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David L. Armstrong
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John W. Clay
Commissioner

October 10, 2008

Honorable Todd Briggs
17300 Polo Field Lane
Louisville, KY 40245

RE: New Cingular Wireless PCS, LLC
Case No. 2008-00388 – Construct Cell Site
Filing Deficiencies

The Commission staff has reviewed New Cingular Wireless PCS, LLC's application in the above case. The filing is rejected for the reasons set forth below:

(1) Filing deficiencies pursuant to 807 KAR 5:063, Section 1(1)(d) – A geotechnical investigation report, signed and sealed by a professional engineer registered in Kentucky, that includes boring logs, foundation design recommendations, and a find as to the proximity of the proposed site to flood hazard areas (findings re: flood hazard area proximity may be prepared by a land surveyor).

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. You are requested to file 10 copies of this information within 15 days of date of this letter. If you need further assistance, please contact my staff at 502-564-3940.

Sincerely,

A handwritten signature in cursive script that reads "Ryan Gatewood".

Ryan Gatewood, Director
Division of Filings

RG/rs