



Steven L. Beshear
Governor

Leonard K. Peters
Secretary
Energy and Environment Cabinet

Commonwealth of Kentucky
Public Service Commission
211 Sower Blvd.
P.O. Box 615
Frankfort, Kentucky 40602-0615
Telephone: (502) 564-3940
Fax: (502) 564-3460
psc.ky.gov

David L. Armstrong
Chairman

James W. Gardner
Vice Chairman

Charles R. Borders
Commissioner

May 7, 2010

Mr. Larry Carter
Executor,
Estate of Bobby N. Carter, Sr.
2895 Princeton Road
Hopkinsville, KY 42240

Re: Case No. 2010-00031
Application of New Cingular Wireless PCS, LLC for Issuance of a
Certificate of Public Convenience and Necessity to Construct a Wireless
Communications Facility 2755 Princeton Road, Hopkinsville, Christian
County, Kentucky 42240
Site Name: Longbow (083G0235)

Mr. Carter:

On May 5, 2010, the Kentucky Public Service Commission ("Commission") received your letter on behalf of the estate of Mr. Bobby N. Carter, Sr. You indicated that you serve as the executor for Mr. Carter's estate and his son, Mr. Bobby N. Carter, Jr., now owns the property which is contiguous to or within a 500 foot radius of the proposed tower site. In your letter, you submitted questions regarding the effects of the proposed construction.

By Order dated April 28, 2010, the Commission placed the New Cingular Wireless PCS, LLC ("New Cingular") tower application in abeyance. This proceeding is being placed in abeyance pending a ruling by the Kentucky Supreme Court in a related matter concerning this Commission's jurisdiction over applications to build wireless communications towers at locations within the political boundary of a local planning commission that has adopted planning and zoning regulations. The Supreme Court matter is styled *Kentucky Public Service Commission v. L. Glenn Shadoan, et al.*, Case No. 2009-SC-000053-DR.

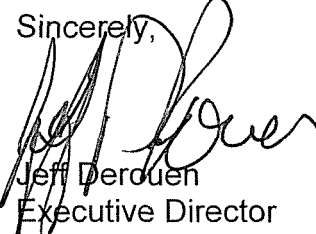
The Commission's jurisdiction over New Cingular's current application to build a tower in Hopkins County is largely dependent upon the Supreme Court's decision. Please note that although New Cingular's application will be affected by the ruling, New Cingular is not a party in the Supreme Court action.

Mr. Larry Carter
May 7, 2010
Page 2 of 2

As the application has been placed in abeyance, the Commission will not undertake a review of New Cingular's application or compel New Cingular to respond to the questions posed in your letter until such time as this proceeding becomes active again. The Commission will notify you either by letter or by Order once the proceeding becomes active. No further action will be required by you at this time.

Thank you for contacting the Commission. If you have any questions or concerns regarding this matter, please contact Commission Staff Attorney Tiffany Bowman at (502) 564-3940, ext. 465.

Sincerely,



Jeff Derouen
Executive Director

JD/tjb

cc: Main Case File – 2010-00015
Parties of Record