

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

THE APPLICATION OF THE EVANSVILLE MSA )  
LIMITED PARTNERSHIP FOR THE ISSUANCE OF )  
A CERTIFICATE OF PUBLIC CONVENIENCE AND ) CASE NO. 10243  
NECESSITY TO PROVIDE DOMESTIC PUBLIC )  
CELLULAR RADIO TELECOMMUNICATIONS SERVICE )  
TO THE PUBLIC IN DAVIESS COUNTY, KENTUCKY )

ORDER

On May 2, 1988, Evansville MSA Limited Partnership ("Evansville MSA"), filed an application to extend its cellular telephone telecommunications service area to serve the Owensboro, Kentucky Metropolitan Statistical Area. The Commission requested further information by Order dated June 20, 1988. On July 8, 1988, Evansville MSA filed a request for an extension of time in which to provide the requested information. In support of its request, Evansville MSA indicated that its plans for a proposed cell site had changed, making it impossible to provide the requested information until a new site had been selected. The Commission granted this request by Order dated July 28, 1988. Evansville MSA filed its response to the June 20, 1988 Order on November 17, 1988.

By Order dated February 2, 1988 in Case No. 10096,<sup>1</sup> the

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<sup>1</sup> The Application of Evansville MSA Limited Partnership for the Issuance of a Certificate of Public Convenience and Necessity to Provide Domestic Public Cellular Radio Telecommunications Service to the Public in Henderson County and Portions of Daviess and Union Counties, Kentucky, and for the Establishment of Initial Rates.

Commission granted Evansville MSA the authority to provide cellular telephone service within the Kentucky portion of the Evansville Metropolitan Statistical Area, which, in Kentucky, is composed of Henderson County and portions of Daviess and Union Counties.

In the instant case, Evansville MSA proposes to extend its service to Owensboro, Kentucky, by constructing and operating a cellular antenna site on Lee Rudy Road in Owensboro, Kentucky. The cell site will consist of a 185 foot antenna tower equipped with cellular and microwave antennas and a building equipped with cellular control and radio equipment. The Owensboro Metropolitan Planning Commission has approved this location, by issuing a conditional use permit for the construction, operation, and maintenance of a radio tower. There have been no requests for intervention in this proceeding.

#### FINDINGS AND ORDERS

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

1. Evansville MSA should be granted authority to extend its service area to provide cellular telephone service to the Kentucky portion of the Owensboro, Kentucky Metropolitan Statistical Area.

2. The public convenience and necessity require that Evansville MSA be granted authority to construct a cellular antenna site as described in its application.

3. Within 30 days of the date of this Order, Evansville MSA should modify its tariff to reflect the added service area.

IT IS THEREFORE ORDERED that:

1. Evansville MSA be, and hereby is, granted authority to extend its service area to provide cellular telephone service to the Kentucky portion of the Owensboro, Kentucky Metropolitan Statistical Area.

2. Evansville MSA be, and hereby is, granted a certificate of public convenience and necessity to construct a cellular antenna site as described in its application.

3. Within 30 days of the date of this Order, Evansville MSA shall modify its tariff to reflect the added service area.

Done at Frankfort, Kentucky this 9th day of December, 1988.

PUBLIC SERVICE COMMISSION

Chairman

  
Vice Chairman

  
Commissioner

ATTEST:

Executive Director