

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF CENTRAL KENTUCKY CELLULAR)	
CORPORATION FOR ISSUANCE OF A CERTIFICATE)	
OF PUBLIC CONVENIENCE AND NECESSITY TO)	
CONSTRUCT AN ADDITIONAL CELL FACILITY IN THE)	CASE NO. 98-495
KENTUCKY RURAL SERVICE AREA NO. 6 WHICH)	
INCLUDES CASEY, LINCOLN, ROCKCASTLE, PULASKI,)	
AND LAUREL COUNTIES IN KENTUCKY (THE MOUNT)	
VERNON CELL FACILITY))	

O R D E R

On September 16, 1998, Central Kentucky Cellular Corporation, formerly known as Cellular Information Systems of Florence, Inc. ("Central Kentucky Cellular") filed an application seeking a Certificate of Public Convenience and Necessity to build and operate a cellular radio telecommunications system for Rural Service Area No. 6 ("RSA No. 6"). RSA No. 6 includes Casey, Lincoln, Rockcastle, Pulaski, and Laurel counties. Central Kentucky Cellular has requested authorization to construct a cell site in Rockcastle County. Central Kentucky Cellular was previously granted authority to operate a cellular radio telecommunications system in RSA No. 6 in Case No. 96-491.¹

¹ Case No. 96-491, The Joint Application of PriCellular Corporation, a Delaware Corporation, Cellular Information Systems of Florence, Inc., an Alabama Corporation and Horizon Cellular Telephone Company of Central Kentucky, L.P., a Delaware Limited Partnership for the Approval of the Acquisition of the Assets of Horizon Cellular Telephone Company of Central Kentucky, L.P., a Delaware Limited Partnership and for Acceptance of Adoption of Tariff.

The proposed cell site consists of a 180-foot or less self-supporting antenna tower to be located on Juanita Davis Road in Rockcastle County, Kentucky ("the Mount Vernon cell site"). The coordinates for the Mount Vernon cell site are North Latitude 37° 21' 01" by West Longitude 84° 19' 46".

Central Kentucky Cellular has provided information regarding the structure of the tower, safety measures, and antenna design criteria for the Mount Vernon cell site. Based upon the application, the design of the tower and foundation conforms to applicable nationally recognized building standards, and a Registered Professional Engineer has certified the plans.

Pursuant to KRS 100.324(1), the Mount Vernon cell site's construction is exempt from local zoning ordinances; however, Central Kentucky Cellular notified the Rockcastle County Judge/Executive of the pending 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 and operation of the Mount Vernon cell site. Both applications are pending.

Central Kentucky Cellular has filed notices verifying that each person who owns property within 500 feet of the Mount Vernon cell site has been notified of the pending construction. The notice solicited any comments and informed the property owners of their right to intervene. In addition, notice was posted in a visible location on the proposed site for at least two weeks after Central Kentucky Cellular's application was filed. To date, no intervention requests have been received.

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, Central Kentucky Cellular should notify the Commission if it does not use this antenna tower 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 antenna tower, which should be observed by Central Kentucky Cellular.

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 the Mount Vernon cell site in RSA No. 6 under its previously approved tariff.


IT IS THEREFORE ORDERED that:

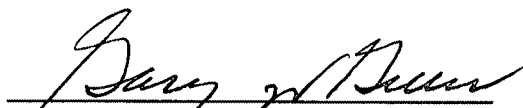
1. Central Kentucky Cellular is granted a Certificate of Public Convenience and Necessity to construct and operate the Mount Vernon cell site.
2. Central Kentucky Cellular shall file a copy of the final decisions regarding the pending FAA and KAZC applications for this cell site construction within 10 days of receiving these decisions.
3. Central Kentucky Cellular shall immediately notify the Commission in writing, if, after the antenna tower is built and utility service is commenced, the tower is not used for a period of 3 months in the manner authorized by this Order.

Done at Frankfort, Kentucky this 22nd day of December, 1998.

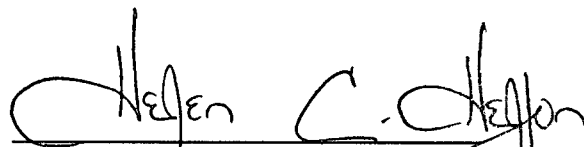
PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman


Commissioner

ATTEST:


Executive Director