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Commonwealth of Kentucky  
**Public Service Commission**  
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Vice Chairman

Christopher L. Lilly  
Commissioner  
Department of Public Protection

August 9, 2006

David Jantzi  
Boulevard Properties, LLC  
7383 Utica Blvd.  
Lowville, NY 13367

RE: Case No 2006-00310  
Filing Deficiencies

The Commission staff has reviewed your application in the above case. This filing is rejected for the reasons set forth below.

1. Filing deficiencies pursuant to 807 KAR 5:063:

807 KAR 5:063: Section 1(1)(l) 1. A statement that every person who, according to property valuation administrator's records, owns property within 500 feet of the proposed tower has been: notified by certified mail, return receipt requested, of the proposed construction;

807 KAR 5:063: Section 1(1)(l) 2. A statement that every person who, according to property valuation administrator's records, owns property within 500 feet of the proposed tower has been: Given the Commission docket number under which the application will be processed; and

807 KAR 5:063: Section 1(1)(l) 3. A statement that every person who, according to property valuation administrator's records, owns property within 500 feet of the proposed tower has been: Informed of his right to request intervention.

807 KAR 5:063: Section 1(1)(m) A list of the property owners who received the notice, together with copies of the certified letters sent to listed property owners.

807 KAR 5:063: Section 1(1)(n) 1. A statement that the local county judge, executive, has been: Notified by certified mail, return receipt requested, of the proposed construction;

807 KAR 5:063: Section 1(1)(n) 2. A statement that the local county judge, executive, has been: Given the Commission docket number under which the application will be processed; and

807 KAR 5:063: Section 1(1)(n) 3. A statement that the local county judge, executive, has been: Informed of his right to request intervention.

807 KAR 5:063: Section 1(1)(o) A copy of the notice sent to the county judge executive.

MB/MB

807 KAR 5:063: Section 1(2)(a) The notice on the site must state: "(Name of utility) proposes to construct a telecommunications ('tower' or 'monopole') on this site. If you have questions, please contact (name and address of utility) or the Executive Director, Public Service Commission, 211 Sower Boulevard, P. O. Box 615, Frankfort, Kentucky 40602. Please refer to (assigned docket number) in your correspondence."

807 KAR 5:063: Section 1(2)(b) The notice posted on the nearest public road must state: "(name of utility) proposes to construct a telecommunications ('tower' or 'monopole') on this site. If you have questions, please contact (name and address of utility) or the Executive Director, Public Service Commission, 211 Sower Boulevard, P. O. Box 615, Frankfort, Kentucky 40602. Please refer to (assigned docket number) in your correspondence."

The statutory time period in which the Commission must process this case will not commence until the above-mentioned information is filed with the Commission. If your filing contains a proposed effective date, the rejection of your filing for reasons of deficiencies voids that proposed effective date. When you file the required information to correct the deficiencies, you may refile your proposed tariff with a new proposed effective date that is at least 30 days from the date you file the required information. You are requested to file 10 copies of this information within 15 days of this letter. If you need further assistance, please contact Eric Bowman at 502/564-3940 ext. 440.

Sincerely,



Mike Burford  
Director Division of Filings

MB/MB