

COMMONWEALTH OF KENTUCKY

BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF CENTRAL KENTUCKY )  
CELLULAR TELEPHONE COMPANY FOR )  
ISSUANCE OF A CERTIFICATE OF PUBLIC )  
CONVENIENCE AND NECESSITY TO CONSTRUCT ) CASE NO. 92-047  
AN ADDITIONAL CELL FACILITY IN THE )  
LOUISVILLE, KENTUCKY METROPOLITAN )  
STATISTICAL AREA )

O R D E R

On January 30, 1992, Central Kentucky Cellular Telephone Company ("Central Kentucky Cellular") filed an application seeking a Certificate of Public Convenience and Necessity to construct and operate an additional cellular radio telecommunications antenna tower in the Louisville, Kentucky Metropolitan Statistical Area ("Louisville MSA"). The Louisville MSA includes Bullitt, Jefferson, and Oldham counties in Kentucky. Central Kentucky Cellular has previously been granted authority to operate a cellular telecommunications system in the Louisville MSA by Order dated April 6, 1988 in Case No. 10169.<sup>1</sup> Central Kentucky Cellular has requested authorization to construct a cellular telecommunications tower in Jefferson County, Kentucky.

---

<sup>1</sup> Case No. 10169, The Application of Louisville Cellular Telephone Company, Bluegrass Cellular Telephone Partners and Central Kentucky Cellular Telephone Company for Approval of the Transfer of Ownership and Control of the Public Service Businesses of Louisville Cellular Telephone Company and Bluegrass Cellular Telephone Partners to Central Kentucky Cellular Telephone Company.

The proposed cell site consists of a 150 foot self-supporting tower with attached antennas and a control building, to be located at 1500 Bernheim Lane, Shively, Jefferson County, Kentucky. The site coordinates for the cell site are North Latitude 38° 13' 07" by West Longitude 85° 47' 06".

Central Kentucky Cellular has provided information regarding the structure of the tower, safety measures, and antenna design criteria for the proposed 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. (BOCA) National Building Code, with reference to earthquakes, winds and tornadoes.

Pursuant to KRS 100.324(1), the proposed cell site construction is exempt from local zoning ordinances. However, Central Kentucky Cellular has notified the Louisville and Jefferson County Planning Commission of the proposed construction. Central Kentucky Cellular has filed applications with the Federal Aviation Administration and the Kentucky Airport Zoning Commission seeking approval for the construction of the proposed tower. Both applications are still pending. Central Kentucky Cellular has notified each resident and/or property owner within 500 feet of the proposed cell site. The notices solicited comments from the residents and property owners and informed them of their right to intervene. No comments were received by the Commission.

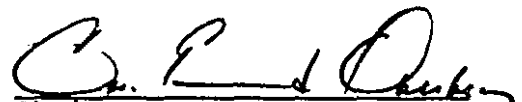
The Commission, having considered the evidence of record and being otherwise sufficiently advised, hereby finds that Central

Kentucky Cellular should be granted a Certificate of Public Convenience and Necessity to construct and operate a cellular telecommunications antenna tower site in Jefferson County, Kentucky.

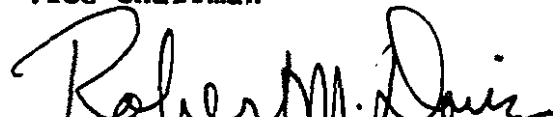
IT IS THEREFORE ORDERED that Central Kentucky Cellular be and it hereby is granted a Certificate of Public Convenience and Necessity to construct and operate a 150 foot cellular telecommunications antenna tower to be located at 1500 Bernheim Lane, Shively, Jefferson County, Kentucky, North Latitude 38° 13' 07" by West Longitude 85° 47' 06".

Done at Frankfort, Kentucky, this 24th day of March, 1992.

PUBLIC SERVICE COMMISSION

  
Chairman

  
Vice Chairman

  
Commissioner

ATTEST:

  
Executive Director