

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF SPRINTCOM, INC. FOR A CERTIFICATE)
OF PUBLIC CONVENIENCE AND NECESSITY TO CONSTRUCT) CASE NO.
A PERSONAL COMMUNICATIONS SERVICES FACILITY IN THE) 98-002
CINCINNATI MAJOR TRADING AREA)
[TAYLOR AVE/N. FT. THOMAS FACILITY])

O R D E R

On January 7, 1998, SprintCom, Inc. ("SprintCom") filed an application seeking a Certificate of Public Convenience and Necessity to build and operate a personal communications system ("PCS") for the Cincinnati Major Trading Area. SprintCom has requested authorization to construct a PCS site in Campbell County. SprintCom was previously granted the authority to operate in Case No. 97-294.¹

The proposed PCS site consists of a 160-foot or less self-supporting antenna tower to be located at 130 N. Fort Thomas Avenue, Fort Thomas, Campbell County, Kentucky ("the Taylor Ave./N. Ft. Thomas PCS site"). The coordinates for the Taylor Ave./N. Ft. Thomas PCS site are North Latitude 39° 04' 52" by West Longitude 84° 26' 55".

SprintCom has provided information regarding the structure of the tower, safety measures, and antenna design criteria for the Taylor Ave./N. Ft. Thomas PCS site. Based

¹ Case No. 97-294, The Application of SprintCom, Inc. for Operating Authority and Issuance of Certificate of Public Convenience and Necessity to Construct Personal Communications Services Facilities in Kentucky.

upon the application, the design of the tower and foundation conforms to applicable nationally recognized building standards, and a Registered Professional Engineer has certified the plans.

Pursuant to KRS 100.324(1), the Taylor Ave./N. Ft. Thomas PCS site's construction is exempt from local zoning ordinances; however, SprintCom notified the Ft. Thomas Planning and Zoning Commission of the pending construction. SprintCom has filed applications with the Federal Aviation Administration ("FAA") and the Kentucky Airport Zoning Commission ("KAZC") seeking approval for the construction and operation of the Taylor Ave./N. Ft. Thomas PCS site. The FAA application is pending, while the KAZC determined the tower would need to exceed 200 feet to require a permit.

SprintCom has filed notices verifying that each person who owns property within 500 feet of the Taylor Ave./N. Ft. Thomas PCS site has been notified of the pending construction. The notice solicited any comments and informed the property owners of their right to intervene. In addition, notice was posted in a visible location on the proposed site for at least two weeks after SprintCom's application was filed.

On January 30, 1998, the Commission received an intervention request from Scott and Martha Blandford. On February 18, 1998, the Commission granted the Blandfords intervenor status and ordered SprintCom to respond to their concerns. On March 11, 1998, SprintCom requested a hearing, which was set for May 21, 1998. On April 17, 1998, the hearing was canceled as no intervenor elected to appear at the hearing.

Pursuant to KRS 278.280, the Commission is required to determine proper practices to be observed when it finds, upon complaint or on its own motion, that the

facilities of any utility subject to its jurisdiction are unreasonable, unsafe, improper, or insufficient. To assist the Commission in its efforts to comply with this mandate, SprintCom should notify the Commission if it does not use this antenna tower to provide PCS radio telecommunications services in the manner set out in its application and this Order. Upon receipt of such notice, the Commission may, on its own motion, institute proceedings to consider the proper practices, including removal of the unused antenna tower, which should be observed by SprintCom.

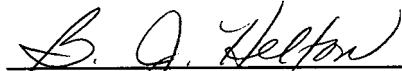
The Commission, having considered the evidence of record and being otherwise sufficiently advised, finds that SprintCom should be granted a Certificate of Public Convenience and Necessity to construct and operate the Taylor Ave./N. Ft. Thomas PCS site under its previously approved tariff.

IT IS THEREFORE ORDERED that:

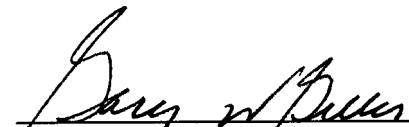
1. SprintCom is granted a Certificate of Public Convenience and Necessity to construct and operate the Taylor Ave./N. Ft. Thomas PCS site.
2. SprintCom shall file a copy of the final decision regarding the pending FAA application for this site within 10 days of receiving this decision.
3. SprintCom shall immediately notify the Commission in writing, if, after the antenna tower is built and utility service is commenced, the tower is not used for a period of 3 months in the manner authorized by this Order.

Done at Frankfort, Kentucky, this 11th day of June, 1998.

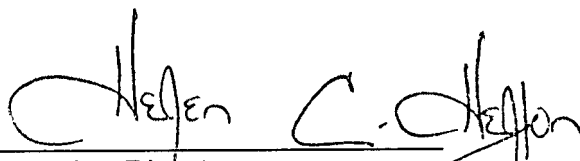
PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman


Commissioner

ATTEST:


Executive Director