COMMONWEALTH OF KENTUCKY BEFORE THE PUBLIC SERVICE COMMISSION CASE NO.: 2009-00114

In the Matter of:

APPLICATION OF NEW CINGULAR WIRELESS PCS, LLC FOR ISSUANCE OF A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO CONSTRUCT A WIRELESS COMMUNICATIONS FACILITY AT 251 BABE BOLEN DRIVE, GARRETT, KNOTT COUNTY, KENTUCKY 41630 SITE NAME: BOLYN (252GO125)

PCCETTED

DEC 11 2009

PUBLIC SERVICE

COMMISSION

CONSOL OF KENTUCKY INC.

WITHDRAWAL OF OBJECTION

CONSOL of Kentucky Inc. withdraws its objection to the Application of New Cingular Wireless PCS, LLC for a certificate of public convenience and necessity to construct a wireless communication facility at 251 Babe Bolen Drive, Garrett, Knott County, Kentucky 41630.

JAMES A. COMBS`

Attorney for CONSOL of Kentucky Inc.

cc: Todd Briggs