

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

THE APPLICATION OF KENTUCKY CGSA,)
INC. FOR ISSUANCE OF A CERTIFICATE OF)
PUBLIC CONVENIENCE AND NECESSITY TO)
CONSTRUCT AN ADDITIONAL CELL SITE IN)
MIDDLETOWN, KENTUCKY FOR THE)
PROVISION OF DOMESTIC PUBLIC) CASE NO. 95-507
CELLULAR RADIO TELECOMMUNICATIONS)
SERVICE TO THE PUBLIC IN JEFFERSON)
COUNTY, KENTUCKY AND THE LOUISVILLE)
MSA)

O R D E R

By Order dated August 27, 1996, the Commission directed Kentucky CGSA, Inc. ("Kentucky CGSA") to indicate whether it is ready to proceed with its application to construct a cell site at 11509 Shelbyville Road, Middletown, Kentucky or, alternatively, the reasons why this case should not be dismissed without prejudice.

Kentucky CGSA filed a response on September 12, 1996 stating that it was perusing an alternative cell site and hoped to know within two weeks whether the alternative will meet the zoning requirements of the Jefferson County Planning Commission. The response further states that there is a legal challenge to its use of the proposed Shelbyville Road cell site but the litigation may be resolved within 30 days.

The Commission, having considered Kentucky CGSA's response and being sufficiently advised, HEREBY ORDERS that Kentucky CGSA shall file no later than October 21, 1996 a report of the current status of (1) the alternative cell site being considered; and (2) the litigation involving the proposed cell site.

Done at Frankfort, Kentucky, this 10th day of October, 1996.

PUBLIC SERVICE COMMISSION

Linda K. Breathitt
For the Commission

ATTEST:

Don Mills
Executive Director