

COMMONWEALTH OF KENTUCKY

BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ALPHA CELLULAR TELEPHONE COMPANY, A FLORIDA	)	
GENERAL PARTNERSHIP, FOR THE ISSUANCE OF A	)	
CERTIFICATE OF PUBLIC CONVENIENCE AND	)	
NECESSITY FOR THE OPERATION AND CONSTRUCTION	)	CASE NO.
OF A CELL SITE SO AS TO ENLARGE THE COVERAGE	)	92-239
OF THE KENTUCKY RURAL SERVICE AREA WHICH	)	
INCLUDES POWELL, ESTILL, WOLFE, LEE,	)	
JACKSON, OWSLEY, BREATHITT, PERRY, KNOTT AND	)	
LETCHER COUNTIES IN KENTUCKY	)	

O R D E R

On June 9, 1992, Alpha Cellular Telephone Company ("Alpha Cellular") filed an application seeking a Certificate of Public Convenience and Necessity to construct and operate a cellular radio telecommunications antenna tower in Rural Service Area No. 10 ("RSA No. 10"). RSA No. 10 includes Powell, Estill, Wolfe, Lee, Jackson, Owsley, Breathitt, Perry, Knott and Letcher counties. Alpha Cellular has requested authorization to construct a cell site in Letcher County. Alpha Cellular was previously granted authority to operate a cellular radio telecommunications system in RSA No. 10 in Case No. 91-410.<sup>1</sup>

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<sup>1</sup> Case No. 91-410, I. The Application of Metro Mobile CTS of Powell, Inc., a Kentucky Corporation, For Issuance of A Certificate of Public Convenience and Necessity to Provide Domestic Public Cellular Radio Telecommunications Service to The Public in The Kentucky Rural Service Area Which Includes Powell, Estill, Wolfe, Lee, Jackson, Owsley, Breathitt, Perry, Knott, and Letcher Counties in Kentucky; For Approval of Financing; and For Establishment of Initial Rates. II. The Joint Application of Metro Mobile CTS of Powell, Inc. and Alpha Cellular Telephone Company, A Florida General Partnership, For The Transfer of Assets and Liabilities of Metro Mobile CTS of Powell, Inc. to Alpha Cellular Telephone Company and of Related Financing.

The proposed cell site consists of a guyed antenna tower, not to exceed 200 feet, located approximately 1.5 miles northwest of the intersection of State Routes 119 and 932, being 3.5 miles south of Whitesburg, Kentucky (the "Whitesburg Cell Site"). The coordinates for the Whitesburg Cell Site are North Latitude 37° 04' 49" by West Longitude 82° 48' 05".

Alpha Cellular has provided information regarding the structure of the tower, safety measures, and antenna design criteria for the Whitesburg 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. National Building Code with reference to earthquakes, winds, and tornadoes.

Pursuant to KRS 100.324(1), the Whitesburg Cell Site's construction is exempt from local zoning ordinances. Alpha Cellular has filed application with and received approval from the Federal Communications Commission. Due to the tower height being less than 200 feet, approval from the Federal Aviation Administration and Kentucky Airport Zoning Commission is not required.

The only property owner and/or resident within 500 feet of the Whitesburg Cell Site is the lessor. Therefore, no public notice is required.

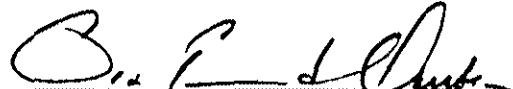
The Commission, having considered the evidence of record and being otherwise sufficiently advised, finds that Alpha Cellular should be granted a Certificate of Public Convenience and Necessity

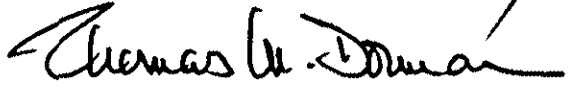
to construct and operate the Whitesburg Cell Site in RSA No. 10 under its previously approved tariff.

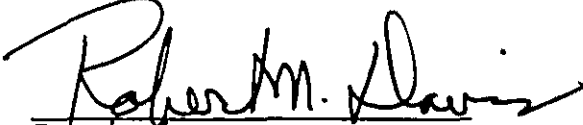
IT IS THEREFORE ORDERED that Alpha Cellular be and it hereby is granted a Certificate of Public Convenience and Necessity to construct and operate a 200 foot or less guyed cellular radio telecommunications tower in RSA No. 10 to be located approximately 1.5 miles northwest of the intersection of State Routes 119 and 932, being 3.5 miles south of Whitesburg, Kentucky. The coordinates for the Whitesburg Cell Site are North Latitude 37° 04' 49" by West Longitude 82° 48' 05".

Done at Frankfort, Kentucky, this 11th day of August, 1992.

PUBLIC SERVICE COMMISSION

  
Chairman

  
Vice Chairman

  
Commissioner

ATTEST:

  
Executive Director