



(b) The rates, terms, and conditions for, or entry into, the provision of commercial mobile radio service.<sup>2</sup>

KRS 65.7621 defines CMRS to mean

[C]ommercial mobile radio service under Sections 3(27) and 332(d) of the Federal Telecommunications Act of 1996, 47 U.S.C. secs. 151 et seq., and the Omnibus Budget Reconciliation Act of 1993, as it existed on August 10, 1993. The term includes the term "wireless" and service provided by any wireless real time two-way voice communication device, including radio-telephone communications used in cellular telephone service, personal communications service, and the functional or competitive equivalent of a radio-telephone communications line used in cellular telephone service, a personal communications service, or a network radio access line.<sup>3</sup>

Accordingly, the Commission finds that, pursuant to KRS 278.54611, it does not have jurisdiction over the issues raised in the complaint. Generally, when complaints are received the Commission routinely reviews them to determine if they establish a *prima facie* case. When *prima facie* case is not established, the Commission generally provides opportunity to amend pursuant to 807 KAR 5:001, Section 20. However, in the present case, any amendments would be moot since the Commission's jurisdiction over the rates and services of cellular telephone services has been effectively eliminated.

IT IS THEREFORE ORDERED that:

1. The complaint is dismissed without prejudice.
2. The case is closed and shall be removed from the Commission's docket.

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<sup>2</sup> KRS 278.54611.

<sup>3</sup> KRS 65.7621(5).

PUBLIC SERVICE COMMISSION

  
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Chairman

  
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Commissioner

  
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Commissioner

ATTEST:

   
\_\_\_\_\_  
Executive Director

ENTERED  
FEB 27 2026<sup>AB</sup>  
KENTUCKY PUBLIC  
SERVICE COMMISSION

David L Oliver  
1301 Hopkinsville Street  
Princeton, KY 42445

\*New Cingular Wireless PCS, LLC  
1010 N St Mary's Street, 9th Floor  
San Antonio, TX 78215