

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF CENTRAL KENTUCKY CELLULAR )  
TELEPHONE COMPANY FOR ISSUANCE OF A )  
CERTIFICATE OF PUBLIC CONVENIENCE AND )  
NECESSITY TO CONSTRUCT AN ADDITIONAL CELL ) CASE NO. 92-170  
FACILITY IN THE LEXINGTON, METROPOLITAN )  
STATISTICAL AREA (ATHENS/PURE GOLD CELL )  
FACILITY) )

O R D E R

On January 28, 1993, Intervenor Thomas Puckett filed a petition for reconsideration, pursuant to KRS 278.400, of the Commission's January 8, 1993, Order. The issues raised in the petition are: 1) significant negative effect on the value of Mr. Puckett's property; 2) existence of other more suitable sites; and 3) a possible conflict of interest because the site for the tower may have been located by an individual who worked for the applicant at the time but now works in the Executive Branch of state government.

KRS 278.400 provides that "any party to the proceedings may, within twenty (20) days after the service of the order upon him, apply for a hearing with respect to any of the matters determined. The application shall specify the matters on which a rehearing is sought." The statute further provides that upon rehearing any party may offer additional evidence "that could not with reasonable diligence have been offered on the former hearing." The issues for

which rehearing is sought were thoroughly addressed at the hearing and in the Commission's Order.

After consideration of the petition for reconsideration and the record in this proceeding, and being otherwise sufficiently advised, the Commission finds that Mr. Puckett has presented no additional evidence that could not with reasonable diligence have been offered in the two prior hearings in this case, August 7, 1992 and September 25, 1992. Therefore, the requested rehearing should be denied.

IT IS THEREFORE ORDERED that the request of Mr. Puckett for reconsideration of the Commission's Order dated January 8, 1993, in this proceeding be and it hereby is denied.

Done at Frankfort, Kentucky, this 11th day of February, 1993.

PUBLIC SERVICE COMMISSION

  
Chairman

  
Vice Chairman

  
Commissioner

ATTEST:

  
Executive Director