

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

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| APPLICATION OF KENTUCKY RSA NO. 1 |) | |
| PARTNERSHIP FOR ISSUANCE OF A |) | |
| CERTIFICATE OF PUBLIC CONVENIENCE AND |) | |
| NECESSITY TO CONSTRUCT AN ADDITIONAL |) | CASE NO |
| CELL FACILITY IN THE KENTUCKY RURAL |) | 2013-00023 |
| SERVICE AREA NO. 1 WHICH INCLUDES FULTON, |) | |
| HICKMAN, CARLISLE, BALLARD, MCCRACKEN, |) | |
| GRAVES, MARSHALL AND CALLOWAY COUNTIES |) | |
| IN KENTUCKY |) | |

ORDER

On January 24, 2013, Kentucky RSA No. 1 Partnership, a Delaware general partnership ("Applicant"), filed an application requesting the issuance of a Certificate of Public Convenience and Necessity ("CPCN") to construct, maintain, and operate a wireless telecommunications facility located at Race Track Road, Symsonia, Graves County, Kentucky, in an area that is unzoned and outside the jurisdiction of a planning commission. By Commission Order dated March 22, 2013, Robert and Wilma Johnson ("Intervenors") were granted full intervention.

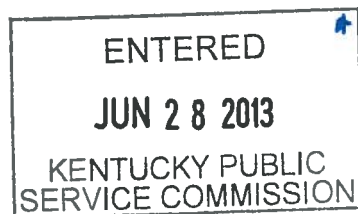
An informal conference was held in this matter at the Commission's offices on April 17, 2013. The Intervenors participated via telephone and raised concerns and questions related to the proposed construction. Commission Staff informed the Johnsons of the procedure for conducting discovery and participating in an evidentiary hearing. The Johnsons indicated at the end of the Informal Conference that they might not wish to proceed with their intervention in the case.

Because the Intervenors have indicated that they may no longer wish to participate, the Commission finds that if the Intervenors wish to continue their participation and appear at a hearing in opposition to the application for the proposed construction, they must, within 10 days of the date of this Order, so notify the Commission in writing, with a copy mailed or delivered to all parties of record. In lieu of requesting a hearing, the Johnsons may file additional comments to the Commission. If no request for a hearing or additional comments are received by that date, the matter will be submitted to the Commission for a decision based on the written record.

IT IS THEREFORE ORDERED that:

1. Within 10 days of the date of this Order, the Intervenors shall notify the Commission, in writing, if they want to request a hearing.
2. Within 10 days of the date of this Order, if the Johnsons do not request a hearing, the Johnsons may nonetheless file additional comments within 10 days of the date of this Order.
3. If no such statement is received within the allotted time, this matter shall be submitted to the Commission for a decision on the record.

By the Commission



ATTEST:



Executive Director

Robert & Wilma Johnson
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Honorable W. Brent Rice
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