

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

THE APPLICATION OF SOUTH CENTRAL KENTUCKY )	
CELLULAR CORP. FOR ISSUANCE OF A CERTIFI- )	
CATE OF PUBLIC CONVENIENCE AND NECESSITY )	
TO PROVIDE DOMESTIC PUBLIC CELLULAR RADIO )	
TELECOMMUNICATIONS SERVICE TO THE PUBLIC )	
IN KENTUCKY RURAL SERVICE AREA NO. 5 )	CASE NO. 91-183
WHICH INCLUDES ADAIR, BARREN, CLINTON, )	
CUMBERLAND, HART, McCREARY, METCALFE, )	
MONROE, RUSSELL AND WAYNE COUNTIES, )	
KENTUCKY, ANY OTHER NECESSARY APPROVAL, )	
AND ESTABLISHMENT OF INITIAL RATES )	

O R D E R

On June 11, 1991, South Central Kentucky Cellular Corp. ("South Central") filed an application seeking a Certificate of Public Convenience and Necessity to operate a cellular radio telecommunications system for the Rural Service Area #5 ("RSA #5"), and for approval of its initial rates. RSA #5 includes Barren, Monroe, Metcalfe, Adair, Cumberland, Russell, Clinton, Wayne, Hart, and McCreary counties in Kentucky. No cell sites are proposed to be constructed at the present time. The antenna will be installed on an existing tower in Barren County, approximately 1.4 miles Southwest of the intersection of U.S. Highway 31W and State Route 90 near Cave City, Kentucky. Since no tower construction is involved, no Certificate of Public Convenience and Necessity is required for the installation of an antenna on an existing tower.

The financial, technical and managerial capabilities of South Central for providing cellular telecommunications services are adequately demonstrated in the exhibits attached to the application. South Central has provided information regarding balance sheet, cost estimate, and financial capabilities in confidential Exhibits 8, 9, and 10. The technical and managerial support of South Central are provided by Danbury Cellular Telephone Company's ("Danbury Cellular") personnel and consultants. Danbury Cellular is currently a utility under the jurisdiction of this Commission, and its technical and managerial capabilities have been demonstrated in the Case No. 90-391<sup>1</sup> filing. Also, Exhibits 11 through 14 attached to this application support South Central's capabilities.

Section 3.11.A(3) and (4) of South Central's proposed tariff, filed as Exhibit 25 to the application, provides that service may be terminated without notice if a user's cellular radio mobile unit or the use of the service will adversely affect the South Central's services to others. 807 KAR 5:006, Section 11 (1)(b) and (3)(b), allow discontinuance of service without notice where a

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<sup>1</sup> Case No. 90-391, The Application of Danbury Cellular Telephone Co. for Issuance of a Certificate of Public Convenience and Necessity to Provide Domestic Public Cellular Radio Telecommunications Service to the Public in the Kentucky Rural Service Area which Includes Madison, Rockcastle, Laurel, Garrard, Boyle, Lincoln, Casey and Pulaski counties, Kentucky, for Approval of Financing, and for Establishment of Initial Rates.

dangerous condition is found to exist and for fraudulent or illegal use of service. South Central should revise its tariff to comply with the customer notice requirements in 807 KAR 5:006, Section 11(1)(a).

Section 4.1.B of South Central's proposed tariff provides for 20 days notice to the Commission of changes in its rates and charges. KRS 278.180 requires 30 days notice to the Commission. South Central should revise its tariff accordingly.

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

1. South Central be and it hereby is granted a Certificate of Public Convenience and Necessity to operate a cellular telecommunications system in the RSA #5.

2. South Central's proposed rates and tariff be and they hereby are approved with the following exceptions:

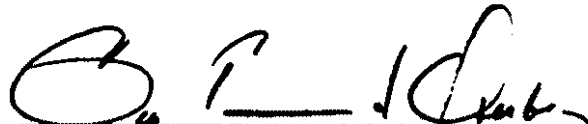
Original Page 17, Section 3.11.A(3) and(4).

Original Page 20, Section 4.1.B.

3. Within 30 days from the date of this Order, South Central shall file its tariff sheets in accordance with 807 KAR 5:011 and in compliance with 807 KAR 5:006, Section 11(1)(a) and KRS 278.180.

Done at Frankfort, Kentucky, this 2nd day of August, 1991.

PUBLIC SERVICE COMMISSION

  
Chairman

  
Vice Chairman

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Commissioner

ATTEST:

  
Executive Director