

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF CROWN COMMUNICATION INC. )  
AND NEXTEL WEST CORP. FOR ISSUANCE OF A )  
CERTIFICATE OF PUBLIC CONVENIENCE AND )  
NECESSITY TO CONSTRUCT A WIRELESS ) CASE NO.  
COMMUNICATIONS FACILITY AT 1340 DURRETT ) 98-006  
LANE IN THE TRUNKED SMR LICENSE AREA IN )  
THE COMMONWEALTH OF KENTUCKY IN THE )  
COUNTY OF JEFFERSON )

ORDER

The Commission has received the attached letter regarding the proposed cellular telecommunications services facility to be located at 1340 Durrett Lane, Louisville, Jefferson County, Kentucky.

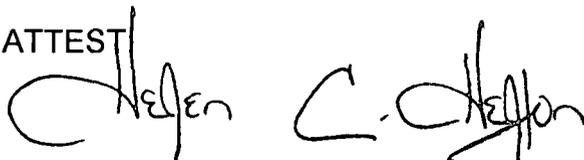
IT IS THEREFORE ORDERED that:

1. Crown Communication Inc. and NEXTEL West Corp. (hereinafter "Applicants") shall respond to the concerns stated in the letter by certified mail, within 10 days from the date of this Order.

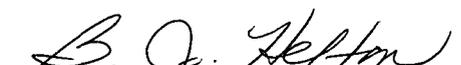
2. Applicants shall file a copy of the certified letter and dated receipt, within 7 days of the date on the receipt.

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

ATTEST

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

PUBLIC SERVICE COMMISSION

  
\_\_\_\_\_  
For the Commission

**LONGMEYER, MEERS & STAYTON, PLC**

**ATTORNEYS AT LAW**

THE REPUBLIC BUILDING, SUITE 1000

429 WEST MUHAMMAD ALI BOULEVARD

LOUISVILLE, KENTUCKY 40202-2347

JAMES K. STAYTON

(502) 583-7515

FAX (502) 584-0439

April 24, 1998

Executive Director  
Public Service Commission of Kentucky  
P O Box 615  
Frankfort KY 40602

**RECEIVED**

**APR 29 1998**

**PUBLIC SERVICE  
COMMISSION**

RE: Crown Communications  
Case No.: 98-006

Dear Sir:

I represent Mrs. Alice V. Stayton who resides at 4309 Cavelle Avenue, Louisville KY 40213, within 125 feet of the proposed tower.

We appeared at the hearings held by the Louisville & Jefferson County Planning Commission and presented our position. The Planning Commission denied Crown's application for this site. That denial should bear great weight with your office.

There are a number of other more suitable sites on property more commercially or industrially developed and within proper engineering distance of the proposed site. Crown admitted at the hearing here in Louisville that the only reason they want this site next door to my client is that they were able to obtain it for less money than they would have to pay for the any of the other sites.

In my view Crown submitted information to our local Planning Commission which was designed to be vague and ambiguous. Crown deliberately took advantage of the time allocated in the statute for review by the Planning Commission so as to rush the Planning Commission in hopes of pushing their projects through with only a cursory review. When asked by a member of the Planning Commission if Crown would agree to an extension of the statutory time to allow the Planning Commission adequate time for a more thorough review, Crown said NO! The members of the Planning Commission were too smart for them and saw through the smokescreen. Now, apparently, Crown wants to send its smokescreen to Frankfort.

We urge you to send Crown back to the drawing board. Please deny this application. Make them choose one of those locations in a commercial area where it won't bother anyone.

Sincerely,

*James K. Stayton*

James K. Stayton

JKS:jj