

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. 98-498-UAC
KENTUCKY RURAL SERVICE AREA NO. 6 WHICH)
INCLUDES CASEY, LINCOLN, ROCKCASTLE,)
PULASKI, AND LAUREL COUNTIES IN KENTUCKY)
(THE SOMERSET CELL FACILITY))

O R D E R

On September 17, 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 Pulaski 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 is located at 480 Rock Castle Road in Somerset, Pulaski County, Kentucky ("the Somerset cell site"). The coordinates for the Somerset cell site are North Latitude 37° 06' 11" by West Longitude 84° 35' 47".

Central Kentucky Cellular has provided information regarding the structure of the tower, safety measures, and antenna design criteria for the Somerset 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 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 Somerset 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 Somerset 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 5th day of January, 1999.

By the Commission

ATTEST:

Executive Director