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Governor

Leonard K. Peters  
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Energy and Environment Cabinet

Commonwealth of Kentucky  
**Public Service Commission**  
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David L. Armstrong  
Chairman

James W. Gardner  
Vice Chairman

John W. Clay  
Commissioner

March 30, 2009

Hon. William S. Kendrick  
Francis, Kendrick & Francis  
P.O. Box 268  
Prestonsburg, Kentucky 41653

Re: Commission Case No. 2009-00064  
Application of East Kentucky Network Limited Liability Company for the  
Issuance of a Certificate of Public Convenience and Necessity to  
Construct a Tower in Letcher County, Kentucky

Dear Mr. Kendrick:

This letter is to notify you that a request for intervention has been filed in the above case. East Kentucky Network, LLC ("East Kentucky") has informed the Commission that you will be representing East Kentucky in this matter.

Please file your Notice of Entry of Appearance in this matter no later than April 6, 2009, along with any response East Kentucky may have to the request for intervention. You will need to file the original and five (5) copies of these items with the Commission.

I am enclosing a copy of the letter requesting intervention which contains the contact information for the attorney representing Lee Etta Cummings, the potential Intervenor in this matter. Please see 807 KAR 5:001, Section 3(8), which addresses the standard used by the Commission in evaluating requests for intervention .

Hon. William S. Kendrick  
March 30, 2009  
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If you have any further questions regarding this matter please contact Allyson Honaker, Staff Attorney, by telephone at (502) 564-3940, extension 265, or by e-mail at Allyson.Honaker@ky.gov.

Sincerely,

  
Jeff DeFouen  
Executive Director

JD/ah  
Enclosure

cc: Hon. Nora Shepherd

*Monaker*

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March 23, 2009

**VIA OVERNIGHT UPS**

Executive Director's Office  
Public Service Commission of Kentucky  
P. O. Box 615  
Frankfort, KY 40602

RE: Case No. 2009-00064  
Response to Public Notice dated March 4, 2009

Dear Public Service Commission:

Our office represents Lee Etta Cummings who received a Public Notice in Case No. 2009-00064 regarding the application of East Kentucky Network, LLC, d/b/a Appalachian Wireless for a Certificate of Public Convenience and Necessity to construct and operate a new cellular telecommunications service.

Please be advised that Ms. Cummings wishes to intervene in this matter and be heard regarding her objections to East Kentucky Network's application. Ms. Cummings owns land immediately adjacent to the site of the proposed tower. The location of the proposed tower would interfere with mining operations occurring on or proposed for Ms. Cummings' land and would interfere with and affect the development potential and value of her land. Therefore, Ms. Cummings objects to East Kentucky Network's application. She requests a hearing in this matter and any other relief to which she may be entitled.

Please send any future notices regarding this matter to my attention.

Sincerely,

Nora J. Shepherd  
shepherd@sfnky.com

NJS/krw

**RECEIVED**

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**PUBLIC SERVICE  
COMMISSION**

**RECEIVED**

MAR 24 2009

**GENERAL COUNSEL**