

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

THE APPLICATION OF PETRY TELEVISION, INC.)
FOR ISSUANCE OF A CERTIFICATE OF PUBLIC)
CONVENIENCE AND NECESSITY TO PROVIDE)
DOMESTIC PUBLIC CELLULAR SERVICE TO THE)
PUBLIC IN KENTUCKY RURAL AREA NO. 8,) CASE NO. 91-351
WHICH INCLUDES BATH, BRACKEN, FLEMING,)
LEWIS, MASON, MENIFEE, MONTGOMERY,)
NICHOLAS, ROBERTSON AND ROWAN COUNTIES,)
KENTUCKY, ANY OTHER NECESSARY APPROVAL,)
AND ESTABLISHMENT OF INITIAL RATES)

O R D E R

On November 12, 1991, Petry Television, Inc. ("Petry") filed an application seeking a Certificate of Public Convenience and Necessity to construct and operate an additional cellular radio telecommunications tower for Rural Service Area No. 8 ("RSA No. 8"). RSA No. 8 includes Bath, Bracken, Fleming, Lewis, Mason, Menifee, Montgomery, Nicholas, Robertson, and Rowan counties in Kentucky.

The Commission previously granted Petry authority to provide cellular service in RSA No. 8 and to construct a cell site in Owingsville, Kentucky.

The proposed cell site consists of a 350 foot antenna tower to be located approximately four miles north of Morehead, and 0.7 miles east of I-64 in Rowan County, Kentucky (the "Morehead Site"). There are no structures within a 500 foot radius of the proposed tower. Petry has notified property owners within 500

feet of the proposed cell site. No comments have been received. Petry has provided information regarding the structure of the tower, safety measures, and antenna design criteria for the proposed tower. Based upon the application, the tower and foundation design appear to meet the criteria of the Building Officials and Code Administrators International, Inc. ("BOCA") 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. Petry has filed applications with and received approvals from the Federal Communications Commission and the Kentucky Airport Zoning Commission. The application filed with the Federal Aviation Administration is still pending.

The Commission, having considered the evidence of record and being otherwise sufficiently advised, finds that Petry should be granted a Certificate of Public Convenience and Necessity to construct and operate a 350 foot cellular telecommunications antenna tower at the Morehead Site, Morehead, Kentucky and that the rates proposed by Petry should be approved as the fair, just and reasonable rates to be charged.

IT IS THEREFORE ORDERED:

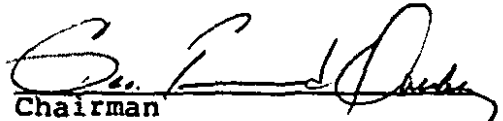
1. Petry be and it hereby is granted a Certificate of Public Convenience and Necessity to construct and operate a 350 foot cellular telecommunications antenna tower at the Morehead Site, Morehead, Kentucky.

2. The rates proposed by Petry are hereby approved.

3. Within 30 days from the date of this Order, Petry shall file its tariff sheets pursuant to 807 KAR 5:011, setting out the rates approved herein and all rules governing the provision of service in accordance with the Commission's Orders and administrative regulations.

Done at Frankfort, Kentucky, this 13th day of January, 1992.

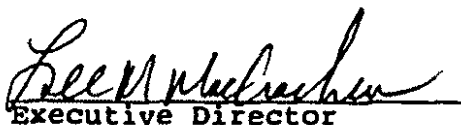
PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman


Commissioner

ATTEST:


Executive Director