## McBrayer, McGinnis, Leslie & Kirkland, Pllc

ATTORNEYS-AT-LAW

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January 13, 2009

RECEIVED

Mr. Jeff Derouen, Executive Director Public Service Commission 211 Sower Blvd. Frankfort, KY 40602-0615 JAN 14 2009 PUBLIC SERVICE COMMISSION

RE:

Application of Cellco Partnership d/b/a Verizon Wireless, for Issuance of a Certificate of Public Convenience and Necessity to Construct an Additional Facility at 932 Fearing Road, Owingsville, Bath County, Kentucky ("Application") PSC Case No. 2007-00269 (Peasticks Facility)

Dear Mr. Derouen:

Please accept this letter and enclosed Motion to Withdraw Application as an official filing in the above-referenced Public Service Commission action. Thank you for your attention to this matter.

Sincerely.

W. Brent Rice

Counsel for Cellco Partnership d/b/a Verizon

Wireless

WBR/dkw Enclosure

## COMMONWEALTH OF KENTUCKY BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF CELLCO PARTNERSHIP d/b/a	)
VERIZON WIRELESS FOR ISSUANCE OF A	)
CERTIFICATE OF PUBLIC CONVENIENCE AND	)
NECESSITY TO CONSTRUCT AN ADDITIONAL	) Case No 2007-00269
CELL FACILITY AT 932 FEARING ROAD,	)
OWINGSVILLE, BATH COUNTY, KENTUCKY	)

(THE PEASTICKS CELL FACILITY)

## **MOTION TO WITHDRAW APPLICATION**

Comes now the Applicant Cellco Partnership d/b/a Verizon Wireless ("Applicant") by counsel, and moves the Commission to approve its request to withdraw the herein referenced Application filed July 3, 2007. In support of said Motion, Applicant states that the proposed facility at 932 Fearing Road, Owensville, Bath County, Kentucky is no longer needed to serve its network due to its recent acquisition from Dobson Cellular of certain similar facilities which provide sufficient coverage in the subject area. Applicant requests the Commission issue an Order granting the Applicant's Motion to Withdraw Application.

Respectfully submitted.

V. Brent **Ri**će

McBRAYER, McGINNIS, LESLIE

& KIRKLAND, PLLC

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Lexington, KY 40507 Phone: 859/231-8780

COUNSEL FOR CELLCO

PARTNERSHIP d/b/a VERIZON

**WIRELESS** 

## **CERTIFICATE OF SERVICE**

This is to certify that a true and correct copy of the foregoing has been mailed via U.S. mail, postage prepaid to the following:

James Garner 1705 Fearing Road Owingsville, KY 40360

Mike and Kathryn Laporte 2450 Old Sand Road Owingsville, KY 40360

Vickie Manley 1435 Fearing Road Owingsville, KY 40360

Jennifer Razor PO Box 332 Salt Lick, KY 40371

Lynn Routt 1163 Fearing Road Owingsville, KY 40360 Paul R. Sexton 222 Forge Hill Road Owingsville, KY 40360

West and Sara Staton 2502 Old Sand Road Owingsville, KY 40360

Ginger Swartz 1545 Pistal Road Olympia, KYH 40358

Anna Wells 1515 Fearing Road Owingsville, KY 40360

this the 13 day of January, 2009.

W. BRENT'RÎCE, ESQ.
COUNSEL FOR CELLCO
PARTNERSHIPd/b/a VERIZON

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**WIRELESS** 

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