COMMONWEALTH OF KENTUCKY BEFORE THE PUBLIC SERVICE COMMISSION

AUG 0 1 2008

PUBLIC SERVICE

COMMISSION

In the Matter of:

APPLICATION OF BLUEGRASS WIRELESS LLC)	
FOR ISSUANCE OF A CERTIFICATE OF)	CASE NO. 2007-00501
PUBLIC CONVENIENCE AND NECESSITY TO)	
CONSTRUCT A CELL SITE (PRICETOWN) IN RURAL)	
SERVICE AREA #6 (CASEY) OF THE)	
COMMONWEALTH OF KENTUCKY)	

RESPONSE OF BLUEGRASS WIRELESS LLC TO INTERVENORS' PURPORTED IDENTIFICATION OF ALTERNATIVE CELLULAR SITE LOCATIONS

Bluegrass Wireless LLC ("Bluegrass Wireless" or "Applicant"), by counsel, hereby responds to the purported identification of alternative cell site locations by Carl Wilson, Mariea Jo Wilson and Terry Wilson (the "Wilsons" or the "Intervenors") filed with the Public Service Commission of the Commonwealth of Kentucky (the "Commission") by letters dated July 14, 2008. In support of its response, Bluegrass Wireless states as follows.

Pursuant to the Commission's Order dated July 9, 2008, the Intervenors had until July 19, 2008 to file "a list of specific, suitable, and acceptable alternative locations, other than the proposed site, for construction or collocation, with supporting technical radio frequency information, evidence, and technical rationale, where the proposed Cell Facility might be located or constructed." Order, In the Matter of Application of Bluegrass Wireless LLC for Issuance of a Certificate of Public Convenience and Necessity to Construct a Cell Site (Pricetown) in Rural Service Area #6 (Casey) of the Commonwealth of Kentucky, Case No. 2007-00501, pp. 3-4 (July 9, 2008) (the "July 9, 2008 Order").

The Intervenors failed to comply with the July 9, 2008 Order. Mariea Jo and Carl Wilson merely stated that,

The Weddles have a lot of land that you could put the tower on. There's a lot right in front of R.C. Weddle house, right beside of

127 highway. And there's land behind Chris Weddle's house. And they have got other property it could be put on

(July 14, 2008 Letter of Mariea Jo and Carl Wilson.) Similarly, Terry Wilson stated that "the Weddles have plenty other land that you can put the tower on." (July 14, 2008 Letter of Terry Wilson.) None of the Intervenors identified "specific potential and suitable alternative locations" supported by "technical information and evidence" as required by the Commission to constitute alternative "suitable and acceptable sites." (*See July 9*, 2008 Order, p.2.)

Given the Intervenors failed to identify specific alternative "suitable and acceptable sites," there are no alternative locations to which Bluegrass Wireless can effectively respond. Moreover, pursuant to the July 9, 2008 Order, the Intervenors cannot present any evidence at a formal hearing, should one be held, regarding alternative locations. "No Intervenor may introduce evidence during the hearing regarding any alternative location for the proposed tower, except in regard to the specific locations of record described in this Order." (July 9, 2008 Order, p.2.) The Intervenors did not identify any specific locations in accordance with the Commission's order, therefore they cannot present evidence of alternative locations at a hearing. The Intervenors' failure to identify alternative locations is further support for Bluegrass Wireless's Motion to Cancel Hearing and Take Under Submission filed on July 25, 2008.

Respectfully submitted,

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CERTIFICATE OF SERVICE

It is hereby certified that a true and accurate copy of the foregoing was served upon the following individuals, via First Class United States Mail, on this 1st day of August, 2008.

Carl and Mariea Jo Wilson 76 Fred Murphy Road Liberty, Kentucky 42539

Terry Wilson 99 Fred Murphy Road Liberty, Kentucky 42539

Counsel to Bluegrass Wireless LLC