

COMMONWEALTH OF KENTUCKY

BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF WEST VIRGINIA CELLULAR)
TELEPHONE COMPANY FOR ISSUANCE OF A)
CERTIFICATE OF PUBLIC CONVENIENCE AND)
NECESSITY TO PROVIDE DOMESTIC PUBLIC)
CELLULAR RADIO TELECOMMUNICATIONS SERVICE) CASE NO. 89-020
TO THE PUBLIC IN THE KENTUCKY PORTION OF)
THE HUNTINGTON-ASHLAND WV/KY/OH)
METROPOLITAN STATISTICAL AREA, FOR)
APPROVAL OF FINANCING, AND FOR ESTABLISH-)
MENT OF INITIAL RATES)

O R D E R

On January 26, 1989, West Virginia Cellular Telephone Company ("WVC") filed an application for a certificate of public convenience and necessity to construct a cellular radio telecommunications system in the area of Ashland, Kentucky, for approval of financing and for establishment of initial rates. The Commission subsequently notified WVC that its application for approval of financing was deficient due to the omission of certain financial exhibits required by the Commission's regulations. On March 6, 1989, WVC filed a supplement and amendment to its application which included, among other things, a request for a deviation from the Commission's regulations applicable to financing applications.

The Commission is cognizant of its obligation, set forth in KRS 278.300(2), to dispose of a financing application within 60 days after it is filed. Based on the deficiencies in WVC's original application, and its desire to cure those deficiencies by

the filing of a supplement and amendment to its application, the Commission finds that the statutory review period of 60 days should commence from March 6, 1989.

IT IS THEREFORE ORDERED that:

1. The 60-day review period set forth in KRS 278.300(2) shall commence from the March 6, 1989 filing date of WVC's amended and supplemental application.

2. Within 10 days of the date of this Order, WVC shall file responses to the information request set out below:

(1) Provide the application, including all exhibits and supplemental documents, filed by WVC with the Federal Communications Commission to obtain an assignment of the cellular license from Huntington Cellular Telephone Company.

(2) Have any financial statements of WVC been filed with any governmental agency other than the Kentucky Public Service Commission? If yes, identify the financial statements and the agency, and demonstrate that the financial statements are not subject to public disclosure.

(3) Based on the estimated cost to construct and operate the Kentucky Cell Sites (as shown on Confidential Exhibit Q), provide a detailed, factual explanation to demonstrate that WVC's guarantee of a credit agreement of up to \$120 million: a) will be for a lawful object within the corporate purposes of WVC; b) is necessary or appropriate for or consistent with the proper performance by WVC of its service to the public and will not impair WVC's ability to perform that service; and c) is reasonably

necessary and appropriate for such purpose; all as required by KRS 278.300.

(4) Regarding Exhibit D, the Order of the Public Service Commission of West Virginia, provide the exhibits/schedules which support the finding on page 1 that the estimated construction cost is \$3,146,610. Also provide the depreciation schedule referenced on page 2 of the same Order.

Done at Frankfort, Kentucky this 17th day of March, 1989.

PUBLIC SERVICE COMMISSION


For The Commission

ATTEST:

Executive Director