

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

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In the Matter of:

THE APPLICATION OF JOHNNY L. WILLS,)
D/B/A KENTUCKY RADIO SERVICE, FOR AN)
EXTENDED CERTIFICATE OF CONVENIENCE)
AND NECESSITY TO PROVIDE MOBILE TELE-)
PHONE SERVICE TO BELL COUNTY, KENTUCKY,)
AND HARLAN COUNTY, KENTUCKY, AND TO)
PROVIDE TONE ONLY AND TONE AND VOICE)
PAGER SERVICE TO HARLAN COUNTY, KENTUCKY,) CASE NO. 9333
WITH REPEATER STATIONS IN LAUREL, WHITLEY,)
BELL AND PULASKI COUNTIES, KENTUCKY, AND)
TO INTERCONNECT WITH FACILITIES OF THE)
SOUTH CENTRAL BELL TELEPHONE COMPANY AT)
WHITLEY COUNTY, KENTUCKY, BELL COUNTY,)
THE CONTINENTAL TELEPHONE COMPANY AT)
LAUREL COUNTY AND KNOX COUNTY, KENTUCKY,)
AND GENERAL TELEPHONE COMPANY IN PULASKI)
COUNTY, KENTUCKY)

O R D E R

On May 2, 1985, Johnny L. Wills, d/b/a Kentucky Radio Service, ("Kentucky Radio Service") filed an application for a certificate of public convenience and necessity to expand its present tone only and tone and voice pager service area to include Harlan County, Kentucky, and expand its Kentucky mobile telephone service to include Laurel, Knox, Harlan and Whitley counties. On May 27, 1985, certified paging companies operating in these counties were notified of this application. Only Tri-State Electronics, Inc., which provides paging and mobile telephone services in the Harlan County area, responded, requesting the Commission carefully consider Kentucky Radio Service's application

in view of the fact that Tri-State Electronics, Inc., made an application to the Federal Communications Commission ("FCC") on January 10, 1985, to expand its existing services in the Harlan County area.

On August 7, 1985, the Commission requested that additional information be filed. The required information was filed on September 18, 1985, and the record is now complete.

Kentucky Radio Service was first granted a certificate of convenience and necessity to provide paging services in Laurel, Whitley, Bell and Knox counties by the Commission on December 2, 1981, in Case No. 8289,¹ Applications have been submitted to the FCC by Kentucky Radio Service for the installation of three transmitters and three antennas. Two transmitters and associated antennas will be located at 36-54-01 north latitude and 83-18-18 west longitude, one-half mile west of US 421 and Little Shepherd Trail near Harlan in Harlan County. The Cellwave RF, PD-38 antenna will produce a maximum effective radiated power of 107 watts in a directional pattern 285 degrees from true north for paging receivers. a DECIBEL product, DB-225 antenna will produce a maximum effective radiated power of 112 watts in a directional pattern 165 degrees from true north for mobile radiotelephone

¹ The Application of Johnny L. Wills d/b/a Kentucky Radio Service for a Certificate of Convenience and Necessity to Provide Tone Only and Tone and Voice Pager Service with ASIMUCST Transmitter with Repeater Stations in Laurel County and Bell County, Kentucky, and to Interconnect the Proposed Facilities with the South Central Bell Telephone Company at Whitley County and Bell County, Kentucky, and the Continental Telephone Company at Laurel and Knox Counties, Kentucky.

services. The third antenna, a Cellwave RF, PD-440 will be located at 36-45-15 north latitude and 83-42-08 west longitude, approximately one-half mile southwest of the intersection of SR 66 and US 25E near Pineville in Bell County, Kentucky. This antenna and its associated Motorola transmitter will have an effective radiated power of 70 watts in a directional pattern, 70 degrees and 250 degrees from true north and provide mobile telephone service to the area. Maintenance of these facilities will be provided by personnel of Kentucky Radio Service.

Kentucky Radio Service proposed to adjust its rates and charges by reducing its liability for valued messages by limiting the calls allowed for the basic rate and instituting a per minute charge for excess call time, and by reducing both the number of units required to be classified as a bulk user and the amount of the discount available to bulk users.

No questions were raised by the intervenor, Tri-State Electronics, Inc., or customers of Kentucky Radio Service concerning the proposed rates. Further, information filed with the application and in response to the Commission's information requests shows that the proposed rates are compensatory and will place Kentucky Radio Service on a more even competitive standing with others providing similar services.

The Commission, having considered the evidence of record and being advised, is of the opinion and finds that:

(1) The services proposed by Kentucky Radio Service will enhance services currently available to the public in Bell, Knox, Laurel, Harlan, Whitley and Pulaski counties, Kentucky;

(2) Kentucky Radio Service is financially and technically capable of operating and providing mobile radio telephone and paging;

(3) A certificate of public convenience and necessity should be granted; and

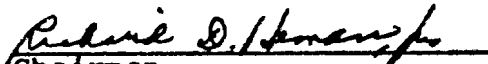
(4) The rates and tariffs proposed in Kentucky Radio Service's application are fair, just and reasonable.


IT IS THEREFORE ORDERED that Kentucky Radio Service be and it hereby is granted a certificate of public convenience and necessity to construct facilities and provide services to the public in Bell, Laurel, Harlan, Knox and Whitley counties.

IT IS FURTHER ORDERED that the tariffs filed in Kentucky Radio Service's application containing its rates, rules and regulations be and they hereby are approved as filed, and that copies of these same tariffs shall be filed in the manner prescribed by the Commission 30 days prior to the introduction of the aforementioned services.

Done at Frankfort, Kentucky, this 15th day of October, 1985.

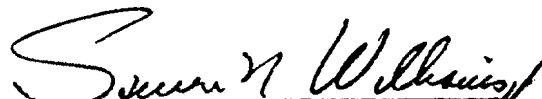
PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman

ATTEST:

Secretary


Commissioner