

McBRAYER, McGINNIS, LESLIE & KIRKLAND, PLLC

ATTORNEYS-AT-LAW

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June 4, 2009

RECEIVED

Mr. Jeff Derouen, Executive Director
Public Service Commission
211 Sower Blvd.
Frankfort, KY 40602-0615

JUN 08 2009

PUBLIC SERVICE
COMMISSION

RE: **Application of Powertel/Memphis, Inc. d/b/a T-Mobile, for
Issuance of a Certificate of Public Convenience and Necessity
To Construct an Additional Facility at U.S. Hwy. 60 and
Dickerson Lane, Irvington, Breckinridge, Kentucky ("Application")
PSC Case No. 2009-00131
(The "Garfield" Facility)**

Dear Mr. Derouen:

Our office has been notified that the Commission did not receive our May 12, 2009 letter enclosing correspondence forwarded to Joseph R. and Kimberly B. Crist on that same date. Enclosed for filing please find said correspondence.

Thank you for your assistance in this matter.

Sincerely,



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

WBR/dkw
Enclosure

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May 12, 2009

Mr. Jeff Derouen, Executive Director
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FILE COPY

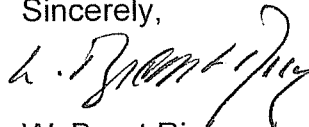
**RE: Application of Powertel/Memphis, Inc. d/b/a T-Mobile, for
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To Construct an Additional Facility at U.S. Hwy. 60 and
Dickerson Lane, Irvington, Breckinridge, Kentucky ("Application")
PSC Case No. 2009-00131
(The "Garfield" Facility)**

Dear Mr. Derouen:

Enclosed please find correspondence forwarded to Joseph R. and Kimberly B. Crist pursuant to the Commission's Order in the above-referenced case. Please file same with the Commission at your earliest convenience.

Thank you for your assistance in this matter.

Sincerely,



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

WBR/dkw
Enclosure

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May 12, 2009

Joseph R. and Kimberly B. Crist
9113 Hwy. 60
Irvington, KY 40146

FILE COPY

RE: **Public Service Commission Case No. 2009-00131
Powertel/Memphis, Inc. d/b/a T-Mobile ("Applicant")
(Garfield Facility)**

Dear Mr. and Mrs. Crist:

This letter is forwarded pursuant to the Public Service Commission's letter dated April 14, 2009 in regard to the above-referenced Case. I do apologize for the delay in responding, however, I have been out of town for several days.

As I previously informed you, our firm represents T-Mobile in this matter and I am pleased to provide you with the additional information you have requested, which hopefully will resolve your concerns.

For your additional information, T-Mobile proposes to construct this particular cell facility in Breckinridge County in order to provide enhanced wireless communication services in the area. This particular cell facility will accommodate the citizens of your county and individuals traveling through it. It will also accommodate physicians, emergency medical personnel and others that are vital to your community. The proposed location of the facility is the most suitable location in this area of the county due to the search ring determined by radio frequency engineers to be the optimum location for coverage purposes. The proposed facility will also accommodate other carriers in the future which will eliminate the need for additional cell facilities being constructed near your property as well as others in the vicinity.

T-Mobile, and other wireless carriers for that matter, is required to adhere to stringent Federal Communications Commission and Federal Aviation Administration rules governing tower construction, maintenance and safety. A typical cell tower emits 100 watts of power or less. Those in urban areas, such as the proposed tower, may emit as little as 10 watts of power. In contrast, a television tower emits up to 5,000,000 watts, while a commercial radio tower operates at up to 100,000 watts. Local police and fire department towers produce up to 500 watts of power. In fact, the 1996 Federal Telecommunications Act prohibits local governments from establishing local safety or

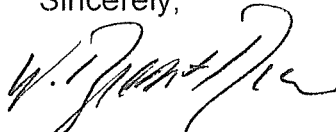
environmental standards for human exposure to radio frequency emissions. Hopefully, this will address some of your likely concerns in regard to health issues.

The proposed cell tower has been designed and will be built to current national standards which are as reliable as surrounding structures. The design of the proposed cell tower has been prepared by a registered engineer in the Commonwealth of Kentucky and has certified its design is within appropriate guidelines and standards. The tower will be fully grounded to guard against property damage or physical injury in the event of a lightning strike. Frankly, it is safer to surrounding property and buildings for lightning to strike the tower than it is to strike other structures in the vicinity. You may also be interested to know that the Federal Aviation Administration has approved dual red-light lighting for the proposed facility. It will not contain a strobe light. The location selected by T-Mobile on the Basham property was selected because access to it was reasonable in cost, and does not impact Mr. Basham's property as significantly as in other possible locations. T-Mobile has filed with its Application, geotechnical studies, engineering reports, Federal Aviation Administration and Kentucky Airport Zoning Commission filings and approvals for this precise location. It is not feasible at this time to relocate the tower.

You may also be interested to know there are numerous appraisals of record with the Public Service Commission in regard to the impact of the proposed wireless installation on property values. I am not aware of any appraisal or study that has been completed substantiating an impact on surrounding property values due to the installation of a wireless facility. It appears that your property is in excess of two thousand feet from the proposed site. In fact, your property is the furthest from the proposed site than any other adjacent property owner.

Hopefully, these comments have addressed all your concerns, but if they have not, I will be pleased to meet with you to discuss them further. Please do not hesitate to give me a call in our firm's Lexington office at any time.

Sincerely,



W. Brent Rice

WBR/dkw

cc: Public Service Commission
Denise Cardinal/T-Mobile