

Legal Department

RECEIVED

OCT 5 2004

PUBLIC SERVICE
COMMISSION

107 Dennis Drive
Lexington, KY 40503
Telephone: (859) 278-9903
Facsimile: (859) 278-9875
E-Mail: stephanie@czarky.net

Stephanie H. Peniston
Legal Assistant

October 4, 2004

**VIA CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

Public Service Commission
211 Sower Boulevard
P.O. Box 615
Frankfort, KY 40602
ATTN: Beth O'Donnell, Executive Director

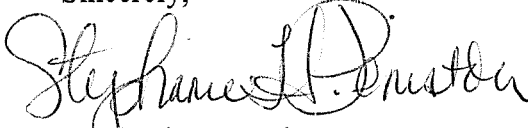
Re: Application to Construct Wireless Communications facility
Location: 99 Mountain Spring Road, Van Lear, KY 41265
Applicant: BellSouth Mobility, LLC d/b/a Cingular Wireless
Site Name: Odds
Case No.: 2004-00328

Dear Ms. O'Donnell:

Pursuant to 807 KAR 5:001, Section 3(8), enclosed please find an original and four (4) copies of Beech Fork Processing, Inc.'s Motion for Full Intervention to be filed in the above-referenced case.

Thank you for your consideration in this matter. If you should have any questions regarding this filing, please do not hesitate to contact me at (859) 278-9903.

Sincerely,



Stephanie H. Peniston

Enclosures:
Original and 4 copies of Motion

cc: Counsel for BellSouth Mobility, LLC
Craig S. Preece
Paul Horn

**COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION**

RECEIVED

OCT 5 2004

PUBLIC SERVICE
COMMISSION

In the Matter of:

THE APPLICATION OF BELLSOUTH)
MOBILITY, LLC, D/B/A CINGULAR)
WIRELESS – KENTUCKY FOR ISSUANCE) CASE NO.: 2004-00328
OF A CERTIFICATE OF PUBLIC CONVENIENCE)
AND NECESSITY TO CONSTRUCT A WIRELESS)
COMMUNICATIONS FACILITY AT 99 MOUNTAIN)
SPRING ROAD VAN LEAR, KENTUCKY 41265)
IN THE WIRELESS COMMUNICATIONS)
LICENSE AREA IN THE COMMONWEALTH OF)
KENTUCKY IN THE COUNTY OF JOHNSON)

SITE NAME: ODDS

* * * * *

MOTION FOR FULL INTERVENTION

Pursuant to 807 KAR 5:001, Section 3(8), Beech Fork Processing, Inc. (“Beech Fork”) submits this motion for full intervention in the above-captioned proceeding.

Beech Fork is a Kentucky corporation which conducts a coal mining operation in Johnson County, Kentucky. Beech Fork’s property adjoins the property where BellSouth Mobility, LLC (“BellSouth”) proposes to construct a wireless communications facility (the “WCF” and the property upon which it proposes to construct a WCF, the “WCF Property”). It also owns or leases the coal reserves located under the WCF Property and holds a permit to mine such reserves by an underground mine.

Beech Fork objects to the placement of the WCF on the WCF Property. Among other things, Beech Fork believes that the WCF would create a danger to its mining operations. Beech Fork believes that more suitable sites for the WCF exist in the area.

Beech Fork's interest is not otherwise adequately represented. Beech Forks' participation is likely to present issues or to develop facts that will assist the Commission without unduly complicating the proceeding.

A copy of this motion is being sent via first class mail to all parties.

Beech Fork agrees to accept electronic service of filings and orders in this proceeding via electronic notices from the Commission. Postal mail related to this proceeding may be sent to:

Rebecca S. Gohmann, Esq.
Beech Fork Processing, Inc.
107 Dennis Drive
Lexington, KY 40503

For reasons stated above, Beech Fork asks that this Motion for Full Intervention be granted.

Respectfully submitted,

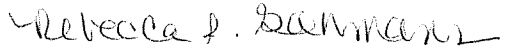
By: Rebecca S. Gohmann
Rebecca S. Gohmann, Esq.
107 Dennis Drive
Lexington, KY 40503
(859) 278-9903
becky@czarky.net

Counsel for Beech Fork Processing, Inc.

CERTIFICATE OF SERVICE

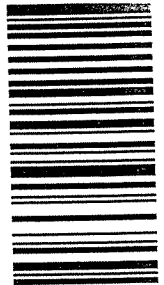
This is to certify that a true and accurate copy of the foregoing Motion for Full Intervention has been served by mailing a copy of same, via U.S. Mail, on this the ___ day of October, 2004 to:

David A. Pike
Pike Legal Group, PLLC
1578 Highway 44 East, Suite 6
P.O. Box 369
Shepherdsville, KY 40165-0369
Attorney for BellSouth Mobility, LLC,
d/b/a Cingular Wireless – Kentucky



Counsel for Beech Fork Processing, Inc.

0 0002 2555 8176

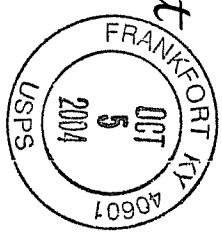


OCT 5 2004

UNITED STATES POSTAGE
 168
 3060 \$ 05.110
 4432 LEXINGTON, KY
 PB8630009
 OCT 01 04
 40503

First Class Mail

Legal Department
 107 Dennis Drive
 Lexington KY 40503



TO: PUBLIC SERVICE COMMISSION
 211 SOWER BOULEVARD
 PO BOX 615
 FRANKFORT KY 40602
 ATTN: BETH O'DONNELL EX.
 DIRECTOR

VIA CERTIFIED MAIL / RETURN RECEIPT
 REQUESTED

