

RECEIVED

**COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION** SEP 28 2004

In the Matter of:

PUBLIC SERVICE
COMMISSION

THE APPLICATION OF)
 BELLSOUTH MOBILITY, LLC,)
 D/B/A CINGULAR WIRELESS - KENTUCKY)
 FOR ISSUANCE OF A CERTIFICATE OF PUBLIC) CASE NO.: 2004-00342
 CONVENIENCE AND NECESSITY TO CONSTRUCT)
 A WIRELESS COMMUNICATIONS FACILITY AT)
 NEW PAINTSVILLE ROAD)
 SALYERSVILLE, KENTUCKY 41465)
 IN THE WIRELESS COMMUNICATIONS LICENSE AREA)
 IN THE COMMONWEALTH OF KENTUCKY)
 IN THE COUNTY OF MAGOFFIN)

SITE NAME: OIL SPRINGS

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

Comes BellSouth Mobility, LLC, d/b/a Cingular Wireless – Kentucky (hereinafter referred to as “Applicant”), by counsel, and moves 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.

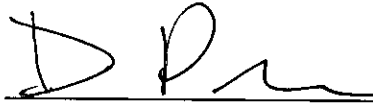
2. To date and subsequent to such notification of potentially interested parties, no request for intervention has been filed with the PSC in this case.

3. The Application that is the subject of this administrative proceeding was originally filed with the PSC on September 2, 2004, and has been pending before the PSC for 25 days at the making of this Motion by Applicant.

4. The Wireless Communications Facility ("WCF") 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,



David A. Pike
Pike Legal Group, PLLC
1578 Highway 44 East, Suite 6
P. O. Box 369
Shepherdsville, KY 40165-0369
Telephone: (502) 955-4400
Telefax: (502) 543-4410
Attorney for BellSouth Mobility, LLC,
d/b/a Cingular Wireless – Kentucky