

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF CELLULAR INFORMATION)
SYSTEMS OF FLORENCE, INC., AN ALABAMA)
CORPORATION, FOR ISSUANCE OF A)
CERTIFICATE OF PUBLIC CONVENIENCE AND)
NECESSITY TO CONSTRUCT AN ADDITIONAL)
CELL FACILITY IN THE KENTUCKY RURAL) CASE NO.
SERVICE AREA NO. 4 WHICH INCLUDES) 97-485
SPENCER, ANDERSON, HARDIN, NELSON,)
WASHINGTON, MERCER, MARION, LARUE,)
GREEN AND TAYLOR COUNTIES IN KENTUCKY)
(THE LEBANON RELOCATION CELL FACILITY))

O R D E R

The Commission has received the attached letters regarding the proposed cellular telecommunications facility to be located at Thornton Smith Road, Lebanon, Marion County, Kentucky.

IT IS THEREFORE ORDERED that:


1. Cellular Information Systems of Florence, Inc. ("Cellular Information") shall respond to the concerns stated in each letter by certified mail, within 10 days from the date of this Order.
2. Cellular Information shall file a copy of the certified letters and dated receipts, within 7 days of the date on the receipt.

Done at Frankfort, Kentucky, this 10th day of February, 1998.

ATTEST:


Executive Director

PUBLIC SERVICE COMMISSION


For the Commission

BD

Mark and Bernadette O'Daniel

2515 St. Rose Road
Lebanon, KY 40033

Telephone (502) 692-4134
Telephone (502) 692-6275

December 19, 1997

VIA U.S. OVERNIGHT MAIL

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

RECEIVED
DEC 22 1997
PUBLIC SERVICE
COMMISSION

Re: Case No. 97-485

To Whom It May Concern:

Please be advised that this is a request for intervention with regards to the installation of a new cell facility to provide cellular radio telecommunication service to be located at Thornton Smith Road, Marion County, Kentucky. Please note that the undersigned do not believe that Thornton Smith Road is a county owned road.

With the exception of the Public Notice, we have not reviewed any documentation between Cellular Information Systems of Florence, Inc., or had any communication with the other parties that may have an interest in this matter. Our adjoining property is zoned industrial and what affect a facility of this nature could have on the saleability of our property is of great concern to us. However, because Thornton Smith Road may not be a County Road, but a private-owned access road, the ownership and responsibility of Thornton Smith Road, is a greater concern with respect to the maintenance of same during and after construction.

It is our understanding that Cellular Information Systems has previously located a cell facility in an adjoining town and the construction traffic was detrimental to the roads because of the equipment. In addition to the lack of road maintenance the cell facility has proved to be an eyesore to the surrounding landowners.

It is our intention to look out for the best interest of our property and road safety and therefore we ask that this request be set aside until and unless arrangements are made to include all matters at stake.

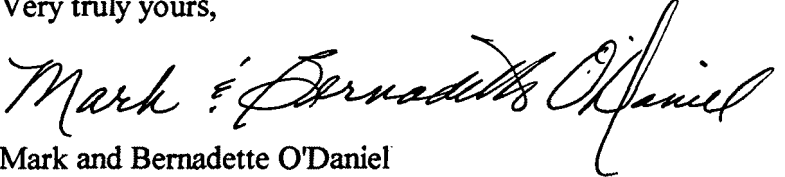
Please keep us abreast of this matter by calling or directing correspondence to the above address.

Executive Director's Office
Public Service Commission of Kentucky
December 19, 1997

Page 2

Thanking you for your consideration in this matter, we remain,

Very truly yours,

A handwritten signature in cursive script, reading "Mark & Bernadette O'Daniel". The signature is written in dark ink and is positioned above the printed name.

Mark and Bernadette O'Daniel

cc: W. Brent Rice, Esq., Counsel for
Cellular Information Systems of Florence, Inc.

DEC 19 1997

**PUBLIC SERVICE
COMMISSION**

Dolson

Dear Sir or Madam,

I am writing in reference to the proposed cellular tower, which is to be built on the Rogers' property off Highway 2744. I fail to see the need for a new tower, as I am a cellular user and have no communication problems in this area. I am also an adjacent landowner and am concerned with the health and well being of my family, as we are the closest household to this proposed tower. My main concerns are as follows:

1. The health risks to my wife, three children, myself, and fellow neighbors.
2. The health risk to the community as the drainage from this proposed area empties into my lake and into the water supply for the Lebanon and Marion county communities.
3. The interference of television signals, as a friend has had to go to a satellite system since a tower was constructed behind her house.
4. The interference with cordless phone use.
5. How this proposed tower will affect the value of my property and the property of my neighbors.
6. What kind of future restrictions or limitations will this impose on myself or my property?
7. With the height of the tower, damage could occur to my property and/or fatal injuries to my wife, children, myself or neighbors due to the many types of natural disasters that could occur in this area. (tornadoes, earthquake etc.)

I look forward to hearing from you with written assurances that this tower will have no future. I would most regret having to take further action of legal course in this matter. Thank you for your time.

Sincerely,

Charles Forrest Montgomery

Charles Forrest Montgomery
December 18, 1997

Phone 502-692-4944
Address 520 Thornton Smith Rd
Lebanon Kentucky
40033

Case No. 97-485

To PUBLIC SERVICE COMMISSION
EXECUTIVE DIRECTOR

Dear Sir or Madam,

I was not satisfied with the response I received from the representatives for Cellular Information Systems of Florence, Inc. regarding the Lebanon Relocation Facility. The gentleman from McBRAYER, McGINNIS, LESLIE & KIRKLAND PLLC, W. Brent Rice, did not address the concerns of future restrictions or limitations against me as an adjacent landowner. This issue is of major importance for anything I may build concerning height or distance from said Tower. This is relevant as to the question of resale value of my property.

I would also like answers to the questions of environmental hazards as to the water supply to my lake and the community of Lebanon and Marion County, maximum height, and future restructure of this facility.

As to the availability of structures to place this Tower on, there is a water tower in close proximity to this proposed sight. There is also higher ground on the same property and on adjacent properties that I believe would be more suitable for this project.

I would like to know the precise amount of radiation this facility will emit as I can seek advice as to there being no unsafe levels of radiation, non-ionizing or other.

I am asking for a delay in the start of construction until all my questions present and Future are satisfactorily answered in full, in writing.

Sincerely,

Charles Forrest Montgomery

Re: Public Service Commission Case No. 97-485
Dated January 3, 1998

Copy to W. Brent Rice
Donald Reed
Public Service Commission

To EXECUTIVE DIRECTOR
PUBLIC SERVICE COMMISSION
FRANKFORT Ky. 40602

Dear Sir or Madam,

I am writing in reference to the proposed cellular tower, which is to be built on the Rogers' property off Highway 2744. I fail to see the need for a new tower, as I am a cellular user and have no communication problems in this area. I am also an adjacent landowner and am concerned with the health and well being of my family, as we are the closest household to this proposed tower. My main concerns are as follows:

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2. The health risk to the community as the drainage from this proposed area empties into my lake and into the water supply for the Lebanon and Marion county communities.
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Sincerely,

Charles Forrest Montgomery

Charles Forrest Montgomery
December 18, 1997

Phone 502-692-4944
Address 520 Thornton Smith Rd
Lebanon Kentucky
40033

97-485

DOTSON

RECEIVED
DEC 23 1997
PUBLIC SERVICE
COMMISSION

Dear Sir or Madam,

I am writing in reference to the proposed cellular tower, which is to be built on the Rogers' property off Highway 2744. I fail to see the need for a new tower, as I am a cellular user and have no communication problems in this area. I am also an adjacent landowner and am concerned with the health and well being of my family, as we are the closest household to this proposed tower. My main concerns are as follows:

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I look forward to hearing from you with **written** assurances that this tower will have no future. I would most regret having to take further action of legal course in this matter. Thank you for your time.

Sincerely,

Charles Forrest Montgomery

Charles Forrest Montgomery
December 18, 1997

Phone 502-692-4944 PAGER 502-464-5274
Address 526 Thornton Smith Rd VOICE PAGER
Lebanon Kentucky 40033

Pocket # 97-485

HV

RECEIVED

JAN 22 1998

PUBLIC SERVICE
COMMISSION

January 18, 1998

Dear Sir or Madam,

I would like to join in any suit against the proposed tower relocation project
Reference no. 97-485.

The reasons for this are that I believe this Tower will devaluate my property
and I know of several other sights on the same property and adjacent properties
that would make much more suitable locations for consideration. All of these sights
are higher in elevation, further out of direct view and still be accessible to company
personnel .

Please notify me of date and time of the hearing.

Rec'd
2/3

Sincerely,

Charles Forrest Montgomery

H.V.

Charles Forrest Montgomery
520 Thornton Smith Rd.
Lebanon, Kentucky 40033

Ph. 502-692-4944

Copy to; Public Service Commission
W. Brent Rice
Donald Reed