

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF CELLCO PARTNERSHIP)	
D/B/A VERIZON WIRELESS FOR ISSUANCE)	CASE NO.
OF A CERTIFICATE OF PUBLIC)	2004-00508
CONVENIENCE AND NECESSITY TO)	
CONSTRUCT AN ADDITIONAL CELL FACILITY)	
OFF BURDETTE ROAD, RENFRO VALLEY,)	
ROCKCASTLE COUNTY, KENTUCKY)	
(RENFRO II CELL FACILITY))	

O R D E R

This matter is before the Commission on the Applicant's motion in limine, requesting that we "preclude Intervenor's from introducing any evidence during a hearing on this Application regarding any proposed alternative location or site to collocate or construct the Cell Facility." The motion is in response to the Commission's July 11, 2006 Order requiring the Intervenor's to request a hearing within 10 days of the date of the Order and setting forth certain parameters for the evidence which would be allowed at any hearing. Following the filing of the instant motion by the Applicant, the deadline for requesting a hearing passed with no request having been received from the Intervenor's. Accordingly, the Commission entered an Order on July 27, 2006, which cancelled the hearing and indicated that the record would stand as submitted and that the matter would be taken under advisement by the Commission. There being no hearing in this case, the Applicant's motion is moot.

On the basis of the foregoing and the Commission being otherwise sufficiently advised, IT IS HEREBY ORDERED that the Applicant's motion in limine is denied as moot.

Done at Frankfort, Kentucky, this 4th day of August, 2006.

By the Commission

ATTEST:


Executive Director