

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF GTE MOBILNET INCORPORATED)
FOR ISSUANCE OF A CERTIFICATE OF PUBLIC)
CONVENIENCE AND NECESSITY TO PROVIDE)
DOMESTIC PUBLIC CELLULAR TELECOMMUNI-) CASE NO. 90-306
CATIONS SERVICE TO THE PUBLIC IN RURAL)
SERVICE AREA #5 (BARREN) OF THE)
COMMONWEALTH OF KENTUCKY)

O R D E R

On October 31, 1990, GTE Mobilnet Incorporated ("GTE Mobilnet") filed an application seeking a Certificate of Public Convenience and Necessity to construct and operate a cellular radio telecommunications system for the Rural Service Area No. 5 ("RSA No. 5"), encompassing the counties of Barren, Monroe, Metcalfe, Adair, Cumberland, Russell, Clinton, Wayne, and McCreary, Kentucky. Cell sites are proposed to be constructed in Bonnieville, Cave City, Lucas, Edmonton, Columbia, and Russell Springs.

On November 29, 1990, the Commission ordered GTE Mobilnet to file additional information. Furthermore, the Commission ordered GTE Mobilnet to give written notice of the proposed tower sites to each resident and property owner within a 500 foot radius of the proposed tower sites. On December 28, 1990, GTE Mobilnet filed an affidavit verifying compliance with the notice requirement for the Cave City and Russell Springs cell sites. The notice, which was mailed on December 18, 1990, solicited comments from the

recipients but no comments were received. On January 3, 1991, GTE Mobilnet filed its response to the other information requested by the November 29, 1990 Order. However, all necessary information was provided for only the Cave City cell site. GTE Mobilnet stated that it would provide the remaining information when available.

On January 25, 1991, GTE Mobilnet filed a motion requesting authority to construct and operate the Cave City cell site on an interim basis and, to provide only the information not yet of record regarding the other cell sites. The Commission finds good cause to authorize construction of the Cave City cell site. However, the blanket request to incorporate by reference in future cases information from this case should be denied. Since GTE Mobilnet has given no timetable for filing future cases, the information in this case may not be sufficient or accurate when those cases are filed.

The proposed Cave City cell site is designed to provide service in the RSA No. 5. The proposed facility consists of a 270 foot antenna tower to be located at 8729 Happy Valley Road, approximately 1 mile North Northwest of State Highway 90 and State Highway 518, 3 miles West Southwest of Cave City, Kentucky.

In response to the November 29, 1990 Order, GTE Mobilnet provided information regarding the structure of the tower, safety measures, and antenna design criteria. The tower design conforms to all standard engineering codes. The tower should withstand high winds, tornadoes, and earthquakes. Should the tower start to fall, the tower is so designed that it should bend along its

length and fold upon itself rather than falling in the direction of any building within its radius.

Pursuant to KRS 100.324(1), the proposed cell site construction is exempt from local zoning ordinances. GTE Mobilnet has filed applications with the Federal Communications Commission, Federal Aviation Administration, and Kentucky Airport Zoning Commission seeking approval for the operation and construction of the proposed cell site. The applications are still pending approval.

The Commission, having considered the evidence of record and being otherwise sufficiently advised, HEREBY ORDERS that:

1. GTE Mobilnet be and it hereby is granted a Certificate of Public Convenience and Necessity to operate a cellular telecommunications system in the RSA No. 5.

2. GTE Mobilnet be and it hereby is granted authority to construct and operate a 270 foot cellular radio telecommunications antenna tower in the RSA No. 5. The location of this tower will be at 8729 Happy Valley Road, Cave City, Kentucky.

3. GTE Mobilnet's motion be and it hereby is granted in part and denied in part as set forth in the above findings.

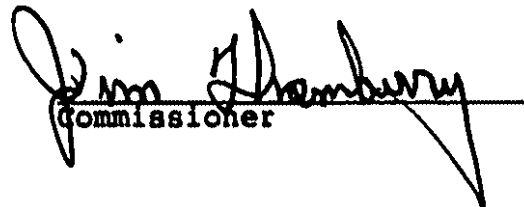
4. Within 30 days from the date of this Order, GTE Mobilnet shall file its tariff sheets in accordance with 807 KAR 5:011.

Done at Frankfort, Kentucky, this 22nd day of February, 1991.

PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman


Commissioner

ATTEST:


Executive Director