

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF KENTUCKY RSA #3 CELLULAR	)	
GENERAL PARTNERSHIP D/B/A BLUEGRASS	)	
CELLULAR FOR APPROVAL TO CONSTRUCT AND	)	
OPERATE A NEW CELL FACILITY TO PROVIDE	)	CASE NO.
CELLULAR RADIO SERVICE IN RURAL SERVICE	)	2015-00349
AREA #3 OF THE COMMONWEALTH OF	)	
KENTUCKY	)	

ORDER

On December 10, 2015, Kentucky RSA #3 Cellular General Partnership (“Applicant”) 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 monopole antenna tower not to exceed 160 feet in height, with attached antenna, to be located at 303 South Way, Bowling Green, Warren County, Kentucky. The coordinates for the proposed facility are North Latitude 36° 59’ 12.47” by West Longitude 86° 27’ 32.72”.

The Applicant 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, the Applicant filed statements of having provided the required notifications regarding the proposed construction. Pursuant to 807 KAR 5:063,

the Applicant filed evidence that the county judge/executive and all property owners within 500 feet and contiguous to the cell site have been notified of the proposed construction. 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.

The Applicant 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 application has been approved, and the Applicant has been notified by the KAZC that KAZC approval is not required for the proposed construction.<sup>1</sup>

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

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, the Applicant 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

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<sup>1</sup> The Applicant provided an e-mail from the KAZC indicating that approval is not required for this site. See Exhibit B of application.

proper practices, including removal of the unused antenna tower, which should be observed by the Applicant.

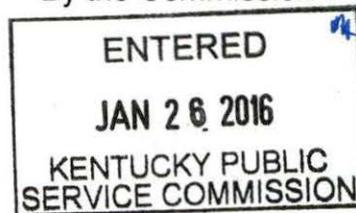
IT IS THEREFORE ORDERED that:

1. The Applicant is granted a Certificate of Public Convenience and Necessity to construct a wireless telecommunications facility. The proposed facility consists of a monopole antenna tower not to exceed 160 feet in height, with attached antenna, and is to be located at 303 South Way, Bowling Green, Warren County, Kentucky. The coordinates for the proposed facility are North Latitude 36° 59' 12.47" by West Longitude 86° 27' 32.72".

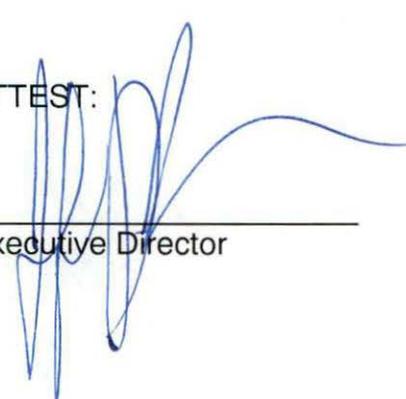
2. The Applicant shall immediately notify the Commission in writing, if, after the antenna tower is built and utility service is commenced, the tower is not used for a period of three months in the manner authorized by this Order.

3. Documents filed, if any, in the future pursuant to ordering paragraph 2 herein shall reference this case number and shall be retained in the utility's general correspondence file.

By the Commission



ATTEST:

  
Executive Director

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