

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF CROWN COMMUNICATION	)	
INC. AND CELLCO PARTNERSHIP D/B/A	)	
VERIZON WIRELESS FOR ISSUANCE OF A	)	
CERTIFICATE OF PUBLIC CONVENIENCE	)	
AND NECESSITY TO CONSTRUCT A	)	
WIRELESS COMMUNICATIONS FACILITY	)	CASE NO. 2000-367
AT 1210 OUTER LOOP, LOUISVILLE,	)	
KENTUCKY 40219 IN THE WIRELESS	)	
COMMUNICATIONS LICENSE AREA	)	
IN THE COMMONWEALTH OF KENTUCKY	)	
IN THE COUNTY OF JEFFERSON	)	

O R D E R

On October 13, 2000, the Commission granted a Certificate of Public Convenience and Necessity to Crown Communication Inc. and Cellco Partnership d/b/a/ Verizon Wireless ("Joint Applicants"). The certificate authorized Joint Applicants to construct and operate a wireless telecommunications facility to be located at 1210 Outer Loop, Louisville, Jefferson County, Kentucky 40219. Pursuant to KRS 278.020(1), Joint Applicants had 1 year to exercise the authority granted in the October 13, 2000 Order.

On October 12, 2001, Joint Applicants filed a motion for an extension of the statutory period to commence construction of the proposed facility. In support of their motion, Joint Applicants state that they must receive consent from the Federal Communications Commission ("FCC") before they can begin constructing the proposed facility. To gain this consent, Joint Applicants filed an Application for Environmental Action with the FCC on August 23, 2001, and the application was accepted on

August 31, 2001. However, Joint Applicants state that the FCC has not yet issued its consent because of administrative delays resulting from the September 11, 2001 terrorist attacks. Joint Applicants now request permission to postpone construction of the proposed facility until they have obtained consent from the FCC.

Having considered Joint Applicants' motion, and being sufficiently advised, the Commission finds that Joint Applicants' request is warranted. KRS 278.020(1) allows extension of a Certificate of Public Convenience and Necessity to account for "any delay due to . . . failure to obtain any necessary grant or consent." The FCC's delay in issuing the consent necessary for Joint Applicants to begin constructing the proposed facility falls squarely within the meaning of this statute.

IT IS THEREFORE ORDERED that:

1. Joint Applicants' motion is granted.
2. Joint Applicants shall commence construction of the proposed telecommunications facility immediately upon receipt of consent from the FCC.

Done at Frankfort, Kentucky, this 3<sup>rd</sup> day of December, 2001.

By the Commission

ATTEST:

  
Executive Director