

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

THE APPLICATION OF ALPHA CELLULAR)	
TELEPHONE COMPANY, A FLORIDA GENERAL)	
PARTNERSHIP, FOR THE ISSUANCE OF A)	
CERTIFICATE OF PUBLIC CONVENIENCE AND)	
NECESSITY FOR THE OPERATION AND)	CASE NO.
CONSTRUCTION OF A CELL SITE SO AS TO)	92-038
ENLARGE THE COVERAGE OF THE KENTUCKY)	
RURAL SERVICE AREA WHICH INCLUDES)	
ELLIOTT, LAWRENCE, MORGAN, MAGOFFIN,)	
JOHNSON, MARTIN, FLOYD AND PIKE)	
COUNTIES IN KENTUCKY)	

O R D E R

On June 9, 1992, Alpha Cellular Telephone Company ("Alpha Cellular") filed an application seeking a Certificate of Public Convenience and Necessity to construct and operate a cellular radio telecommunications antenna tower in Rural Service Area No. 9 ("RSA No. 9"). RSA No. 9 includes Elliott, Floyd, Johnson, Lawrence, Magoffin, Martin, Morgan and Pike counties. Alpha Cellular has requested authorization to construct a cell site in Pike County. Alpha Cellular was previously granted authority to operate a cellular radio telecommunications system in RSA No. 9 in Case No. 91-377.¹

¹ Case No. 91-377, Application of Alpha Cellular Telephone Company, a Florida General Partnership, 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 Elliott, Lawrence, Morgan, Magoffin, Johnson, Martin, Floyd and Pike Counties in Kentucky, for Approval of Financing, and for Establishment of Initial Rates.

The proposed cell site consists of a guyed antenna tower not to exceed 200 feet, located approximately 1.5 miles north of Canada, Kentucky and 2.5 miles east of Sidney, Kentucky (the "Canada Cell Site"). The coordinates for the Canada Cell Site are North Latitude 37° 37' 37" by West Longitude 82° 19' 06".

Alpha Cellular has provided information regarding the structure of the tower, safety measures, and antenna design criteria for the Canada Cell Site. Based upon the application, the tower and foundation design appear to meet the criteria of the Building Officials and Code Administrators International, Inc. National Building Code, with reference to earthquakes, winds, and tornadoes.

Pursuant to KRS 100.324(1), the Canada Cell Site's construction is exempt from local zoning ordinances. Alpha Cellular has filed applications with the Federal Communications Commission ("FCC"), the Federal Aviation Administration ("FAA"), and the Kentucky Airport Zoning Commission ("KAZC") seeking approval for the construction and operation of the Canada Cell Site. Alpha Cellular has received approval from the FCC and due to the tower height being less than 200 feet, approval from the FAA and KAZC is not required.

Alpha Cellular has filed a notice verifying that each property owner and/or resident within 500 feet of the Canada Cell Site has been notified of the pending construction. The notice solicited any comments and informed the property owner and/or resident of

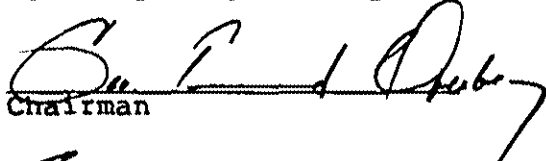
their right to intervene. To date, no comments or requests to intervene have been received.

The Commission, having considered the evidence of record and being otherwise sufficiently advised, finds that Alpha Cellular should be granted a Certificate of Public Convenience and Necessity to construct and operate the Canada Cell Site in RSA No. 9 under its previously approved tariff.

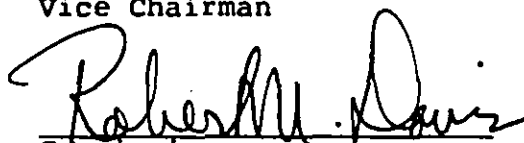
IT IS THEREFORE ORDERED that Alpha Cellular be and it hereby is granted a Certificate of Public Convenience and Necessity to construct and operate a 200 foot or less guyed cellular radio telecommunications tower in RSA No. 9 to be located approximately 1.5 miles north of Canada, Kentucky and 2.5 miles east of Sidney, Kentucky. The coordinates for the Canada Cell Site are North Latitude 83° 37' 37" by West Longitude 82° 19' 06".

Done at Frankfort, Kentucky, this 6th day of August, 1992.

PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman


Commissioner

ATTEST:


Executive Director