

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF AT&T WIRELESS PCS, INC., BY	)	
AND THROUGH ITS AGENT, WIRELESS PCS,	)	
INC., FOR THE ISSUANCE OF A CERTIFICATE OF	)	
PUBLIC CONVENIENCE AND NECESSITY TO	)	CASE NO.
CONSTRUCT A PERSONAL COMMUNICATIONS	)	98-425-UAC
SERVICES NETWORK FACILITY IN ALEXANDRIA,	)	
KENTUCKY AND CALLED THE	)	
ALEXANDRIA/LLOYD SITE, SITE #CN-235-02	)	

O R D E R

On September 22, 1998, AT&T Wireless PCS, Inc. ("AT&T Wireless") filed an application seeking a Certificate of Public Convenience and Necessity to construct and operate a wireless telecommunications facility. The proposed facility is to be located at 335 Enzweiler Road, Alexandria, Campbell County, Kentucky. The coordinates for the proposed facility are North Latitude 38° 59' 19.82" by West Longitude 84° 23' 6.35".

AT&T Wireless has provided information regarding the structure of the tower, safety measures, and antenna design criteria for the proposed facility. Based upon the application, the design of the tower and foundation conforms to applicable nationally recognized building standards, and the plans have been certified by a Registered Professional Engineer.

At the time of filing of the application, the Campbell County and Municipal Planning and Zoning Commission ( Planning Commission ) had not registered with this Commission pursuant to KRS 100.987(1). However, the Planning Commission requested and was

granted intervention. AT&T Wireless submitted a copy of the uniform application to the Planning Commission in response to its motion to intervene in this matter. By Order dated December 14, 1998, the Commission informed the parties that a written request for a public hearing must be filed or the case would stand submitted for a decision. No requests for hearing having been filed, the matter was submitted to the Commission.

In response to public notice made by AT&T Wireless, the Commission received comments from one property owner regarding the proposed construction, but no motion for intervention or request for public hearing has been filed.

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, AT&T Wireless should notify the Commission if it does not use this antenna tower to provide service 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 AT&T Wireless.

The Commission, having considered the evidence of record and being otherwise sufficiently advised, finds that AT&T Wireless should be granted a Certificate of Public Convenience and Necessity to construct the proposed facility.

IT IS THEREFORE ORDERED that:

1. AT&T Wireless is granted a Certificate of Public Convenience and Necessity to construct a wireless telecommunications facility to be located at 335 Enzweiler Road, Alexandria, Campbell County, Kentucky. The coordinates for the proposed facility are North Latitude 38° 59' 19.82" by West Longitude 84° 23' 6.35".

2. AT&T Wireless shall file a copy of the final decision regarding its pending KAZC application for the proposed construction within 10 days of receiving the decision.

3. AT&T Wireless 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 28<sup>th</sup> day of January, 1999.

By the Commission

ATTEST:

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Executive Director