

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. 92-130
AN ADDITIONAL CELL FACILITY IN	)	
KENTUCKY RURAL SERVICE AREA NO. 7	)	
(LAWRENCEVILLE CELL FACILITY)	)	

O R D E R

On March 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 telecommunications antenna tower in Rural Service Area No. 7 ("RSA No. 7") of Kentucky. RSA No. 7 includes Trimble, Henry, Shelby, Franklin, Owen, Carroll, Gallatin, Grant, Pendleton, and Harrison counties in Kentucky. Central Kentucky Cellular has requested authorization to construct a cell site in Grant County, Kentucky. Central Kentucky Cellular was previously granted authority to operate a cellular telecommunications system in RSA No. 7 in Case No. 91-298.<sup>1</sup>

The proposed cell site consists of a guyed antenna tower, not to exceed 298 feet in height with attached antennas, and an equipment shelter to be located at Route 1, Box 165 A, U.S.

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<sup>1</sup> Case No. 91-298, Application of Central Kentucky Cellular Telephone Company for the Issuance of a Certificate of Public Convenience and Necessity to Provide Domestic Public Cellular Radio Telecommunications in Kentucky Rural Service Area No. 7.

Highway 25, Williamstown, Grant County, Kentucky. The coordinates for the proposed cell site are North Latitude 38° 35' 22" by West Longitude 84° 34' 39". 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 Grant County Planning and Zoning Commission of the proposed construction. Central Kentucky 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 of the cell site. These applications are still pending.

Central Kentucky Cellular filed a notice verifying that each property owner and/or resident within 500 feet of the proposed cell site has been notified. On April 30, 1992, the Commission received a letter from Ted Bishop protesting the construction of the proposed tower. On May 8, 1992, Central Kentucky Cellular was ordered to respond to Mr. Bishop's concerns. On May 22, 1992, Central Kentucky Cellular sent a letter to Mr. Bishop addressing his concerns. On May 26, 1992, Mr. Bishop filed a letter withdrawing his opposition to the proposed tower.

The Commission, having considered the evidence of record and being otherwise sufficiently advised, finds that Central Kentucky Cellular should be granted a Certificate of Public Convenience and Necessity to construct and operate an additional cell site in RSA No. 7.

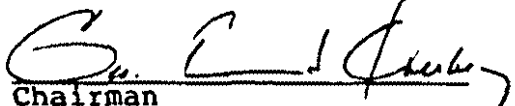
IT IS THEREFORE ORDERED that:

1. Central Kentucky Cellular be and it hereby is granted a Certificate of Public Convenience and Necessity to construct and operate a guyed cellular telecommunications antenna tower, not to exceed 298 feet in height, to be located at Route 1, Box 165 A, U.S. Highway 25, Williamstown, Grant County, Kentucky. The coordinates for the proposed cell site are North Latitude 38° 35' 22" by West Longitude 84° 34' 39".


2. Central Kentucky Cellular shall file a copy of the final decisions regarding its pending FCC, FAA, and KAZC applications for this cell site construction, within 10 days of receiving these decisions.

Done at Frankfort, Kentucky, this 25th day of June, 1992.

PUBLIC SERVICE COMMISSION

  
Chairman

  
Vice Chairman

  
Commissioner

ATTEST:



Executive Director