

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF KENTUCKY RSA NO. 1)
PARTNERSHIP FOR ISSUANCE OF A)
CERTIFICATE OF PUBLIC CONVENIENCE)
AND NECESSITY TO PROVIDE DOMESTIC) CASE NO. 92-040
PUBLIC CELLULAR RADIO TELECOM-)
MUNICATIONS IN KENTUCKY RURAL)
SERVICE AREA NO. 1)

O R D E R

IT IS ORDERED that Kentucky RSA No. 1 Partnership shall file the original and ten copies of the following information with the Commission. The information requested herein is due no later than 30 days from the date of this Order. If the information cannot be provided by this date, Kentucky RSA No. 1 Partnership shall submit a motion for an extension of time stating the reason a delay is necessary and include a date by which it can be furnished. Such motion will be considered by the Commission.

1. Reference Original Page 13 of the proposed tariff. Add the following paragraph at the end of Section 3.3:

Acceptance by the Commission of the liability provisions contained in this tariff does not constitute its determination that the limitation of liability imposed by the company should be upheld in a court of law, but the recognition that, as it is the duty of the courts to adjudicate negligence claims and rights to recover damages therefor, so it is the duty of the courts to determine the validity of the exculpatory provisions of this tariff.

2. Reference Original Page 18, Section 3.11. 807 KAR 5:006, Section 11, does not allow discontinuance of service without notice because of adverse effects on the company's service to others due to the customer's cellular mobile unit or the customer's use of the service. Further, the regulation requires immediate refusal or discontinuance of service (without notice) when a dangerous condition is found to exist on the customer's premises. Provide a revised tariff sheet.

3. Reference Original Page 26, Section 4.4(3). Should this section read "No incoming calls" rather than outgoing calls? Provide a revised tariff sheet.

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

PUBLIC SERVICE COMMISSION


For the Commission

ATTEST:


Executive Director, Acting