

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF KENTUCKY RSA #3 CELLULAR)
GENERAL PARTNERSHIP FOR ISSUANCE OF A)
CERTIFICATE OF PUBLIC CONVENIENCE AND) CASE NO. 90-307
NECESSITY TO PROVIDE DOMESTIC PUBLIC)
CELLULAR TELECOMMUNICATIONS SERVICE TO)
THE PUBLIC IN RURAL SERVICE AREA #3)
(MEADE) OF THE COMMONWEALTH OF KENTUCKY)

O R D E R

On October 31, 1990, Kentucky RSA #3 Cellular General Partnership ("RSA #3 Cellular") 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 #3 ("RSA #3") in Kentucky. RSA #3 includes McLean, Ohio, Hancock, Breckinridge, Meade, Grayson, Edmonson, Warren, Allen, Simpson, Logan, Todd, Muhlenburg, and Butler counties in Kentucky. The original application requested authority to construct a cell site in Warren County, Kentucky.

On April 1, 1991, the Commission issued an Order granting RSA #3 Cellular a Certificate of Public Convenience and Necessity to operate a cellular telecommunications system in RSA #3, and to construct a tower in Bowling Green, Warren County, Kentucky.

On April 25, 1991, RSA #3 Cellular filed the information for an additional cell site in RSA #3. The proposed cell site consists of a 299 foot antenna tower to be constructed at 183 Salmons-Blackjack Road in Franklin, Simpson County, Kentucky.

On May 13, 1991, the Commission ordered RSA #3 Cellular to file additional information. On May 21, 1991, RSA #3 Cellular filed its response.

RSA #3 Cellular has provided information regarding the structure of the tower, safety measures, and antenna design criteria for the Franklin cell site. Based upon the application, the tower and foundation design appears to meet the criteria of the Building Officials and Code Administrators International, Inc. (BOCA) National Building Code, with reference to earthquakes, winds, and tornadoes.

Pursuant to KRS 100.324(1), the proposed cell site's construction is exempt from local zoning ordinances. RSA #3 Cellular has filed applications with the Federal Aviation Administration and the Kentucky Airport Zoning Commission seeking approval for construction of the proposed cell site. The applications are still pending. The Federal Communications Commission has already granted RSA #3 Cellular authority to operate.

On May 9, 1991, RSA #3 Cellular filed an affidavit verifying that each resident/tenant whose property lies within 500 feet of the proposed cell site has been notified. The notice, which was mailed on April 29, 1991, solicited comments from the residents and property owners and informed them of their rights to intervene. No comments were received.

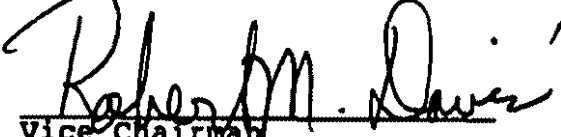
The Commission, having considered the evidence of record and being otherwise sufficiently advised, HEREBY ORDERS that RSA #3

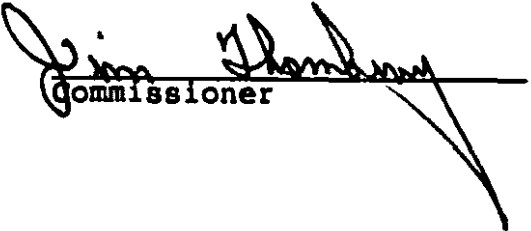
Cellular be and it hereby is granted a Certificate of Public Convenience and Necessity to construct and operate a 299-foot antenna tower at 183 Salmons-Blackjack Road in Franklin, Simpson County, Kentucky.

Done at Frankfort, Kentucky, this 17th day of June, 1991.

PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman


Commissioner

ATTEST:


Executive Director