

COMMONWEALTH OF KENTUCKY

BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

MO-TEL CELLULAR, INC., A GEORGIA )  
CORPORATION D/B/A CELLULAR ONE WESTERN )  
KENTUCKY CELLULAR TELEPHONE COMPANY, )  
D/B/A CELLULAR ONE, AND D/B/A WESTERN )  
KENTUCKY CELLULAR TELEPHONE COMPANY, )  
FOR THE ISSUANCE OF A CERTIFICATE OF )  
PUBLIC CONVENIENCE AND NECESSITY FOR ) CASE NO. 92-024  
THE OPERATION AND CONSTRUCTION OF TWO )  
ADDITIONAL CELL SITES SO AS TO ENLARGE )  
THE COVERAGE OF THE KENTUCKY RURAL )  
SERVICE AREA WHICH INCLUDES CALDWELL, )  
CRITTENDEN, HOPKINS, LIVINGSTON, LYON, )  
TRIGG, UNION AND WEBSTER COUNTIES IN )  
KENTUCKY )

O R D E R

On January, 14, 1992, Mo-Tel Cellular, Inc. ("Mo-Tel") filed an application seeking a Certificate of Public Convenience and Necessity to construct and operate additional cellular radio telecommunications antenna tower sites in Rural Service Area No. 2 ("RSA No. 2") of Kentucky. RSA No. 2 includes Caldwell, Crittenden, Hopkins, Livingston, Lyon, Trigg, Union, and Webster counties in Kentucky. Mo-Tel has requested authorization to construct a cell site in Lamasco, Lyon County, Kentucky, referred to as the Lamasco cell site, and to construct a cell site in Mortons Gap, Hopkins County, Kentucky, referred to as the Mortons Gap cell site.

In response to the Commission's letter dated January 22, 1992, Mo-Tel filed additional information on January 28, 1992. Mo-Tel was previously granted authority to operate a cellular telecommunications system in RSA No. 2 by Order dated November 4, 1991 in Case No. 91-290.<sup>1</sup>

The proposed Lamasco cell site consists of a prefabricated building, an antenna, and a 450 foot guyed antenna tower to be located .75 miles West of Lamasco, on Route 93, in Lamasco, Lyon County, Kentucky. The site coordinates for the Lamasco cell site are North Latitude 36° 59' 15" by West Longitude 87° 56' 55". The proposed Mortons Gap cell site consists of an antenna and a 190.5 foot guyed antenna tower to be located approximately 1.5 miles Northwest of Nortonville, Kentucky, in Mortons Gap, Hopkins County, Kentucky. The site coordinates for the Mortons Gap cell site are North Latitude 37° 13' 13" by West Longitude 87° 27' 14".

Mo-Tel has provided information regarding the structure of the towers, safety measures, and antenna design criteria for the Lamasco and Mortons Gap cell sites. Based upon the application, the towers and foundation designs appear to meet the criteria of

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<sup>1</sup> Case No. 91-290, The Application of Mo-Tel Cellular, Inc., a Georgia Corporation d/b/a Cellular One Western Kentucky Cellular Telephone Company, and d/b/a Western Kentucky Cellular Telephone Company for the 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 Counties in Kentucky, for Approval of Financing, and for Establishment of Initial Rates.

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 construction of the cell sites is exempt from local zoning ordinances. However, Mo-Tel has notified the Lyon County Judge/Executive and the Hopkins County Joint Planning Commission of the proposed construction. Mo-Tel has filed applications with the Federal Aviation Administration ("FAA") and the Kentucky Airport Zoning Commission ("KAZC") seeking approval for the proposed construction of the Lamasco cell site. Both applications have been approved. Due to the relatively low height of the antenna tower and its distance from the nearest airport, no FAA or KAZC approvals are required for the Mortons Gap cell site. The only residents and/or property owners within 500 feet of the proposed construction of the cell sites are those from whom Mo-Tel intends to lease the properties that make up the Lamasco and Mortons Gap cell sites.

The Commission, having considered the evidence of record and being otherwise sufficiently advised, hereby finds that Mo-Tel should be granted a Certificate of Public Convenience and Necessity to construct and operate two additional cellular radio telecommunications antenna towers in RSA No. 2.

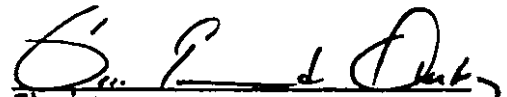
IT IS THEREFORE ORDERED that Mo-Tel be and it hereby is granted a Certificate of Public Convenience and Necessity to construct and operate:

1. A 450 foot guyed antenna tower to be located .75 miles West of Lamasco, on Route 93, in Lamasco, Lyon County, Kentucky, at North Latitude 36° 59' 15" by West Longitude 87° 56' 55".


2. A 190.5 foot guyed antenna tower to be located approximately 1.5 miles Northwest of Nortonville, Kentucky, in Mortons Gap, Hopkins County, Kentucky at North Latitude 37° 13' 13" by West Longitude 87° 27' 14".

Done at Frankfort, Kentucky, this 28th day of February, 1992.

PUBLIC SERVICE COMMISSION

  
Chairman

  
Vice Chairman

  
Commissioner

ATTEST:

  
Executive Director