

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF POWERTEL/KENTUCKY, INC., )  
A DELAWARE CORPORATION, FOR ISSUANCE )  
OF A CERTIFICATE OF PUBLIC CONVENIENCE )  
AND NECESSITY TO CONSTRUCT A PERSONAL ) CASE NO.  
COMMUNICATIONS SERVICES FACILITY IN ) 98-178  
BASIC TRADING AREA b-252 WHICH INCLUDES )  
JESSAMINE COUNTY, KENTUCKY (THE L-KY-207 )  
FACILITY) )

ORDER

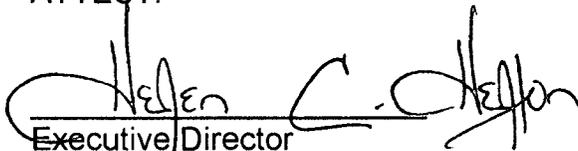
The Commission has received the attached letter regarding the proposed construction of a cellular telecommunications facility to be located at 6161 Ashgrove Road, Nicholasville, Jessamine County, Kentucky.

IT IS THEREFORE ORDERED that:

1. Powertel/Kentucky, Inc. ("Powertel") shall respond to the concerns stated in the attached letter by certified mail, within 10 days from the date of this Order.
2. Powertel 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

Dorton

Marvin E. Clem  
Attorney At Law

109 North Hill Street  
Mail: P.O. Box 2251  
Lexington, Kentucky 40588-2251

Phone (606) 253-1323  
Fax (606) 255-1650

April 27, 1998

RECEIVED

APR 28 1998

PUBLIC SERVICE  
COMMISSION

Ms. Helen Helton  
Executive Director  
Public Service Commission of Kentucky  
P. O. Box 615  
Frankfort, Kentucky 40601-0615

In Re: Powertel/Kentucky, Inc.; Case No. 98-178; The L-KY-057-207 Facility; Our File  
Number: 3038MC

Ms. Helton:

Please be advised that this office represents Mr. and Mrs. Harold Clem of 5613 Tates  
Creek Road, Nicholasville, Kentucky 40356. Thank you.

Recently Mr. & Mrs. Clem received a certified letter from Honorable Brent Rice of  
McBrayer, McGinnis, Leslie & Kirkland, Attorneys at Law, concerning their client's  
(Powertel/Kentucky, Inc.) application to erect a 195 foot communications relay tower ("personal  
communications service facility") within 500 feet of their property. A copy of that letter is  
enclosed herewith for your review.

Mr. & Mrs. Clem are very strongly opposed to this application and to the erection of the  
proposed tower anywhere near their property.

They have advised me, and have asked me to advise you, as follows:

- We do not want a 195' monopole located near or above our farm;
- Our Family moved onto this property in the spring of 1941 in order to enjoy the peace,  
serenity and beauty of a rural lifestyle and do not want it disturbed by the erection of this  
eyesore;
- Historically this neighborhood, with all families in agreement, has never had even one  
service/security light pole put up. The "families" include the Harrisons and their heirs, the  
Headleys and their heirs, the Pages and their heirs, Dr. & Mrs. Lee shine, E. B. & Anna

Ms. Helen Helton, PSC

April 27, 1998

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Harris, Davis Cochran and Harold and Peggy Clem;

- We want to maintain the lifestyle and integrity of plain country living for as long as we can;
- Or greatest country tradition through the years, as our children were growing up, was to simply gather them in at dusk, feed and bathe them and go to sleep as a family in the secure country darkness;
- We are concerned and vehemently opposed to this application.

The Clem's and the other residents do not want the beauty and serenity of the night sky polluted by flashing red aircraft warning lights; they do not want to spend the evenings sitting on their porch staring at an unnatural monolith and they do not want the increased traffic that will necessarily be generated by this new "facility."

Request it hereby made that this application be denied and that this office be made aware of any and all hearings concerning this application.

Thank you.

Sincerely,



Marvin E. Clem

ATTORNEY AT LAW

MECmc  
Enclosure  
pc: client

**McBRAYER, MCGINNIS, LESLIE & KIRKLAND PLLC**

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MARIA S. BUCKLES  
MARGARET M. YOUNG  
JULIE A. COBBLE  
MELINDA G. WILSON  
MARY ELIZABETH CUTTER  
LINDA J. WEST

\* ALSO ADMITTED IN OHIO  
\*\* ALSO ADMITTED IN COLORADO  
\* ALSO ADMITTED IN TEXAS & FLORIDA  
\*\* ALSO ADMITTED IN WEST VIRGINIA

Harold and Peggy Clem  
5613 Tates Creek Road  
Nicholasville, KY 40356

April 15, 1998

**RECEIVED**

APR 28 1998

PUBLIC SERVICE  
COMMISSION

WATSON CLAY (1908-1985)  
OSCAR SAMMONS (1908-1985)

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**VIA CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

RE: **Public Notice - Public Service Commission of Kentucky,  
Case No. 98-178 (The L-KY-057-207 Facility)**

Dear Mr. and Mrs. Clem:

Powertel/Kentucky, Inc. has applied to the Public Service Commission of Kentucky for a Certificate of Public Convenience and Necessity to construct and operate a personal communications service facility. The facility will be comprised of a 180' monopole with attached antennas extending upwards for a total height of 195' and an equipment shelter to be located at 6161 Ashgrove Road, Nicholasville, Jessamine County, Kentucky. A map showing the location of the proposed new cell facility is enclosed. This notice is being sent to you because you own property within a 500' radius of the proposed tower.

The Commission invites your comments regarding the proposed construction. You also have the right to intervene in this matter. Your initial communication to the Commission must be received by the Commission within 20 days of the date of this letter as shown above.

Your comments and request for intervention should be addressed to: Executive Director's Office, Public Service Commission of Kentucky, Post Office Box 615, Frankfort, KY 40602. Please refer to Case No. 98-178 in your correspondence.

Sincerely,



W. Brent Rice  
Counsel for Powertel/Kentucky, Inc.

WBR/dkw

