

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF LEXINGTON MSA LIMITED	)	
PARTNERSHIP FOR ISSUANCE OF A	)	
CERTIFICATE OF PUBLIC CONVENIENCE AND	)	
NECESSITY TO PROVIDE DOMESTIC PUBLIC	)	
CELLULAR TELECOMMUNICATIONS SERVICE TO	)	CASE NO. 92-218
THE PUBLIC FOR A PORTION OF KENTUCKY	)	
RURAL SERVICE AREA NO. 6 WHICH INCLUDES	)	
MADISON, GARRARD, BOYLE, CASEY, AND	)	
LINCOLN COUNTIES IN KENTUCKY	)	

O R D E R

IT IS ORDERED that Lexington MSA Limited Partnership ("Lexington MSA Partnership") shall file the original and ten copies of the following information with the Commission. Each copy of the information requested should be placed in a bound volume with each item tabbed.

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, Lexington MSA Partnership should 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. File a tariff sheet of the general service area map showing the B2 portion of RSA No. 6.

2. Refer to Section 3.3 of the proposed tariff. Add the following language 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.

3. Revise proposed original page 13, Section 3.5, as follows:

a. Delete the sentence "No notice shall be given to any authorized user."

b. Add language showing "that service will not be terminated before 20 days after the mailing date of the original unpaid bill."

4. File appropriate tariff pages showing the bill form to be used or its contents in compliance with 807 KAR 5:006, Section 6(3).

5. 807 KAR 5:006, Section 14, allows termination of service without notice only for illegal use of service or where a dangerous condition exists. Provide revised tariff sheets complying with the notice requirements of this regulation.

Done at Frankfort, Kentucky, this 2nd day of July, 1992.

PUBLIC SERVICE COMMISSION

  
For the Commission

ATTEST:

  
Executive Director