

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

FIRST KENTUCKY CELLULAR CORPORATION,)
A DELAWARE CORPORATION D/B/A CELLULAR)
TELEPHONE COMPANY OF KENTUCKY, FOR THE)
ISSUANCE OF A CERTIFICATE OF PUBLIC) CASE NO. 92-035
CONVENIENCE AND NECESSITY FOR THE)
OPERATION AND CONSTRUCTION OF A TOWER)
AT THE LOCATION OF THE MTSO)

O R D E R

On September 21, 1992, First Kentucky Cellular Corporation ("First Kentucky") filed a request for rehearing of the Commission's August 13, 1992 Order which denied First Kentucky's petition for a Certificate of Public Convenience and Necessity to construct a cellular tower at the MTSO cell site. First Kentucky's petition requests rehearing pursuant to KRS 278.400 based upon the following: 1) the Commission's Order is unsupported by any evidence and is therefore arbitrary and capricious; 2) there was no evidence to indicate significant safety concerns; 3) First Kentucky presented evidence of economic need for the proposed tower; and 4) the proposed tower meets or exceeds standards for towers which have been approved by the Public Service Commission in the past.

The Commission, having considered First Kentucky's request for rehearing and being further sufficiently advised, HEREBY ORDERS that:

1. First Kentucky's request for rehearing is hereby granted.

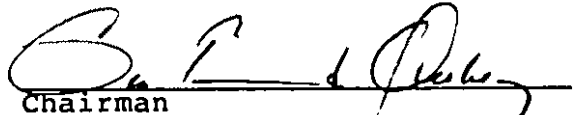
2. Within 30 days of the date of this Order, First Kentucky shall file testimony supporting its request for rehearing including but not limited to evidence that supports that there is no available alternative site where the proposed tower could be located, that the tower's construction is necessary for adequate operation of the network and evidence regarding whether the proximity of the tower to high voltage transmission lines constitutes a risk to the public safety.

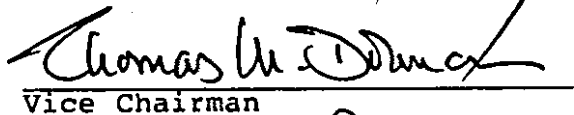
3. A procedural schedule will be established at a later date.

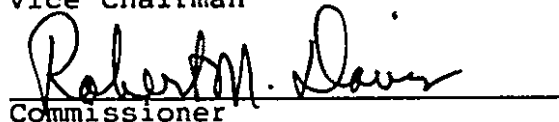
4. The following persons shall be served with copies of this Order: John R. Trospen, Herman C. Faulkner, Gary Carrier, Michael Brown, Lonnie Hart, Hazel Brock and Paul Weaver.

Done at Frankfort, Kentucky, this 22nd day of September, 1992.

PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman


Commissioner

ATTEST:


Executive Director