

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

THE APPLICATION OF TRITEL)	
COMMUNICATIONS, INC. AND TRITEL FINANCE,)	
INC. ("TRITEL") FOR ISSUANCE OF A)	
CERTIFICATE OF PUBLIC CONVENIENCE AND)	CASE NO.
NECESSITY TO CONSTRUCT A PERSONAL)	2001-121
COMMUNICATIONS SERVICES FACILITY IN THE)	
LOUISVILLE MAJOR TRADING AREA [EAST)	
BERNSTADT FACILITY])	

O R D E R

On June 7, 2001, Tritel Communications, Inc. and Tritel Finance, Inc. ("Tritel") filed an application seeking a Certificate of Public Convenience and Necessity to construct and operate a wireless telecommunications facility. The proposed facility consists of a self-supporting antenna tower not to exceed 250 feet in height, with attached antenna, to be located at 5260 US 25 North, East Bernstadt, Laurel County, Kentucky. The coordinates for the proposed facility are North Latitude 37° 11' 18.08" by West Longitude 84° 8' 38.43".

Tritel 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 a Licensed Professional Engineer has certified the plans.

Pursuant to 807 KAR 5:063, Tritel has notified the County Judge/Executive of the proposed construction. Tritel has filed applications with the Federal Aviation Administration ("FAA") and the Kentucky Airport Zoning Commission ("KAZC") seeking approval for the

construction and operation of the proposed facility. The FAA has approved the application, but the KAZC decision is still pending.

Tritel has filed evidence of the appropriate notices provided pursuant to 807 KAR 5:063. The notices solicited any comments and informed the recipients of their right to request intervention. To date, no public comments have been filed with the Commission.

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, Tritel 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 Tritel.

The Commission, having considered the evidence of record and being otherwise sufficiently advised, finds that Tritel has demonstrated that a facility is necessary to provide adequate utility service and therefore should be granted a Certificate of Public Convenience and Necessity to construct the proposed facility.

IT IS THEREFORE ORDERED that:

1. Tritel is granted a Certificate of Public Convenience and Necessity to construct a wireless telecommunications facility. The proposed facility consists of a self-supporting antenna tower not to exceed 250 feet in height, with attached antenna, and is

to be located at 5260 US 25 North, East Bernstadt, Laurel County, Kentucky. The coordinates for the proposed facility are North Latitude 37° 11' 18.08" by West Longitude 84° 8' 38.43".

2. Tritel shall file a copy of the final decision regarding its pending KAZC application for the proposed construction within 10 days of receiving this decision.

3. Tritel 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 9th day of July, 2001.

By the Commission

ATTEST:


Executive Director