

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF CENTRAL KENTUCKY)	
CELLULAR TELEPHONE COMPANY FOR)	
ISSUANCE OF A CERTIFICATE OF PUBLIC)	
CONVENIENCE AND NECESSITY TO CONSTRUCT)	CASE NO. 92-108
AN ADDITIONAL CELL FACILITY IN THE)	
KENTUCKY RURAL SERVICE AREA NO. 7)	
(TRIMBLE CELL FACILITY))	

O R D E R

On March 19, 1992, Central Kentucky Cellular Telephone Company ("Central Kentucky Cellular") filed an application seeking a Certificate of Public Convenience and Necessity to construct and operate an additional cellular telecommunications antenna tower in Rural Service Area No. 7 ("RSA No. 7") of 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 Henry County, Kentucky. Central Kentucky Cellular was previously granted authority to operate a cellular telecommunications system in RSA No. 7 in Case No. 91-298.¹

¹ Case No. 91-298, Application of Central Kentucky Cellular Telephone Company for the Issuance of a Certificate of Public Convenience and Necessity to Provide Domestic Public Cellular Radio Telecommunications in Kentucky Rural Service Area No. 7.

The proposed cell site consists of a 285 foot guyed antenna tower with attached antennas and an equipment shelter to be located at Route 1, KY 1606 (Fallen Timber Road), Sulphur, Henry County, Kentucky. The coordinates for the proposed cell site are North Latitude 38° 28' 54" by West Longitude 85° 15' 57". 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 the Henry County Planning and Zoning Commission of the proposed construction. Central Kentucky Cellular has filed applications with the Federal Communications Commission ("FCC"), the Federal Aviation Administration ("FAA"), and the Kentucky Airport Zoning Commission ("KAZC") seeking approval for the construction of the cell site. The FCC and KAZC applications are still pending. The FAA application has been approved.

The only property owners and/or residents within 500 feet of the proposed cell site are the property owners from whom Central Kentucky Cellular intends to purchase the property for the cell site.

The Commission, having considered the evidence of record and being otherwise sufficiently advised, hereby finds that Central

Kentucky Cellular should be granted a Certificate of Public Convenience and Necessity to construct and operate an additional cell site in RSA No. 7.

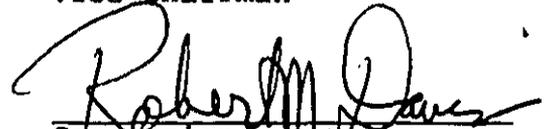
IT IS THEREFORE ORDERED that Central Kentucky Cellular be and it hereby is granted a Certificate of Public Convenience and Necessity to construct and operate a 285 foot guyed cellular telecommunications antenna tower to be located at Route 1, KY 1606 (Fallen Timber Road), Sulphur, Henry County, Kentucky. The coordinates for the cell site are North Latitude 38° 28' 54" by West Longitude 85° 15' 57".

Done at Frankfort, Kentucky, this 5th day of May, 1992.

PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman


Commissioner

ATTEST:


Executive Director, Acting