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David L. Armstrong
Chairman

James W. Gardner
Vice Chairman

John W. Clay
Commissioner

May 15, 2009

PARTIES OF RECORD

Re: Case No. 2009-00044

Attached is a copy of a memorandum which is being filed in the record of the above-referenced case. If you have any questions, please contact Allyson Honaker at 502/564-3940, Extension 265 or by email at Allyson.Honaker@ky.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeff Derouen".

Jeff Derouen
Executive Director

Attachment

INTRA-AGENCY MEMORANDUM

KENTUCKY PUBLIC SERVICE COMMISSION

TO: Case File

FROM: Allyson Honaker
Staff Attorney

DATE: May 15, 2009

SUBJECT: Case No. 2009-00044
APPLICATION OF RSA #3 CELLULAR GENERAL PARTNERSHIP FOR
ISSUANCE OF A CERTIFICATE OF PUBLIC CONVENIENCE AND
NECESSITY TO CONSTRUCT A CELL SITE (MUHLENBERG SOUTH)
IN RURAL SERVICE AREA #3 (MUHLENBERG) OF THE
COMMONWEALTH OF KENTUCKY

Attached to this Memorandum is e-mail communication between Commission Staff and Mr. David Rhoades, the Planning and Zoning Administrator for Muhlenberg County, Kentucky. This e-mail communication addresses the existence of a county planning commission in Muhlenberg.

Honaker, Allyson (PSC)

From: Honaker, Allyson (PSC)
Sent: Tuesday, May 12, 2009 8:03 AM
To: 'Selent, John'; 'Whitty, Paul B.'
Subject: Muhlenberg County Planning Commission

Here is a copy of the email that I received from the Planning and Zoning Administrator, stating that Muhlenberg County does have a county wide planning commission. Therefore, any cases filed for CPCNs in Muhlenberg County will be held in abeyance until a decision is made in the Shadoan case.

I am placing a copy of this email into the record of the pending Muhlenberg County cases.

Please feel free to contact me if you have any questions.

Allyson Honaker
Staff Attorney
Kentucky Public Service Commission
211 Sower Blvd.
Frankfort, KY 40602
Email: Allyson.Honaker@ky.gov
(502) 564-3940, ext. 265

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-----Original Message-----

From: David Rhoades [mailto:centralc@muhlon.com]
Sent: Friday, April 24, 2009 12:58 PM
To: Honaker, Allyson (PSC)
Subject: Re: Planning commission

Honaker, Allyson (PSC) wrote:

>
> Mr. Rhoades,
>
> I received your voicemail yesterday, thank you for returning my call.
> I had already spoken with Brent Kirtley regarding the information he
> received from you.
>
> We are still receiving conflicting information regarding the planning
> commission in Muhlenberg County. We had one of the attorneys contact
> us this morning stating that the planning commission in Muhlenberg
> County is not a county wide commission, and that only the cities of
> Central City and Greenville have planning commissions.
>
> What I need from you is a statement stating if there is in fact a
> county wide planning commission in Muhlenberg County or only city
> commissions. I understand that you have not adopted specific
> regulations for the siting of cellular towers, but we still need
> clarification as to the geographical jurisdiction of the planning
> commission there. You can reply to this email, and that will be
> sufficient for me to file in the record of these cell tower
> applications.
>
> The specific addresses for the towers in questions are:
>

> 1. 21 Myers Chapel Road
> Belton, Kentucky 42324

> 2. 2020 Hwy 601
> Greenville, Kentucky 42345

> 3. 80 Parkway Lane
> Central City, Kentucky 42330

> Could you please advise the Commission if these addresses are within
> the geographical boundaries of the planning commission?

> Thank you for your help in this matter.

> My contact information is listed below if you need any further
> information from me. As I stated previously, I need something in
> writing that I can file in the record to show the type of planning
> commission in Muhlenberg County.

> Thanks again

> */Allyson Honaker/*
> Staff Attorney
> Kentucky Public Service Commission
> 211 Sower Blvd.
> Frankfort, KY 40602
> Email: Allyson.Honaker@ky.gov
> (502) 564-3940, ext. 265

> NOTICE: This email, and any attachments hereto, is for the sole use of
> the intended recipient(s) and may contain information that is
> preliminary and/or confidential. Any unauthorized review, use,
> disclosure or distribution is strictly prohibited. If you are not the
> intended recipient, please contact the sender, via e-mail, and destroy
> all copies of the original message.

> --
> This message was scanned by ESVA and is believed to be clean.
> Click here to report this message as spam.
> <<http://h0stname/cgi-bin/learn-msg.cgi?id=9CBCF27EC9.D1847>>

> -----
> --
> No virus found in this incoming message.
> Checked by AVG - www.avg.com
> Version: 8.0.238 / Virus Database: 270.12.4/2078 - Release Date:
> 04/24/09 07:54:00

> Allyson, Yes there is a County Planning Commission. The Commission is setup to implement
> subdivision regulations within a 5 mile radius of the incorporated cities in the County
> which includes the Cities of Central City, Powderly and Greenville. David