

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF AT&T WIRELESS PCS, INC.,)	
ACTING BY AND THROUGH ITS AGENT,)	
WIRELESS PCS, INC., FOR THE ISSUANCE OF A)	
CERTIFICATE OF PUBLIC CONVENIENCE AND)	
NECESSITY TO CONSTRUCT A PERSONAL)	CASE NO.
COMMUNICATIONS SERVICES NETWORK)	98-535 UAC
FACILITY IN COLD SPRING, KENTUCKY AND)	
CALLED THE COLD SPRING/ART S RENTALS)	
SITE, SITE #CN-234-03)	

O R D E R

On April 30, 1999, AT&T Wireless PCS, Inc. (AT&T Wireless) filed a motion for an extension of time to file its prefiled testimony in this matter. In its motion, AT&T Wireless indicated that the concerns of intervenor David Schoepf had been addressed by AT&T Wireless and that Mr. Schoepf no longer intends to participate in the scheduled hearing. On May 5, 1999, Mr. Schoepf filed a letter withdrawing his motion for a hearing and his status as an intervenor in this proceeding. The Campbell County and Municipal Planning and Zoning Commission (the "Planning Commission"), another intervenor in this case, filed no response to the Commission's Order dated April 1, 1999, stating that the matter would be submitted to the Commission for decision without a hearing if no party filed a statement of its intent to appear at the hearing in opposition to the proposed tower.

Based on the foregoing, the Commission finds that a public hearing in this matter is no longer necessary, that the scheduled hearing should be cancelled, and that this matter should be submitted to the Commission for a decision on the existing record.

IT IS THEREFORE ORDERED that:

1. Mr. Schoepf's motions to withdraw his request for a public hearing and to withdraw as a party to this case are hereby granted.
2. The hearing scheduled for Thursday, May 7, 1999 is cancelled and this matter is hereby submitted to the Commission for a decision.

Done at Frankfort, Kentucky, this 6th day of May, 1999.

By the Commission

ATTEST:

Executive Director