

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF NEW PAR, A DELAWARE)
PARTNERSHIP, D/B/A AIRTOUCH CELLULAR,)
FOR A CERTIFICATE OF PUBLIC CONVENIENCE) CASE NO.
AND NECESSITY TO CONSTRUCT A CELLULAR) 97-278
TELECOMMUNICATIONS FACILITY IN BOONE)
COUNTY, KENTUCKY)

O R D E R

The Commission has received the attached letters from James A. Biedenbender and Kevin T. Wall (hereinafter referred to collectively as "Petitioners") regarding the proposed cellular telecommunications facility to be located at Bullittsburg Church Road and Interstate 175, Boone County, Kentucky.

IT IS THEREFORE ORDERED that:

1. New Par, d/b/a AirTouch Cellular ("AirTouch") shall respond to the Petitioners' concerns by certified letter, within 10 days from the date of this Order.
2. AirTouch shall file a copy of the certified letter and dated receipt, within 7 days of the date on the receipt.

Done at Frankfort, Kentucky, this 6th day of August, 1997.

PUBLIC SERVICE COMMISSION


For the Commission

ATTEST:


Executive Director

James A. Biedenbender
2754 Deck Lane
Burlington, Ky. 41005

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JUL 31 1997
PUBLIC SERVICE
COMMISSION

RE: DOCKET # 97-278

I am writing to obtain any and all information available regarding the cellular communication tower that is apparently proposed to be installed within close proximity of the house that I purchased this year.

The sign was just recently put up concerning this. I am the only house on the street where the sign was posted. I want all information pertaining to how this will affect me and affect the value of my property.

I am strongly opposed to the installation at this point. I may feel differently after I have more information.

Sincerely,
James A. Biedenbender
James A. Biedenbender

7-28-97

1998 7 31 10:00 AM

7-28-97

BD

BOONE COUNTY PLANNING COMMISSION



2995 Washington Street, Burlington, KY 41005

606-334-2196

FAX 606-334-2264

E-Mail plancom@one.net

July 24, 1997

Mr. Don Mills
Executive Director
Public Service Commission of Kentucky
P.O. Box 615
Frankfort, KY 40602

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COMMISSION

RE: Case # 97-278 - 285 Foot Telecommunication Tower Proposed by Air Touch Cellular, Bullitsburg Church Road and I-275, Boone County, Kentucky

Dear Mr. Mills:

On behalf of the Boone County Planning Commission, and as Zoning Administrator for the Boone County Fiscal Court, I strongly oppose the above referenced application monopole proposal due to the following facts.

First, the site is located within a Residential Suburban Estates (RSE) zone. This zone primarily permits detached, single family residence and agricultural uses. Telecommunication towers are not permitted in this zone and the maximum building height permitted in this zone is forty five (45) feet. When considering the maximum building height permitted under the zoning regulations, the relatively undeveloped/rural character of the area, and the fact that the tower would be very visible from the abutting I-275 corridor, the proposed height of 285 feet is seemingly excessive.

Second, the future land use for the area that is directly across I-275 from the subject site is designated by the 1995 Boone County Comprehensive Plan as "Rural Lands." This designation is described as "wooded, agricultural, recreational, or low density residential uses of up to one dwelling unit per two acres for the 25 year land use plan. Residential construction in Rural Lands does not occur in a formal subdivision." Thus, the construction of an exceptionally high tower, such as the one proposed, would create a very noticeable nuisance for the existing and planned residential and agricultural populations in the area.

Third, there are a number of other towers in the area along the I-275 corridor, including an existing tower at the I-275/Petersburg interchange. Another tower was also recently considered for a site on Garrison Creek Road (this is in the general area - I believe that this tower was recently approved by the PSC). Thus, it appears that several options for co-location could be pursued.

Sincerely,

Kevin T. Wall, AICP CDT
Director, Zoning Services

KTW/vlm