

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

THE APPLICATION OF POWERTEL/KENTUCKY, )  
INC. FOR ISSUANCE OF A CERTIFICATE OF )  
PUBLIC CONVENIENCE AND NECESSITY TO ) CASE NO. 97-384  
PROVIDE PERSONAL COMMUNICATIONS )  
SERVICE IN THE COMMONWEALTH OF )  
KENTUCKY )

O R D E R

On September 8, 1997, Powertel/Kentucky, Inc. ("Powertel") filed an application for a Certificate of Public Convenience and Necessity ("CPCN") to provide Personal Communications Services ("PCS") within Kentucky. Powertel is a Delaware corporation with its main office located in West Point, Georgia.

Powertel is a Federal Communications Commission PCS licensee and holds the rights to provide PCS service in various markets throughout the nation. Powertel initially proposes to offer PCS in numerous Basic Trading Areas which include the majority of counties in Kentucky. Powertel's services will compete with existing cellular companies and other PCS licensees in Kentucky. As Powertel identifies sites for PCS facilities in Kentucky, it will file with the Commission separate applications for CPCNs to construct its facilities.

A complete filing for all new antenna towers should be submitted to the Commission. However, for antennae placed upon existing structures, Powertel should request an opinion from the Commission as to the necessity for a CPCN, prior to their placement.

Powertel will be regulated in the same manner as cellular companies operating in Kentucky. The regulatory requirements pertaining to construction of facilities are contained in 807 KAR 5:063. Although Powertel has requested a deviation of 807 KAR 5:001, Section 9(2)(e) and (f), the deviation is not necessary since 807 KAR 5:063 does not require filing of such information for applications to construct antenna towers.

The information provided by Powertel demonstrates its financial, managerial, and technical capability to provide PCS within Kentucky. Powertel should provide a service tariff with the Commission prior to service commencement.

The Commission, having considered the application, the information provided by Powertel, and being otherwise sufficiently advised, HEREBY ORDERS that:


1. Powertel is granted authority to operate a PCS network within the Commonwealth of Kentucky on and after the date of this Order.
2. Powertel shall file an application, pursuant to 807 KAR 5:063, with the Commission for the construction of all towers within Kentucky.
3. At least 60 days prior to commencement of service, Powertel shall file its service tariff sheets in accordance with Administrative Case No. 344.<sup>1</sup>

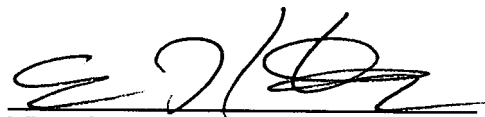
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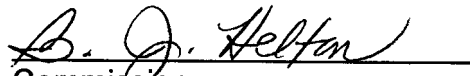
<sup>1</sup> Administrative Case No. 344, Inquiry Into the Provision and Regulation of Cellular Mobile Telephone Service in Kentucky.

Done at Frankfort, Kentucky, this 10th day of November, 1997.

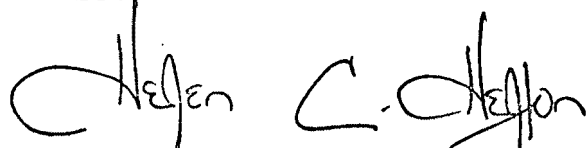
PUBLIC SERVICE COMMISSION

  
Chairman

  
Vice Chairman

  
Commissioner

ATTEST:

  
Executive Director