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COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

JAN 07 2020

PUBLIC SERVICE  
COMMISSION

In the Matter of:

THE APPLICATION OF	)	
NEW CINGULAR WIRELESS, PCS, LLC,	)	
A DELAWARE LIMITED LIABILITY COMPANY,	)	
D/B/A AT&T MOBILITY	)	
FOR ISSUANCE OF A CERTIFICATE OF PUBLIC	)	CASE NO.: 2018-00388
CONVENIENCE AND NECESSITY TO CONSTRUCT	)	
A WIRELESS COMMUNICATIONS FACILITY	)	
IN THE COMMONWEALTH OF KENTUCKY	)	
IN THE COUNTY OF WAYNE	)	

SITE NAME: DOBBS HOLLOW FN

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**MOTION TO AMEND  
CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY  
(TO EXTEND TIME TO COMMENCE CONSTRUCTION)**

Come New Cingular Wireless PCS, LLC, a Delaware limited liability company, d/b/a AT&T Mobility ("Applicant"), by counsel, and moves the Kentucky Public Service Commission ("PSC") to amend its Order granting a Certificate of Public Convenience and Necessity ("CPCN") to the Applicant for the construction and operation of a wireless telecommunications facility to extend the time to exercise the authority granted therein.

In support of this motion, Applicant submits the following information:

1. On February 14, 2019 the PSC issued a CPCN for the construction and operation of a wireless telecommunications facility to be located at 297 Parmleysville Road in Monticello, KY (36°39'50.215" North latitude, 84°48'42.829" West longitude).

2. Pursuant to KRS § 278.020(1), Applicant is required to exercise said CPCN “within one (1) year from the grant thereof, exclusive of any delay due to the ... failure to obtain any necessary grant or consent(.)”

3. The facility has not yet been constructed, and Applicant does not anticipate exercising the CPCN in advance of the February 14, 2020 expiration date.

4. In connection with obtaining necessary grants and consents for this site required by the National Environmental Policy Act (“NEPA”) under 47 CFR 1.1306 and 47 CFR 1.1307, it was determined that construction of the facility may affect listed threatened or endangered species or designated critical habitats as discussed in 47 CFR 1.1307(a)(3).

5. The Applicant has worked with applicable parties to mitigate the impact of construction, and an Environmental Assessment has been submitted to the Federal Communications Commission (“FCC”) in accordance with 47 CFR 1.1307.

6. The Environmental Assessment is currently being reviewed by the FCC based on procedures described at 47 CFR 1.1308(d). After the FCC’s review of this matter is complete, the Applicant can begin construction following a FCC finding of no significant impact.

7. The Applicant does not anticipate that the FCC review will be completed in time to mobilize construction assets and begin construction in advance of the existing construction deadline of February 14, 2020.

8. Accordingly, to permit adequate time to receive all applicable regulatory approvals and to mobilize construction assets, Applicant requests extension of the time to exercise the CPCN through August 14, 2020.

9. Applicant states that the requested extension is warranted to allow sufficient time for Applicant to complete required regulatory reviews, which clearance is necessary prior to construction of the facility, and to schedule and complete construction of the subject facility.

10. There were no intervenors in opposition to the application in the PSC proceedings in this case.

11. Applicant states that the requested extension is necessary to effectuate the CPCN and to provide adequate utility service in the subject area.

12. Upon information and belief, Applicant states that the requested extension shall not cause undue hardship to any affected persons or parties.

WHEREFORE, Applicant, by counsel, moves the PSC to amend its Order in the within case dated February 14, 2019, to prescribe an extension of the time for Applicant to exercise the authority granted therein up to and including August 14, 2020.

Respectfully submitted,



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