

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

THE 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 ) CASE NO. 97-355  
CONVENIENCE AND NECESSITY TO CONSTRUCT )  
A PERSONAL COMMUNICATIONS SERVICES )  
FACILITY IN THE LOUISVILLE MAJOR TRADING )  
AREA (ALTON FACILITY) )

O R D E R

On February 2, 1999, the Commission issued its Order in this case granting a Certificate of Public Convenience and Necessity. Subsequently, upon motion by the intervenors in this case, on March 15, 1999, the Commission granted a rehearing for the limited purpose of requiring the applicants in this matter to investigate the feasibility of constructing the required facility on property which appeared to be in WirelessCo's primary search area. In response to that Order, the applicants filed, on April 14, 1999, a report of their investigation into the feasibility of two alternative sites located on said property. The filing includes exhibits consisting of affidavits from a site acquisition specialist (the "Site Acquisition Affidavit") and a radio frequency engineer (the "Radio Frequency Affidavit"). The latter affidavit is supported by propagation maps. On July 23, 1999, WirelessCo filed enlarged propagation maps that were more consistent with previous filings.

The intervenors filed their response to WirelessCo's report on April 26, 1999. The intervenors contend, inter alia, that the primary search area depicted in WirelessCo's report is not the same as that described by the radio frequency engineer during the May 6, 1998 hearing. Furthermore, the intervenors allege that the primary search area is located farther north than WirelessCo alleges, along US 127 around the Farmdale Water Tower, which according to testimony, is in the immediate vicinity of the alternate property considered in the report.

During the hearing in this matter, WirelessCo's radio frequency engineer described the primary search area as being located just slightly to the north on the other side of Highway 512.<sup>1</sup> This description, although general, is consistent with the primary search area depicted in the report.<sup>2</sup> The fact that the Farmdale Water Tower was considered for locating the proposed facility does not necessarily establish the location as being optimum. The Commission has always insisted that opportunities for placement of wireless facilities on existing structures be fully explored before the approval of new construction.<sup>3</sup> The Radio Frequency Affidavit establishes that the site chosen by WirelessCo is superior from a radio frequency perspective. Both potential alternative sites are farther from the primary search area than the site chosen. Construction at either of these sites would reduce the level of coverage for WirelessCo's stated service objectives for the proposed construction.

IT IS THEREFORE ORDERED that the Commission's Order of February 2, 1999, granting a Certificate of Public Convenience and Necessity to construct and

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<sup>1</sup> Transcript of Evidence at 114.

<sup>2</sup> Exhibit 1A of the Site Acquisition Affidavit.

<sup>3</sup> See, e.g., 807 KAR 5:063, Section 1(1)(s).

operate a wireless telecommunications facility at 1830 Old Frankfort Highway,  
Lawrenceburg, Anderson County, Kentucky is AFFIRMED.

Done at Frankfort, Kentucky, this 11<sup>th</sup> day of August, 1999.

By the Commission

ATTEST:

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Executive Director