

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

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 CONVENIENCE AND) CASE NO. 97-356
NECESSITY TO CONSTRUCT A PERSONAL)
COMMUNICATIONS SERVICES FACILITY IN)
THE LEXINGTON MAJOR TRADING AREA)
(ATHENS FACILITY))

O R D E R

The Commission has received the attached letter from Christopher D. King on behalf of the Lexington-Fayette Urban County Government regarding the proposed personal communications services facility to be located at 5527 Athens-Boonesboro Road, Lexington, Fayette County, Kentucky.

IT IS THEREFORE ORDERED that:

1. WirelessCo., L.P. ("WirelessCo") shall respond to Mr. King's concerns by certified letter, within 10 days from the date of this Order.
2. WirelessCo shall file a copy of the certified letter and dated receipt, within 7 days of the date on the receipt.

Done at Frankfort, Kentucky, this 6th day of October, 1997.

ATTEST:

PUBLIC SERVICE COMMISSION



Executive Director



For the Commission



Lexington-Fayette Urban County Government

Department of Housing & Community Development • Division of Planning • Current Planning

September 17, 1997

Don Mills, Executive Director
Public Service Commission
P.O. Box 615
Frankfort, KY 40602

RECEIVED
SEP 18 1997
PUBLIC SERVICE
COMMISSION

RE: PSC Case Number 97-356

Dear Mr. Mills:

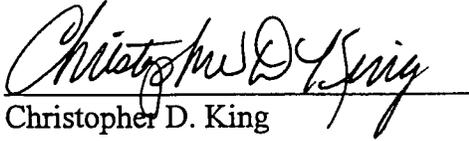
The Lexington-Fayette Urban County Government (hereinafter referred to as LFUCG) wishes to state its concerns regarding the above-captioned application for a cellular tower and equipment shelter for property located at 5527 Athens-Boonesboro Road. I specifically request that the following items be addressed:

1. I would note that this site is subject to a site development plan that controls the issuance of all permits on this property. No permits can be issued for any development of this property unless and until an amendment to this development plan has been approved by the Planning Commission in a public hearing. The LFUCG takes the position that neither Wirelessco nor the PSC has the right to supersede or modify this agreement between the landowner and the LFUCG except through the development plan amendment process.
2. Addition of a condition by the PSC that the tower be removed if it ever ceases to be used as a cellular transmitting facility.
3. Information as to proposed screening/buffering of the proposed facilities from adjoining properties.
4. We would like assurances that Wirelessco would make the facility available for collocation of transmitting facilities by other service providers in the future at a reasonable cost so as to minimize the need for other towers in the community.

The LFUCG's Cellular Tower Committee has given this request a preliminary review, and wishes to review the requested information in the hope that any concerns can be addressed short of intervention. I am also sending a copy of this letter to Mr. Tom Powell, representing Wirelessco, et al. I would like to note that Mr. Powell has been very helpful in providing us information regarding this and other pending applications in a timely fashion. We appreciate his willingness to discuss this matter with the LFUCG and concerned citizens in the area.

The Lexington-Fayette Urban County Government looks forward to a response from the applicant and/or the Public Service Commission on these requests.

Sincerely,



Christopher D. King
Planning Manager
Chairman, LFUCG Cellular Tower Committee

c: Mayor Pam Miller (c/o Charlie Boland)
Tom Powell
Cellular Tower Committee Members:
Councilmember Fred Brown, Jimmy Campbell, Keith Horn, Terry Tipton,
& Casey Wilson

ctowers/ctmill16