

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF WIRELESSCO., L.P., BY AND )  
THROUGH ITS AGENT AND GENERAL PARTNER )  
SPRINT SPECTRUM, L.P., AND SBA TOWERS )  
KENTUCKY, INC., JOINTLY, FOR ISSUANCE OF A )  
CERTIFICATE OF PUBLIC CONVENIENCE AND ) CASE No. 97-360  
NECESSITY TO CONSTRUCT A PERSONAL )  
COMMUNICATIONS SERVICES FACILITY IN )  
THE LEXINGTON MAJOR TRADING AREA )  
(SWIGERT ROAD FACILITY) )

O R D E R

On September 30, 1997, WirelessCo., L.P. ("WirelessCo") filed an application with the Commission requesting a Certificate of Public Convenience and Necessity to construct and operate a personal communications services facility at 2275 North Broadway, Lexington, Fayette County, Kentucky.

The Commission, on its own motion, has scheduled a hearing on the proposed facility for January 27, 1998, at 9:00 a.m., Eastern Daylight Time, in Hearing Room 1 of the Commission's offices at 730 Schenkel Lane, Frankfort, Kentucky. If a party wishes to appear at the hearing in opposition to the proposed facility he should, within 10 days of the date of this Order, so notify the Commission. If no statement of intent to appear at the hearing and to present evidence against the proposed facility is received by the Commission, the hearing should be cancelled and this matter submitted to the Commission for a decision based on the record.

IT IS THEREFORE ORDERED that:

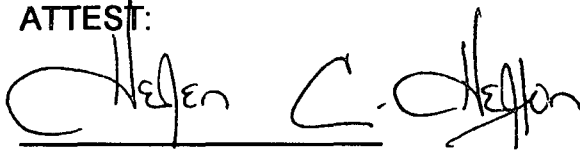
1. A hearing on the proposed facility is scheduled for January 27, 1998, at 9:00 a.m., Eastern Daylight Time, in Hearing Room 1 of the Commission's offices at 730 Schenkel Lane, Frankfort, Kentucky.
2. WirelessCo shall appear at the hearing and be prepared to present testimony on the engineering design, location, and construction of the proposed facility, as well as the safety issues relating to the proposed facility.
3. Any interested person shall have the opportunity to present testimony or comment on any aspect of the proposed facility.
4. Prefiled testimony, if any, shall be filed by January 20, 1998.
5. Any party who wishes to appear at the hearing in opposition to the proposed facility shall file a statement to that effect within 10 days of the date of this Order.
6. If the Commission does not receive, within 10 days of the date of this Order, a statement expressing a party's intent to appear in opposition to the proposed facility, the hearing shall be cancelled and the matter shall be submitted to the Commission for a decision on the record.

Done at Frankfort, Kentucky, this 22nd day of December, 1997.

PUBLIC SERVICE COMMISSION

  
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For the Commission

ATTEST:

  
\_\_\_\_\_  
Executive Director

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O R D E R

This matter arising upon the motions of Dr. and Mrs. David Atcher and Robert F. Rathbone (hereinafter referred to collectively as "Petitioners"), filed December 16, 1997, for full intervention, and it appearing to the Commission that Petitioners have a special interest which is not otherwise adequately represented, and that such intervention is likely to present issues and develop facts that will assist the Commission in fully considering the matter without unduly complicating or disrupting the proceedings, and this Commission being otherwise sufficiently advised,

IT IS HEREBY ORDERED that:

1. The motions of Petitioners to intervene are granted.
2. Each Petitioner shall be entitled to the full rights of a party and shall be served with the Commission's Orders and with filed testimony, exhibits, pleadings, correspondence, and all other documents submitted by parties after the date of this Order.

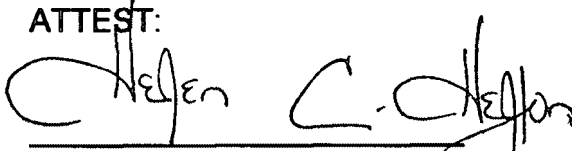
3. Should any Petitioner file documents of any kind with the Commission in the course of these proceedings, said Petitioner shall also serve a copy of said documents on all other parties of record.

Done at Frankfort, Kentucky, this 22nd day of December, 1997.

PUBLIC SERVICE COMMISSION

  
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For the Commission

ATTEST:

  
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Executive Director