

John E. Seient  
502-540-2315  
john.seient@dinslaw.com

RECEIVED  
FEB 23 2007  
PUBLIC SERVICE  
COMMISSION

February 22, 2007

Virginia Gregg, Esq.  
Public Service Commission  
of the Commonwealth of Kentucky  
211 Sower Blvd.  
P. O. Box 615  
Frankfort, KY 40601

**Re: *In the Matter of:* Application of Cumberland Cellular Partnership for Issuance of a Certificate of Public Convenience and Necessity to Construct a Cell Site (Knob Lick) in Rural Service Area #5 (Metcalf) of the Commonwealth of Kentucky, before the Public Service Commission of the Commonwealth of Kentucky, Case No. 2007-00016**

---

Dear Ms. Gregg:

It was a pleasure speaking with you regarding the above-referenced case; and, welcome to the Public Service Commission.

You raised the question of who should properly be the applicant in this matter. That is, should the applicant be Cumberland Cellular Partnership or Bluegrass Cellular Inc.? As you pointed out, Cumberland Cellular is identified as the applicant in the first grammatical paragraph of the application, and Bluegrass Cellular is subsequently identified in paragraph 6 of the application as the entity "responsible for all construction and operations of the cellular system of Cumberland Cellular . . . ."

We believe that the correct applicant is Cumberland Cellular Partnership, and not Bluegrass Cellular Inc. Although, as I explained yesterday, the organizational structure of what I refer to as the Bluegrass Cellular entities is somewhat complex. So, I understand the reason for your question.

But, as I said, I do believe that Cumberland Cellular Partnership is the correct applicant. Cumberland Cellular Partnership, or its predecessor in interest, is the entity which holds the

Virginia Gregg, Esq.

February 21, 2007

Page 2

---

applicable licenses from the Federal Communications Commission. And, Cumberland Cellular Partnership, or its predecessor in interest, is the entity which was authorized by the Public Service Commission to provide cellular telephone service in Kentucky RSA #5 in the early 1990s, and, it will own the cellular tower that we call Knob Lick. Moreover, Cumberland Cellular Partnership has been granted numerous (about 11) certificates of public convenience and necessity by the Public Service Commission to construct cellular towers throughout its service territory.

Bluegrass Cellular Inc. is simply a management company which, under the supervision, direction and control of its owners, manages the cellular tower network of Cumberland Cellular Partnership, just as it provides the same management services, for reasons having to do with economies of scale, to the sister partnerships of Cumberland Cellular Partnership. These sister partnerships, all of whom, directly or indirectly, own Bluegrass Cellular Inc., are Kentucky RSA #3 Cellular General Partnership and Kentucky RSA #4 Cellular General Partnership. Each of these three entities has been granted numerous certificates of public convenience and necessity to construct cellular towers in the Commonwealth of Kentucky by the Public Service Commission.

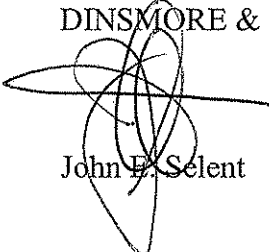
I should note that Cumberland Cellular and its two sister partnerships provide service to the public under the d/b/a of Bluegrass Cellular.

In conclusion, Cumberland Cellular is the correct applicant for the simple reasons that: (i) it is the owner of the FCC licenses to provide cellular services in Kentucky RSA #5; (ii) it, or its predecessor in interest, is the entity authorized by the Public Service Commission to provide cellular telephone service in its service area; and, (iii) it owns the Knob Lick cellular tower. Bluegrass Cellular Inc. holds no licenses from the FCC and holds no certificate of public convenience and necessity to provide cellular telephone services from the Public Service Commission. Bluegrass Cellular Inc. does not own the Knob Lick cellular tower. As I have said, Bluegrass Cellular Inc. is simply a management company, owned by Cumberland Cellular Partnership, and its two sister partnerships, which manages the cellular tower infrastructure owned by the three partnerships identified herein. These three partnerships own Bluegrass Cellular Inc. and, under their supervision, direction and control, Bluegrass Cellular Inc. manages their cellular tower infrastructure.

Again, thank you, and if you have any questions, please call me.

Very truly yours,

DINSMORE & SHOHL LLP



John E. Selent

JES/bmt

Dinsmore & Shohl LLP