live in the woods surrounding our home. We would like assurance that this would not harm the wildlife in any way. We are also very alarmed by the eyesore this would bring to our lovely backyard. We purchased this house in September of 1994 primarily for the beauty of our yard and the surrounding yards. Had the tower been there we don't know that we would have purchased this property. Surely, this will lower the value of our property. Is there any information regarding the effect these towers have on property values when erected in residential areas?

We would like to see this tower erected elsewhere in Fern Creek. There are non-residential areas much more suited. We would at least like for the approval and erection of this tower to be delayed until our questions have been answered or addressed.

Sincerely,

Mr and Mrs Stephan Stine
Mr. and Mrs. Stephan Stine

RECEIVED

MAR 02 1995

GENERAL COUNSEL

RECEIVED

MAR 01 1995

PUBLIC SERVICE
COMMISSION