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Commonwealth of Kentucky
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Charles R. Borders
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March 23, 2011

John E. Selent
Dinsmore & Shohl LLP
Suite 2500
101 South Fifth Street
Louisville, KY 40202

RE: Case No. 2011-00011
Kentucky RSA #4 Cellular General Partnership, d/b/a Bluegrass Cellular

The Commission staff has reviewed your application in the above case and finds that it meets the minimum filing requirements. Enclosed please find a stamped filed copy of the first page of your filing. This case has been docketed and will be processed as expeditiously as possible.

If you need further assistance, please contact my staff at 502/564-3940.

Sincerely,

A handwritten signature in cursive script that reads "Linda Faulkner".

Linda Faulkner
Filings Division Director

LF/ke
Enclosure

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

RECEIVED

MAR 18 2011

PUBLIC SERVICE
COMMISSION

In the Matter of:

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

CASE NO. 2011-00011

FILED

MAR 18 2011

PUBLIC SERVICE
COMMISSION

APPLICATION FOR A CERTIFICATE
OF PUBLIC CONVENIENCE AND NECESSITY (MARION WEST)

Kentucky RSA #4 Cellular General Partnership (“Kentucky RSA #4”), through counsel, pursuant to KRS 278.020 and 278.040 and 807 KAR 5:063, hereby submits this application for a certificate of public convenience and necessity to construct and operate a new 240 foot cell tower facility to provide cellular telephone service to be known as the Marion West cell site in and for rural service area (“RSA”) #4 of the Commonwealth of Kentucky, namely the counties of Anderson, Green, Hardin, Larue, Marion, Mercer, Nelson, Spencer, Taylor and Washington, Kentucky. The proposed cell tower facility will be located at 883 Howardstown Road, Raywick, Kentucky, 40060.

1. Pursuant to the FCC Order, Docket No. 08-165, dated November 18, 2009, ¶ 32, pp. 11 & 12, the Commission has 150 days to process this application for a certificate of public convenience and necessity to construct a cell tower facility. If the Commission fails to act upon this application within 150 days, then Kentucky RSA #4 may seek redress with the U.S. District Court for the Eastern District of Kentucky.¹

¹In the Matter of: Petition for Declaratory Ruling to Clarify Provisions of Section 332(c)(7)(B) to Ensure Timely Siting Review and to Preempt Under Section 253 State and Local Ordinances that Classify all Wireless Siting Proposals as Requiring a Variance, FCC Order, Docket No. 08-165, November 18, 2009, pp 11 and 12. (“Specifically, we find that a “reasonable period of time” is, presumptively 90 days to process personal wireless service facility siting applications requesting collocations, and, also presumptively, 150 days to process all other applications. Accordingly, if State or local governments do not act upon applications within those timeframes, then a “failure to act” has occurred and personal wireless