

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

APPLICATION OF NEW CINGULAR)
WIRELESS PCS, LLC, FOR THE ISSUANCE)
OF A CERTIFICATE OF PUBLIC)
CONVENIENCE AND NECESSITY TO)
CONSTRUCT A WIRELESS)
COMMUNICATIONS FACILITY IN)
CARTER COUNTY, KENTUCKY AND)
CALLED THE BLUEBERRY RIDGE CELL)
SITE, SITE #WV306B)

CASE NO. 2008-00084

RECEIVED
APR 23 2008
PUBLIC SERVICE
COMMISSION

* * * * *

NOTICE OF SUPPLEMENTAL FILING

Applicant, New Cingular Wireless PSC, LLC (“Cingular”), through counsel, files with the Commission the Affidavit of Publication from the *Olive Hill Times* and a copy of the Legal Notice and the Certified Mail Return Receipt Requested Cards for the landowners within 500 feet of the proposed Wireless Communications Facility and the Carter County Judge Executive.

1. On March 21, 2008, Cingular requested that a Legal Notice be published regarding this Application in the *Olive Hill Times* on March 26, 2008.
2. Also, on March 21, 2008, Cingular transmitted by Certified Mail, Return Receipt Requested, the Public Notice attached as Exhibit G to its Application to all landowners within 500 feet of the Blueberry Ridge Cell Site and the Carter County Judge Executive.
3. On March 21, 2008, Cingular filed its Application herein with the Commission.
4. On March 24, 2008, the Commission issued its Receipt Notice for Cingular’s Application.
5. Cingular submits for filing with the Commission the Affidavit of Publication from the *Olive Hill Times* reflecting Publication of the Legal Notice in the *Olive Hill Times*, on

Wednesday, March 26, 2008. The Affidavit of Publication and a copy of the Legal Notice from the *Olive Hill Times* are attached as Exhibit A.

6. By March 28, 2008, all persons and entities listed on Exhibit G to Cingular's Application had received notice of same. Cingular submits for filing with the Commission the Certified Return Receipt Requested Cards from all landowners within 500 feet of the Blueberry Ridge Cell Site and the Carter County Judge Executive. The Certified Mail Return Receipt Requested Cards are attached as Exhibit B.

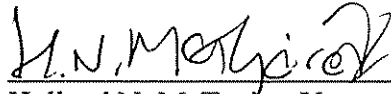
7. On March 31, 2008, the Commission advised Cingular that its filing is rejected because of filing deficiencies pursuant to 807 KAR 5:063, Section 1(1)(b): "A copy of the utility's applications to the Federal Aviation administration and Kentucky Airport Zoning Commission."

8. On April 15, 2008, Cingular filed its Response to the Commission's March 31, 2008 Deficiencies Notice.

9. On April 18, 2008, the Commission advised Cingular that its Application meets the Commission's minimum filing requirements.

For all of the reasons reflected by these Supplemental Filings, the Application of Cingular should be approved.

Respectfully submitted,



Holland N. McTyeire, V

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COUNSEL FOR APPLICANT,
NEW CINGULAR WIRELESS PSC, LLC

Morehead News Group

Newspaper Holdings, Inc.

722 W. First St., Morehead, KY 40351
606-784-4116 or 800-247-6142

Affidavit of Publication

STATE OF KENTUCKY

COUNTY OF Rowan

I, Betty Kelly, classified clerk, of Morehead News Group, in the aforesaid State and County, hereby certify that the attached advertisement appeared on 3-26-2008 in the Olive Hill Times

Betty Kelly
Betty Kelly, Classified Clerk

4-2-08
Date

Subscribed and sworn to before me, a Notary Public, within and for the State and County aforesaid, by Betty Kelly, on the above date.

Quinn Fargot
Notary Public, State at Large, Kentucky

My Commission Expires: 2/3/2010

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LEGAL NOTICE

On March 21, 2008, New Cingular Wireless PCS, LLC ("Cingular") applied to the Public Service Commission of Kentucky for a Certificate Of Convenience And Necessity To Construct A Wireless Communications Facility and called the Blueberry Ridge Cell Site. Site #WV3066 The Facility will be located at Blueberry Ridge Road, Carter County, Kentucky. Cingular may install and employ a temporary Wireless Communications Facility at or near the above Cell Site during the pendency of the above Application. This Legal Notice is to advise you of the Application filed by Cingular. The Public Service Commission invites your comments regarding the proposed construction by Cingular.

If you have any questions, please contact Hollond N. ("Quint") McTyeire, V Greenebaum Doll & McDonald PLLC, 3500 National City Tower, 101 South Fifth Street, Louisville, Kentucky 40202 (502)589-4200 or Wendall S Roberts, Gray Woods & Cooper, 510-16th Street, P O Box 70 Ashland, Kentucky 41105 (606)329-2121 Counsel for Cingular or the Executive Director, Public Service Commission, 211 Sower Boulevard, Frankfort, Kentucky 40602-0615. Please refer to Case No. 2005-00024 in your correspondence.

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side of the driveway to a post; thence in a westerly direction approximately 17 feet across the driveway to a post; thence in a southerly direction approximately 10 feet following the fence to post at the corner of the driveway and Dry Fork Road; thence following the existing fence in a westerly direction approximately 158 feet along Dry Fork Road back to the point of beginning, and containing approximately one-half acre.

Being the same property conveyed to William F Burchett, single, by deed from Alice F. Phillips, f/k/a Alice F King and James Phillips, husband and wife, dated 02-25-03 and recorded in Official Records Book 95, Page 741, Carter County, Kentucky Deed Records.

There is also conveyed unto the Grantee, his heirs and assigns forever, a right of way from Dry Fork Road to the above described real property over the existing driveway for the purpose of ingress and egress from Dry Fork Road to the property conveyed herein.

This real property is further subject to all covenants, restrictions, reservations, and easements and rights-of-way previously imposed and appearing of record.

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Office. The risk of loss for the subject property shall pass to the purchaser on the date of sale. Possession of the premises shall pass to the purchaser upon payment of the purchase price and delivery of deed.

The Purchaser shall be required to purchase fire and extended coverage insurance on any improvements to the real property, from the date of sale until the purchase price is paid in full to the extent of the Court-appraised value of the improvements or the unpaid balance of the purchase price, whichever is less, with a loss clause payable to the Master Commissioner of the Carter Circuit Court or the Plaintiff herein.

The Defendants, their agents, employees, successors or assigns shall vacate the mortgaged premises immediately upon the confirmation of the Master Commissioner's Sale.

The purchaser shall be required to assume and pay all taxes assessed such property for the year 2008 and all subsequent years. This property shall be sold subject to any ad valorem and real property taxes not delinquent as of

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the date of sale HON. ROBERT L CAUMHISAR MASTER COMMISSIONER CARTER CIRCUIT COURT 301 WEST MAIN STREET GRAYSON, KY 41143

COMMONWEALTH OF KENTUCKY CARTER CIRCUIT COURT

CASE NO 07-CI-00310

NOTICE OF SALE

NATIONAL CITY MORTGAGE CO PLAINTIFF

vs SHERRY L BARKER BILLY E BARKER DEFENDANTS

Pursuant to the Judgment and Order of Sale in the Carter Circuit Court, entered on the 5th day of March, 2008, in the above styled action, Hon. Robert L. Caumhisar, Master Commissioner of the Carter Circuit Court, shall proceed to offer for sale, under the following terms and conditions, at the front door of the Courthouse, Grayson, Carter County, Kentucky, to the highest and best bidder, at public auction, on the 11th day of April, 2008, at the hour of 9:15 a.m., the following described property, lying in the State of Kentucky, County of Carter and more particularly described as

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follo A cer parce lying City Carte Kentu dinal visio all bered (13) Lot Twelv said Subdi plat of r Book 206, Count Offic part desci lows BEGII Souti of L corn: 14: N. 1 123 nort of then 86 feet line 12: S. 8 feet line and way then with way S feet of B Bein prop to S er Bark banc E. ried date 2001 on 2001 Recd Page of Cour

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> ■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits. 	A. Signature X <i>BQ Henderson</i> <input type="checkbox"/> Agent <input checked="" type="checkbox"/> Address	
	B. Received by (Printed Name) <i>B.S. Henderson</i>	C. Date of Delivery <i>3-28-08</i>
1. Article Addressed to: <div style="text-align: center;"> Barbara S. and Billy J. Henderson Box 820 Olive Hill, Kentucky 41164 </div>	D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No	
2. Article Number (Transfer from service label) <u>7003 3110 0001 8375 5257</u>	3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.	
PS Form 3811, February 2004	Domestic Return Receipt	102595-02-M-11

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> ■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits. 	A. Signature X <i>Jack Butler</i> <input type="checkbox"/> Agent <input type="checkbox"/> Address	
	B. Received by (Printed Name) <i>Jack Butler</i>	C. Date of Delivery <i>3-28-08</i>
1. Article Addressed to: <div style="text-align: center;"> Lawrence J. and Lori L. Butler 90 Asbury Lane Olive Hill, Kentucky 41164 </div>	D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No <div style="text-align: center; font-size: 1.2em;"> <i>Jack Butler</i> </div>	
2. Article Number (Transfer from service label) <u>7003 3110 0001 8375 5226</u>	3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input checked="" type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.	
PS Form 3811, February 2004	Domestic Return Receipt	102595-02-M-11

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Charles Wallace
 Carter County Judge Executive
 Courthouse
 300 West Main Street
 Grayson, Kentucky 41143

2. Article Number

(Transfer from service)

7006 0810 0006 0083 6445

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-15

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X *Charles Wallace*
 Agent
 Address

B. Received by (Printed Name)

Charles Wallace

C. Date of Delivery

3-26-04

D. Is delivery address different from item 1?

 Yes
 No
 If YES, enter delivery address below:

3. Service Type

 Certified Mail
 Registered
 Insured Mail
 Express Mail
 Return Receipt for Merchandise
 C.O.D.

4. Restricted Delivery? (Extra Fee)

 Yes**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Richard A. and Nadine Stallard
 P.O. Box 471
 Olive Hill, Kentucky 41164

2. Article Number

(Transfer from service)

7006 0810 0006 0083 6469

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-15

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X *Richard Stallard*
 Agent
 Address

B. Received by (Printed Name)

Richard Stallard

C. Date of Delivery

3-26-04

D. Is delivery address different from item 1?

 Yes
 No
 If YES, enter delivery address below:

3. Service Type

 Certified Mail
 Registered
 Insured Mail
 Express Mail
 Return Receipt for Merchandise
 C.O.D.

4. Restricted Delivery? (Extra Fee)

 Yes**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Danny E. and Donna M. Stamper
 P.O. Box 1605
 Olive Hill, Kentucky 41164

2. Article Number

(Transfer from service label)

7003 3110 0001 8375 5233

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X *Donna M. Stamper*
 Agent
 Address

B. Received by (Printed Name)

Donna M. Stamper

C. Date of Delivery

3-27-04

D. Is delivery address different from item 1?

 Yes
 No
 If YES, enter delivery address below:

3. Service Type

 Certified Mail
 Registered
 Insured Mail
 Express Mail
 Return Receipt for Merchandise
 C.O.D.

4. Restricted Delivery? (Extra Fee)

 Yes