

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

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In the Matter of:

THE APPLICATION OF BELLSOUTH PERSONAL)
COMMUNICATIONS, LLC AND)
BELLSOUTH MOBILITY, LLC,)
D/B/A CINGULAR WIRELESS - KENTUCKY)
FOR ISSUANCE OF A CERTIFICATE OF PUBLIC)
CONVENIENCE AND NECESSITY TO CONSTRUCT)
A WIRELESS COMMUNICATIONS FACILITY AT)
1365 WINSTON ROAD, IRVINE, KY 40336)
IN THE WIRELESS COMMUNICATIONS LICENSE AREA)
IN THE COMMONWEALTH OF KENTUCKY)
IN THE COUNTY OF ESTILL)

PUBLIC SERVICE
COMMISSION

CASE NO.: 2004-00186

SITE NAME: WINSTON

**MOTION TO SUBMIT
FOR EXPEDITED DECISION WITHOUT PUBLIC HEARING**

Come BellSouth Personal Communications, LLC and BellSouth Mobility, LLC, d/b/a Cingular Wireless – Kentucky (hereinafter referred to collectively as “Applicant”), by counsel, and move the Kentucky Public Service Commission (“PSC”) to grant a Certificate of Public Convenience and Necessity (“CPCN”) in the within administrative proceeding forthwith based on the following facts and circumstances:

1. Applicant has met all filing requirements applicable to this proceeding as prescribed by the Kentucky Revised Statutes and the Kentucky Administrative Regulations, including notification of persons entitled to notice of the filing of the subject Application for CPCN by certified mail, publication and posted signs.

2. To date and subsequent to such notification of potentially interested parties, no request for intervention has been filed with the PSC in this case.

3. The Application that is the subject of this administrative proceeding was originally filed with the PSC on May 19, 2004.

4. Applicant filed a Notice of First Amendment in the within case on May 20, 2004 to correct notice exhibits, and a Notice of Second Amendment on June 17, 2004 to amend the proposed tower type.

5. The Application, as amended by Applicant's First and Second Amendments, has been pending before the PSC for 25 days at the making of this Motion by Applicant.

6. The Wireless Communications Facility that is the subject of the Application for a CPCN filed in this case is a vital element of the Applicant's wireless communications network, and is necessary to provide service in accordance with the provisions of Applicant's Federal Communications Commission license.

WHEREFORE, the Applicant, by counsel, urges the PSC to grant a CPCN forthwith in accordance with the terms of the Application in this proceeding and without public hearing.

Respectfully submitted,



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