

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

THE APPLICATION OF CROWN COMMUNICATION)	
INC. AND KENTUCKY CGSA, INC. FOR ISSUANCE)	
OF A CERTIFICATE OF PUBLIC CONVENIENCE)	
AND NECESSITY TO CONSTRUCT A WIRELESS)	CASE NO.
COMMUNICATIONS FACILITY AT LEVEE ROAD)	99-445
(HWY 11), MT. STERLING, KY 40355)	
IN THE WIRELESS COMMUNICATIONS LICENSE)	
AREA; IN THE COMMONWEALTH OF KENTUCKY)	
IN THE COUNTY OF MONTGOMERY)	
SITE NAME: MT. STERLING)	

O R D E R

On November 10, 1999, Crown Communication Inc. and Kentucky CGSA, Inc., d/b/a BellSouth Mobility Inc. (collectively, the "Applicants") filed an application with the Commission requesting a Certificate of Public Convenience and Necessity to construct and operate a wireless telecommunications facility at Levee Road (Highway 11), Mt. Sterling, Montgomery County, Kentucky. David Roberts and Carol R. McLaughlin, neighboring property owners, have filed motions to intervene in this matter. The Commission finds that such intervention is likely to present issues and develop facts that will assist the Commission in fully considering the matter without unduly complicating or disrupting the proceedings. Accordingly, the motions of Roberts and McLaughlin to intervene should be granted.

In addition, the Commission, on its own motion, has scheduled a hearing on the proposed wireless telecommunications facility for March 2, 2000, at 9:00 a.m., Eastern Standard Time, in the Commission's offices at 211 Sower Boulevard, Frankfort, Kentucky. If the Intervenors wish to appear at the hearing in opposition to the proposed

facility they must, within 10 days of the date of this Order, so notify the Commission in writing, with a copy to all parties of record. If no statement of intent to appear at the hearing and to present evidence against the proposed facility is received by that date, the hearing will be cancelled and this matter submitted to the Commission for a decision based on the written record without further Orders herein.

The Intervenors are also put on notice that evidence regarding potential alternative sites for the proposed construction, if any, must be filed with the Commission, with a copy to all parties of record, no later than 30 days from the date of this Order. No intervenor will be permitted to produce evidence regarding alternative sites at the hearing except in regard to specific sites filed of record as described in this Order.

If information regarding potential alternative sites is filed by Intervenors, the Applicants shall file their response to that information within 45 days from the date of this Order, including in such response a report of their review of the feasibility of the alternative sites presented by the Intervenors.

IT IS THEREFORE ORDERED that:

1. The motions of David Roberts and Carol McLaughlin to intervene are granted.
2. The Intervenors shall be entitled to the full rights of parties and shall be served with the Commission's Orders and with filed testimony, exhibits, pleadings, correspondence, and all other documents submitted by parties after the date of this Order.

3. Should the Intervenor file documents of any kind with the Commission in the course of these proceedings, they shall also serve a copy of said documents on all other parties of record.

4. A hearing on the proposed wireless telecommunications facility is scheduled for March 2, 2000, at 9:00 a.m., Eastern Standard Time, in the Commission's offices at 211 Sower Boulevard, Frankfort, Kentucky.

5. If an intervenor does not file a statement of intent to appear in opposition to the proposed wireless telecommunications facility within 10 days of this Order, the hearing shall be cancelled and the matter submitted to the Commission on the existing record without further Orders herein.

6. Neither Intervenor nor any person subsequently granted intervention herein may submit evidence regarding alternative sites for the proposed facility at the hearing in this matter except in regard to those specific sites for which information has been filed within 30 days of the date of this Order.

7. The Applicants shall respond in writing to a filing regarding potential alternative sites, if any, within 45 days of the date of this Order, and shall include in their response information concerning the availability and technical feasibility of such sites.

8. The Applicants shall appear at the hearing and shall be prepared to present testimony on the engineering design, location, and construction of the proposed facility, as well as the jurisdictional safety issues relating to the facility.

9. Neither opening statements nor witnesses' summaries of prefiled testimony shall be permitted at the hearing in this matter.

10. Any interested person shall have the opportunity to present testimony or comment on the proposed facility.

11. Prefiled testimony, if any, shall be filed within 60 days of the date of this Order.

Done at Frankfort, Kentucky, this 13th day of December, 1999.

By the Commission

ATTEST:

Executive Director