Steven L. Beshear Governor

Robert D. Vance, Secretary Environmental and Public Protection Cabinet

Larry R. Bond Commissioner Department of Public Protection

Honorable John E. Selent Attorney at Law Dinsmore & Shohl, LLP 1400 PNC Plaza 500 West Jefferson Street Louisville, KY 40202



Commonwealth of Kentucky **Public Service Commission** 211 Sower Blvd. P.O. Box 615 Frankfort, Kentucky 40602-0615 Telephone: (502) 564-3940 Fax: (502) 564-3460 psc.ky.gov

June 17, 2008

David L. Armstrong Chairman

> James Gardner Vice-Chairman

John W. Clay Commissioner

RE: Case No. 2008-00079

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

Sincerely,

nhanice

Stephanie Stumbo Executive Director

SS/rs Enclosure

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Steven L. Beshear Governor

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## June 17, 2008

Ron Smith **General Manager** Kentucky RSA #4 Cellular General Partnership,d/b/a Bluegrass Cellular 2902 Ring Road P. O. Box 5012 Elizabethtown, KY 42701

**David L. Armstrong** Chairman

> James Gardner Vice-Chairman

John W. Clay Commissioner

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Steven L. Beshear Governor

Robert D. Vance, Secretary Environmental and Public Protection Cabinet

Larry R. Bond Commissioner Department of Public Protection

Henry & Anna Vermillion 5895 Highway 1464 Greensburg, KY 42743



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## COMMONWEALTH OF KENTUCKY

## BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF KENTUCKY RSA #4 CELLULAR FOR ISSUANCE OF A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO CONSTRUCT A CELL SITE (WEBB) IN RURAL SERVICE AREA #4 (GREEN) OF THE COMMONWEALTH OF KENTUCKY

CASE NO. 2008-00079

## <u>O R D E R</u>

By Order dated May 28, 2008, the Commission granted full intervention to Henry and Anna Vermillion ("the Vermillions"). The Commission finds that the applicant, Kentucky RSA #4 Cellular General Partnership, should be given the opportunity to address the Vermillions' concerns and to reach a resolution, if possible.

However, to ensure that this proceeding continues in a reasonable and timely manner, the Commission will require each party to submit a written statement indicating whether a resolution has been reached. In the event the parties have resolved all outstanding concerns, the Vermillions should also include in their written statement whether or not they wish to withdraw as intervenors in this matter. The Commission will schedule an informal conference after receipt of the written statements. The purpose of the informal conference is to discuss all aspects of the proposed tower construction and the specific objections or concerns of the intervenors. The Commission, being otherwise sufficiently advised, HEREBY ORDERS that:

1. Within 15 days of the date of this Order, Kentucky RSA #4 Cellular General Partnership shall submit to the Commission, in writing, a statement indicating whether the parties have resolved all outstanding concerns.

2. Within 15 days of the date of this Order, the Vermillions shall submit to the Commission, in writing, a statement indicating whether the parties have resolved all outstanding concerns. In the event the parties have resolved all outstanding concerns, the Vermillions shall also state whether or not they wish to withdraw as intervenors in this matter.

3. The parties shall serve their statements on all parties of record, and shall file 4 copies with the Commission.

4. An informal conference with Commission Staff shall be held on July 31, 2008 at 10:00 a.m., Eastern Daylight Time, at the Commission's offices at 211 Sower Boulevard, Frankfort, Kentucky.

Done at Frankfort, Kentucky, this 17th day of June, 2008.

By the Commission

Executive Director

Case No. 2008-00079