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Governor

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Protection Cabinet

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Mark David Goss
Chairman

John W. Clay
Commissioner

April 12, 2007

PARTIES OF RECORD

Re: Case No. 2006-00052

Attached is a copy of the memorandum which is being filed in the record of the above-referenced case. If you have any comments you would like to make regarding the contents of the informal conference memorandum, please do so within five days of receipt of this letter. If you have any questions, please contact Dale Wright at 502/564-3940, Extension 235.

Sincerely,

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

Beth O'Donnell
Executive Director

Attachment

INTRA-AGENCY MEMORANDUM

KENTUCKY PUBLIC SERVICE COMMISSION

TO: Main Case File

FROM: Dale Wright, Legal Staff

DATE: April 11, 2007

SUBJECT: Case No. 2006-00052
Informal Conference Memorandum
Cumberland Cellular Partnership d/b/a Bluegrass Cellular, Inc.'s
Application for CPCN to Construct a Telecommunications Cell
Tower and Facility (Alligator Cell Site)

On October 26, 2006, Commission Staff, Dale Wright and Eric Bowman, conducted an informal conference for the benefit of the parties herein to explore the possibility of settlement of this case. The case was an application filed by Cumberland Cellular Partnership d/b/a Bluegrass Cellular, Inc. ("Cumberland Cellular") for a CPCN to construct a telecommunications cellular tower with facilities in Russell County, Kentucky, near Cumberland Lake, known as the Alligator Cell Site. By PSC Order dated March 31, 2006, David A. Gnadinger and Gabrielle M. Gnadinger, his wife, were granted full intervention herein. By PSC Order dated September 29, 2006, Carlie Bowmer was likewise granted status as full intervenor.

The names of the persons who were present at the meeting are listed on the attached sheet, including legal counsel for Cumberland Cellular, Mr. John E. Selent. Mr. David Gnadinger was present by telephone speaker phone system. He is opposed to the construction of the tower facility.

Prior to the conference, representatives of Cumberland Cellular had talked and corresponded with Mr. Gnadinger regarding settlement of this matter, but the parties could not agree, and, therefore, nothing was settled between them. Although there are claims that there was an agreement, nothing was in writing and executed by any of the parties. Unfortunately, the informal conference and its settlement discussions were equally unsuccessful at settlement between Mr. Gnadinger and Cumberland Cellular.

It was noted that Cumberland Cellular had discussions with other individuals regarding certain landscaping suggestions and evergreen plantings, but those individuals did not request intervention and have not been granted that status. Cumberland Cellular voiced a willingness, within reasonable expectations, to do certain landscaping and plantings.

Unless otherwise advised, a public hearing will be scheduled in the near future.

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF CUMBERLAND CELLULAR)
PARTNERSHIP FOR ISSUANCE OF A)
CERTIFICATE OF PUBLIC CONVENIENCE)
AND NECESSITY TO CONSTRUCT A CELL) CASE NO. 2006-00052
SITE (ALLIGATOR) IN RURAL SERVICE)
AREA #5 (RUSSELL) OF THE)
COMMONWEALTH OF KENTUCKY)

=====
October 26, 2006 Informal Conference
=====

Please sign in:

NAME

REPRESENTING

Wale Wright

PSC Legal Staff

Eric Bowman

PSC Engineer

David Gnadinger

via phone (Intervenor)

John E. Selent

Dinsmore & Shuhl Cumberland

Kerry Ingle

" Cellular

Lee H. H.

" (Bluegrass

Doug Updegraff

" Cellular)

