

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. 92-061
AN ADDITIONAL CELL FACILITY IN THE)	
LOUISVILLE, KENTUCKY METROPOLITAN)	
STATISTICAL AREA (ANCHORAGE CELL)	
FACILITY))	

O R D E R

On February 14, 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 telecommunications antenna tower in the Louisville Metropolitan Statistical Area ("Louisville MSA") of Kentucky. The Louisville MSA includes Bullitt, Jefferson, and Oldham counties in Kentucky. Central Kentucky Cellular has requested authorization to construct a cell site in Jefferson County, Kentucky. Central Kentucky Cellular was previously granted authority to operate a cellular telecommunications system in the Louisville MSA in Case No. 10169.¹

¹ 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 185 foot self-supporting antenna tower with attached antennas and an equipment shelter to be located at 13103 Old Henry Road, Anchorage, Jefferson County, Kentucky. The coordinates for the proposed cell site are North Latitude 38° 16' 01" by West Longitude 85° 30' 46". Central Kentucky Cellular has provided information regarding the structure of the tower, safety measures, and antenna design criteria for the 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's 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 ("FAA") and the Kentucky Airport Zoning Commission ("KAZC") seeking approval for the construction of the cell site. It was determined that the FAA and KAZC applications were not required.

Central Kentucky Cellular has notified all property owners and/or residents within 500 feet of the proposed cell site, soliciting any comments and informing them of their right to intervene. On March 3, 1992, the Commission received comments

from the Jefferson County Economic Development Corporation requesting intervention. Intervention was granted by Order dated March 10, 1992. On April 16, 1992, after discussions with Central Kentucky Cellular, Jefferson County Economic Development Corporation withdrew its objection to the proposed construction.

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 an additional cell site in the Louisville MSA.


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 185 foot self-supporting cellular telecommunications antenna tower to be located at 13103 Old Henry Road, Anchorage, Jefferson County, Kentucky. The coordinates for the cell site are North Latitude 38° 16' 01" by West Longitude 85° 30' 46".

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

PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman


Commissioner

ATTEST:


Executive Director