

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

THE APPLICATION OF CROWN COMMUNICATION)	
INC. AND KENTUCKY CGSA LLC D/B/A CINGULAR)	
WIRELESS LEXINGTON/LOUISVILLE FOR)	
ISSUANCE OF A CERTIFICATE OF PUBLIC)	
CONVENIENCE AND NECESSITY TO CONSTRUCT)	
A WIRELESS COMMUNICATIONS FACILITY AT)	CASE NO.
1941 IRVINE ROAD, RICHMOND, KENTUCKY)	2001-00321-UAC
40475 IN THE WIRELESS COMMUNICATIONS)	
LICENSE AREA IN THE COMMONWEALTH OF)	
KENTUCKY IN THE COUNTY OF MADISON)	
)	

O R D E R

On November 9, 2001, Crown Communication Inc. and Kentucky CGSA LLC d/b/a Cingular Wireless (Applicants) filed an application seeking a Certificate of Public Convenience and Necessity to construct and operate a wireless telecommunications facility. The proposed facility is to be located at 1941 Irvine Road, Richmond, Madison County, Kentucky. On February 12, 2002, the Commission entered an Order approving the proposed construction. Subsequently, on February 22, 2002, the Applicants filed a motion to reopen this proceeding and amend the application.

The Applicants have advised the Commission that the uniform application was not submitted to the appropriate local planning unit with jurisdiction as required by statute. In addition, the Applicants discovered that certain property owners were not notified as required by 807 KAR 5:063. The Applicants amended the application by revising various exhibits and included copies of supplemental written notices to the City

of Richmond Planning Commission and two additional property owners who had not been originally notified of the proposed construction. On March 18, 2002, the Applicants filed evidences of receipt or attempted delivery of the supplemental notices. On March 20, 2002, the Applicants filed a motion to submit the amended application for an expedited decision without a public hearing and provided a copy of the approval of proposed construction by the City of Richmond Planning Commission. No comments or requests for intervention concerning the supplemental notices have been filed.

The Commission finds that the motion of the Applicants to reopen this proceeding and amend the application should be granted. Furthermore, the Commission finds that the supplemental evidence filed by the Applicants sufficiently corrects the deficiencies discovered in this case and that the Commission's February 12, 2002 Order approving the construction should be affirmed with the modifications stated herein.

BE IT SO ORDERED.

Done at Frankfort, Kentucky, this 17th day of April, 2002.

By the Commission

ATTEST:


Executive Director