



Ernie Fletcher
Governor

Mark David Goss
Chairman

Teresa J. Hill, Secretary
Environmental and Public
Protection Cabinet

Commonwealth of Kentucky
Public Service Commission
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John W. Clay
Commissioner

Christopher L. Lilly
Commissioner
Department of Public Protection

October 19, 2006

Honorable David A. Pike
Attorney at Law
Pike Legal Group PLLC
1578 Highway 44 East, Suite 6
P. O. Box 369
Shepherdsville, KY 40165-0369

RE: Case No. 2004-00413

We enclose one attested copy of the Commission's Order in the above case.

Sincerely,

A handwritten signature in black ink, appearing to read "Beth O'Donnell".

Beth O'Donnell
Executive Director

BOD/jc
Enclosure



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COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF 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 ROUGH AND TOUGH)
ROAD, PRESTONSBURG, KENTUCKY) CASE NO. 2004-00413
41653 OR, IN THE ALTERNATIVE, AN)
ORDER REQUIRING CO-LOCATION)
ON REASONABLE TERMS AND)
CONDITIONS IN THE WIRELESS)
COMMUNICATIONS LICENSE AREA IN)
THE COMMONWEALTH OF KENTUCKY)
IN THE COUNTY OF FLOYD)
SITE NAME: BRAINARD)

O R D E R

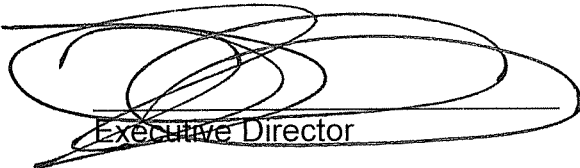
This matter is before the Commission on its own motion. After several months of negotiating and preparing a settlement agreement in this case, the parties have thus far failed to file same with the Commission.

IT IS THEREFORE ORDERED that this case shall come for hearing on November 2, 2006 at 9:00 a.m., Eastern Standard Time, in Hearing Room 1 of the Commission's offices at 211 Sower Boulevard, Frankfort, Kentucky so that the parties may explain in detail the basis for the delay in filing the settlement agreement.

Done at Frankfort, Kentucky, this 19th day of October, 2006.

By the Commission

ATTEST:


Executive Director