

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF KENTUCKY RSA #11, INC.)
FOR A CERTIFICATE OF PUBLIC)
CONVENIENCE AND NECESSITY TO CONSTRUCT) CASE NO. 95-064
A CELL SITE OFF LUCAS ROAD, EAST OF)
MANCHESTER, CLAY COUNTY, KENTUCKY)

O R D E R

On April 20, 1995, the Commission entered its Order scheduling this matter for a hearing on May 10, 1995. Subsequently, Kentucky RSA #11, Inc. ("Kentucky RSA #11") filed a motion for an informal conference. As grounds for its motion, Kentucky RSA #11 stated, inter alia, that the scheduled hearing date would, as a practical matter, render Kentucky RSA #11 unable to meet its federally-mandated buildout date even if the Commission should find that the requested certificate should be granted. Kentucky RSA #11 also points out that House Enterprises, Inc. ("House Enterprises"), the intervenor in this proceeding, failed to request a hearing within the time frame specified in the March 23, 1995 letter from the Executive Director of the Commission.

Despite the tardiness of House Enterprises's request, the Commission finds that the hearing should take place. However, Kentucky RSA #11 has stated sufficient grounds to expedite this matter and to have the hearing date moved forward. Since the hearing date will be moved forward, the procedural schedule entered in the Commission's Order of April 20, 1995, should be cancelled

and the Commission finds it unnecessary to schedule the requested informal conference.

IT IS THEREFORE ORDERED that:

1. The motion of Kentucky RSA #11 for an informal conference is hereby denied.

2. The hearing in this matter, previously scheduled for May 10, 1995, is hereby rescheduled for May 1, 1995, at 9 a.m., in Hearing Room 1 of the Commission's offices at 730 Schenkel Lane, Frankfort, Kentucky.

3. The procedural schedule established in the Commission's Order of April 20, 1995, is hereby cancelled.


4. The parties may file, prior to the hearing date, lists of issues to be addressed at the hearing, a list of witnesses who will address those issues, and any prefiled testimony.

5. Any interested person shall have the opportunity to present testimony or comment on any aspect of the proposed cell site.

6. Pursuant to KRS 100.324, a copy of this Order is being sent to the Honorable James Garrison, Clay County Judge Executive, Suite 129, 316 Main Street, Manchester, Kentucky, 40962, for the purpose of notification that the above-scheduled hearing may affect locations or relocations of service facilities within Clay County.

Done at Frankfort, Kentucky, this 25th day of April, 1995.

PUBLIC SERVICE COMMISSION


For the Commission

ATTEST:


Executive Director