

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF CENTRAL KENTUCKY CELLULAR)
TELEPHONE COMPANY FOR THE ISSUANCE OF A)
CERTIFICATE OF PUBLIC CONVENIENCE AND)
AND NECESSITY TO PROVIDE DOMESTIC PUBLIC) CASE NO. 91-298
CELLULAR RADIO TELECOMMUNICATIONS IN)
KENTUCKY RURAL SERVICE AREA NO. 7)

O R D E R

On August 16, 1991, Central Kentucky Cellular Telephone Company ("Central Kentucky Cellular") d/b/a Cellular One/Central Kentucky Cellular Telephone Company filed an application seeking a Certificate of Public Convenience and Necessity to construct and operate a cellular radio telecommunications system for the Rural Service Area No. 7 ("RSA No. 7") in Kentucky. RSA No. 7 includes Trimble, Henry, Shelby, Franklin, Owen, Carroll, Gallatin, Grant, Pendleton, and Harrison counties in Kentucky. Central Kentucky Cellular has requested authorization to construct a cell site in Shelby County, Kentucky. Central Kentucky Cellular was previously granted authority to provide cellular service to the Louisville and Lexington Metropolitan Statistical Areas ("MSA's").

The proposed cell site consists of a 285 foot guyed tower to be located on Knob Road, approximately 1 mile south of U.S. Route 60 and about 6 miles southeast of Shelbyville in Shelby County, Kentucky. Central Kentucky Cellular has provided information regarding the structure of the tower, safety measures, and antenna

design criteria for the cell site. 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. However, Central Kentucky Cellular has notified Triple S Planning and Zoning Commission of the proposed construction. Central Kentucky Cellular has filed applications with the Federal Aviation Administration and the Kentucky Airport Zoning Commission seeking approval for the construction of the cell site. These applications are still pending.

Central Kentucky Cellular has notified the residents and/or property owners within 500 feet of the proposed cell site. On August 23, 1991, the Commission received a letter from a property owner within 500 feet of the proposed tower. On September 11, 1991, the Commission ordered Central Kentucky Cellular to reply. A copy of Central Kentucky Cellular's response to the letter was received by the Commission on September 25, 1991. No other responses to the notification were received.

Central Kentucky Cellular has proposed to extend its service area to include RSA No. 7 and to provide service under the tariff and price list currently in effect for the Louisville and Lexington MSA's. Central Kentucky Cellular should, therefore, submit a Second Revised Page 1 of its tariff specifying its service area to include RSA No. 7.

IT IS THEREFORE ORDERED that:

1. Central Kentucky Cellular be and it hereby is granted a Certificate of Public Convenience and Necessity to operate a cellular telecommunications system in RSA No. 7.

2. Central Kentucky Cellular be and it hereby is granted a Certificate of Public Convenience and Necessity to construct a 285 foot guyed cellular telecommunications tower to be located on Knob Road, approximately 1 mile south of U.S. Route 60 and about 6 miles southeast of Shelbyville in Shelby County, Kentucky.

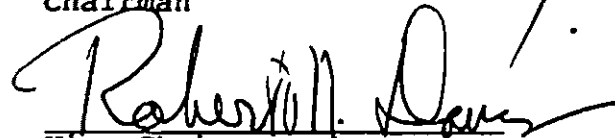
3. Central Kentucky Cellular's proposal to provide service in RSA No. 7 under the tariff and price list currently in effect for the Louisville and Lexington MSA's is hereby approved.

4. Within 30 days from the date of this Order, Central Kentucky Cellular shall file revised tariff sheets to include RSA No. 7 in the service area governed by its currently effective tariff.

Done at Frankfort, Kentucky, this 18th day of November, 1991.

PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman

ATTEST:


Executive Director

Commissioner