

RECEIVED

JUN 10 2014

PUBLIC SERVICE  
COMMISSION

**IN THE PUBLIC SERVICE COMMISSION OF  
THE COMMONWEALTH OF KENTUCKY**

**CASE NO. 2014-00087  
NEW CINGULAR WIRELESS  
CELL TOWER  
STAFFORDSVILLE**

**MOTION AND AFFIDAVIT FOR EXTENSION OF TIME TO FILE LATE REPLY**

\*\*\*\*\*

Comes the Intervenor, East Kentucky Network, LLC d/b/a Appalachian Wireless (“EKN”), by counsel, and moves the honorable PSC for an order granting an extension of time within which to file its Reply to the Response and Objection of the Applicant filed herein on June 4, 2014 and received in counsel’s office on that date. As grounds counsel states that on the following day he received an email message from the regulatory compliance director with whom he normally works on the within matter that she was out of the office with limited availability from June 5, 2014 until Monday, June 9, 2014. On Sunday, June 9, 2014 counsel was required to drive from Prestonsburg, Floyd County, Kentucky via Lexington to Franklin, Simpson County, KY in order to attend a scheduled court appearance in Simpson Circuit Court on Monday, June 10, 2014 in a criminal matter for a family member who he does not represent in the case (counsel does not practice criminal law but nonetheless had to “stand up for” the client and did so). Counsel did not arrive back in Lexington until the evening of June 10, 2014 and has still not had the first opportunity to review this matter with the client and prepare a proper reply.


As a result of the foregoing, counsel neglected to timely file a motion for extension of time within the required five (5) day period as provided in the regulations concerning

practice before the PSC, and is required to seek the additional time to file the Reply of the client.

As counsel will not be able to return to his office today by reason of the hand delivery of this Motion to PSC offices in Frankfort, KY, we believe it appropriate that the period within which to file a Reply upon behalf of the Intervenor be extended to and include June 18, 2014.

**WHEREFORE** the proper Orders of the honorable Commission are demanded.

**FRANCIS, KENDRICK & FRANCIS**



William S. Kendrick  
P.O. Box 268  
Prestonsburg, Kentucky 41653  
606/886-2812 - Telephone  
[wkendrick@kih.net](mailto:wkendrick@kih.net)

**VERIFICATION**


This is to verify that the foregoing statements are true and correct to the best of my knowledge and belief.



William S. Kendrick

**STATE OF KENTUCKY  
COUNTY OF FLOYD**

Subscribed and sworn to before me, a Notary Public, this 10<sup>th</sup> day of June, 2014.



NOTARY PUBLIC  
Commissioner Expires: 7-6-2017


**CERTIFICATE OF SERVICE**

This is to certify that a true and correct copy of the foregoing has been served, by mail, upon the following, this 10<sup>th</sup> day of June, 2014:

Hon. David A. Pike  
AT&T Mobility  
1578 Highway 44 East  
P.O. Box 369  
Shepherdsville, KY 40165-0369

Hon. Jeff Deroven  
Executive Director, PSC  
211 Sower Blvd.  
P.O. Box 615  
Frankfort, Kentucky 40602

Hon. Richard G. Raff  
Hon. Jeb Pinney  
Division of General Counsel  
Kentucky Public Service Commission  
211 Sower Blvd.  
P.O. Box 615  
Frankfort, Kentucky 40602

  
\_\_\_\_\_  
William S. Kendrick