

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

| | | |
|--|---|-----------------|
| THE APPLICATION OF FIRST KENTUCKY CELLULAR |) | |
| CORP., A DELAWARE CORPORATION D/B/A |) | |
| CELLULAR TELEPHONE COMPANY OF KENTUCKY, |) | |
| FOR THE ISSUANCE OF A CERTIFICATE OF |) | |
| PUBLIC CONVENIENCE AND NECESSITY TO |) | |
| PROVIDE DOMESTIC PUBLIC CELLULAR RADIO |) | CASE NO. 91-247 |
| TELECOMMUNICATIONS SERVICE TO THE PUBLIC |) | |
| IN THE KENTUCKY RURAL SERVICE AREA WHICH |) | |
| INCLUDES BELL, CLAY, HARLAN, KNOX, LESLIE |) | |
| AND WHITLEY COUNTIES IN KENTUCKY, FOR |) | |
| APPROVAL OF FINANCING, AND FOR ESTABLISH- |) | |
| MENT OF INITIAL RATES |) | |

O R D E R

IT IS ORDERED that First Kentucky Cellular Corp. ("First Kentucky") shall file the original and six copies of the following with the Commission, with a copy to all parties of record, no later than 30 days from the date of this Order. If the information cannot be provided within this time, First Kentucky shall submit a motion for an extension of time stating the reason a delay is necessary and include a date by which the information can be provided. Such motion will be considered by the Commission.

1. Provide a copy of the actual tower design which includes specifications, tower analysis, tower foundation design, all related schematics, and bears the Original Seal, signature, and dated by a registered professional engineer for each proposed cell site.

2. Provide legible diagrams showing all structures and properties within 500 feet of each proposed cell site.

3. Provide copies of applications filed with the Federal Aviation Administration ("FAA") for the proposed Gray, Williamsburg, and Saxton cell sites.

4. Provide a copy of the FAA's approval for the Corbin cell site.

5. Identify the rock formation by name and the principle rock type on which the proposed Gray and Saxton cell sites will be constructed.

6. Provide details of all foundation investigation work done on the proposed Gray and Saxton cell sites including but not limited to geologic, geotechnical, and engineering studies. Include auger and core drilling logs, rock characteristics, and soil profile data.

7. Provide design criteria used in considering seismic and high wind/tornado potential in the study area for each cell site.

8. Relate maximum flood potential of the area to actual proposed towers' base elevations for each cell site.

9. If the proposed towers fall as a result of tornadoes/earthquakes, how many properties are within reach or in danger of being damaged.

10. Provide a toll free number or provision for accepting collect calls for customer complaints.

11. Provide the exact location for each cell site. If street address is not available, identify by the closest

interstates, highways, routes, roads, etc., or other easily identifiable directions.

12. Refer to Original Page 17, Section 3.11.A.[3] of the proposed tariff. Service may be discontinued without notice for fraudulent or illegal use of service and must be discontinued if a dangerous condition exists. Discontinuance or refusal of service for any other reason must comply with the notice requirements of 807 KAR 5:006, Section 11. Provide a revised tariff sheet.

13. Refer to Original Page 20, Section 4.1.B. of the proposed tariff. KRS 278.180 requires that 30 days notice be provided to the Commission prior to any changes in rates. Provide a revised tariff sheet.

14. With reference to First Kentucky's anticipated borrowings from NovAtel Finance, provide the following information:

a. Copies of all documents currently executed relating to this financing.

b. Copies of all future executed documents as they become available.

c. Estimated draw-down dates and amounts.

d. A schedule showing anticipated uses of draw-downs in general category groupings.

e. Provide a projected loan pay-back schedule.

IT IS FURTHER ORDERED that:

1. First Kentucky shall give written notice of the proposed tower sites to each and every resident/tenant whose dwelling lies within 500 feet of the proposed tower sites and to each and every

owner of property within 500 feet of the proposed tower sites of the application.

2. The notice required above shall be that contained in Appendix A, attached hereto and incorporated herein, as if fully set out herein. The map showing the location of the proposed tower shall be attached to this notice. The notice shall be mailed, postage prepaid, to each resident/tenant and property owner whose property lies within 500 feet of the proposed tower sites.

3. First Kentucky shall mail the written notification described above no later than 30 days from the date of this Order, and within 10 days after completion of the notification, First Kentucky shall file an affidavit with the Commission verifying full compliance with this notice requirement including, but not limited to, listing the name and address of each resident and property owner who received the notice, the date the notice was mailed, postage prepaid, and attaching a true copy of the written notice given to the residents and property owners.

Done at Frankfort, Kentucky, this 28th day of August, 1991.

PUBLIC SERVICE COMMISSION


For the Commission

ATTEST:


Executive Director

APPENDIX A

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE
COMMISSION IN CASE NO. 91-247 DATED 8/28/91

PUBLIC NOTICE

On July 22, 1991, First Kentucky Cellular Corp. applied to the Public Service Commission of Kentucky for a Certificate of Public Convenience and Necessity to construct and operate a new cell facility to provide cellular radio service. The facility would include a _____-foot tower to be located at

_____.
(insert st. address)

A map showing the location is attached. This notice is being sent to you because you either own property or reside on property that is located within 500-foot radius of the proposed tower.

The Commission invites your comments regarding the Utility's proposed construction. Also, the Commission wants you to be aware of your right to intervene in this matter. That right must be exercised within 30 days of the date of this notice as shown below.

Your comments and requests for intervention should be addressed to:

Executive Director's Office
Public Service Commission of Kentucky
P.O. Box 615
Frankfort, Kentucky 40602

Please refer to Case No. 91-247 in your correspondence.

This NOTICE was mailed _____.
(insert date)