

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

THE APPLICATION OF SOUTHERN OHIO )  
TELEPHONE COMPANY FOR A CERTIFICATE OF )  
PUBLIC CONVENIENCE AND NECESSITY TO ) CASE NO. 94-348  
CONSTRUCT ADDITIONAL CELLULAR )  
FACILITIES IN FORT THOMAS, CAMPBELL )  
COUNTY, KENTUCKY )

O R D E R

On September 16, 1994, Southern Ohio Telephone Company ("Southern Ohio") filed an application seeking a Certificate of Public Convenience and Necessity to construct and operate a cellular radio telecommunications monopole in the Cincinnati Metropolitan Statistical Area ("Cincinnati MSA"). The proposed cell site consists of a monopole not to exceed 200 feet in height, with attached antennas, to be located at 960 Highlands Road, Fort Thomas, Campbell County, Kentucky. The coordinates for the proposed cell site are North Latitude 39° 04' 11.22" by West Longitude 84° 27' 54.79".

Southern Ohio has provided information regarding the structure of the monopole, safety measures, and antenna design criteria for the proposed cell site. Based upon the application, the design of the monopole and foundation appears 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 proposed cell site's construction is exempt from local zoning ordinances. However, Southern Ohio has notified the Fort Thomas planning and zoning authority of the proposed construction. Southern Ohio has filed applications with the Federal Aviation Administration ("FAA") and the Kentucky Airport Zoning Commission ("KAZC") seeking approval for the construction and operation of the proposed cell site. Both applications are pending.

Southern Ohio has filed notices verifying that each property owner and resident within 500 feet of the proposed cell site has been notified of the pending construction. The notice solicited any comments and informed the property owners and residents of their right to intervene. To date, no comments have been received by the Commission.

Pursuant to KRS 278.280, the Commission is required to determine proper practices to be observed when it finds, upon complaint or on its own motion, that the facilities of any utility subject to its jurisdiction are unreasonable, unsafe, improper, or insufficient. To assist the Commission in its efforts to comply with this mandate, Southern Ohio should notify the Commission if it does not use this monopole to provide cellular radio telecommunications services in the manner set out in its application and this Order. Upon receipt of such notice, the Commission may, on its own motion, institute proceedings to consider the proper practices, including removal of the unused monopole, which should be observed by Southern Ohio.

The Commission, having considered the evidence of record and being otherwise sufficiently advised, finds that Southern Ohio should be granted a Certificate of Public Convenience and Necessity to construct and operate the proposed cell site in the Cincinnati MSA under its currently approved tariff.

IT IS THEREFORE ORDERED that:

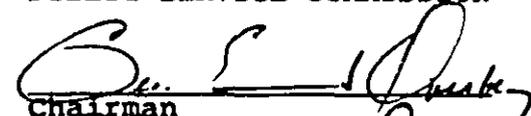
1. Southern Ohio be and it hereby is granted a Certificate of Public Convenience and Necessity to construct and operate a monopole not to exceed 200 feet in height, with attached antennas, to be located at 960 Highlands Road, Fort Thomas, Campbell County, Kentucky. The coordinates for the proposed cell site are North Latitude 39° 04' 11.22" by West Longitude 84° 27' 54.79".

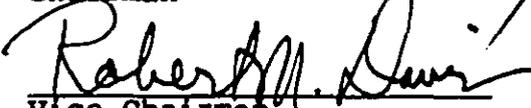
2. Southern Ohio shall file a copy of the final decisions regarding its pending FAA and KAZC applications for the proposed construction within 10 days of receiving these decisions.

3. Southern Ohio shall immediately notify the Commission in writing, if, after the monopole is built and utility service is commenced, the monopole is not used for a period of 3 months in the manner authorized by this Order.

Done at Frankfort, Kentucky, this 11th day of November, 1994.

PUBLIC SERVICE COMMISSION

  
Chairman

  
Vice Chairman

  
Commissioner

ATTEST:

  
Executive Director