LaJuana S. Wilcher, Secretary Environmental and Public Protection Cabinet

Christopher L. Lilly Commissioner Department of Public Protection

Christine Armes 429 Hardin Springs Road Big Clifty, KY 42712



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March 27, 2006

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Gregory Coker Commissioner

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**Executive Director** 

BOD/sh Enclosure



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Homer and Kathy Basham 9336 Old E-Town Road Big Clifty, KY 42712



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Willie Haynes 38 Crown Rock Road Big Clifty, KY 42712



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Ralph and Candy Mattingly 3520 Millerstown Road Clarkson, KY 42726



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Honorable David A. Pike Attorney at Law Pike Legal Group PLLC 1578 Highway 44 East, Suite 6 P. O. Box 369 Shepherdsville, KY 40165-0369



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Kenti

### COMMONWEALTH OF KENTUCKY

#### BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

THE APPLICATION OF BELLSOUTH MOBILITY,	)
LLC D/B/A CINGULAR WIRELESS – KENTUCKY	)
FOR ISSUANCE OF A CERTIFICATE OF PUBLIC	)
CONVENIENCE AND NECESSITY TO	)
CONSTRUCT A WIRELESS COMMUNICATIONS	)
FACILITY AT CROWN ROCK ROAD, BIG CLIFTY,	) CASE NO. 2004-00241
KY 42712 IN THE WIRELESS	)
COMMUNICATIONS LICENSE AREA IN THE	)
COMMONWEALTH OF KENTUCKY IN THE	)
COUNTY OF GRAYSON	)
	)

)

SITE NAME: BIG CLIFTY

### <u>ORDER</u>

On October 7, 2005, the Commission granted a Certificate of Public Convenience and Necessity to BellSouth Mobility, LLC, d/b/a Cingular Wireless - Kentucky ("Applicant") to construct a wireless communications facility at Crown Rock Road, Big Clifty, Grayson County, Kentucky. The Applicant has since advised the Commission that it no longer requires the construction of the requested wireless communications facility because of the recent integration of certain facilities of AT&T Wireless Services Inc. into its network. The Applicant further moved for withdrawal of the granted Certificate of Public Convenience and Necessity.

Finding that the public convenience and necessity no longer require the construction of the requested wireless communications facility, the Commission HEREBY ORDERS that:

1. Applicant's motion to withdraw the Certificate of Public Convenience and Necessity for the requested wireless communication facility is granted.

2. The Commission's Order of October 7, 2005 is vacated and withdrawn.

Done at Frankfort, Kentucky, this 27th day of March, 2006.

By the Commission

ATTEST: **Secutive** Director

Case No. 2004-00241