



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

September 7, 2010

Hon. Steve Tribble
Christian County Judge/Executive
515 Weber Street
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)

Judge/Executive Tribble:

On September 1, 2010, the Kentucky Public Service Commission ("Commission") received your letter of support for New Cingular Wireless PCS, LLC's ("New Cingular") application to construct a wireless communications facility in Christian County.

By Order dated April 28, 2010, the Commission placed the 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 Christian 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.

On September 1, 2010, New Cingular asked the Commission to lift the application from abeyance status and to move forward on a determination of the request to construct a tower in Christian County. The Commission is currently reviewing New Cingular's request to lift the abeyance.

When this proceeding become active again, the Commission will review your written comments and will take those comments into consideration in determining if New Cingular's construction request will be granted. No further action is 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 Dereuen
Executive Director

JD/tjb

cc: Main Case File – 2010-00031
Parties of Record