



Steven L. Beshear
Governor

Leonard K. Peters
Secretary
Energy and Environment Cabinet

Commonwealth of Kentucky
Public Service Commission
211 Sower Blvd.
P.O. Box 615
Frankfort, Kentucky 40602-0615
Telephone: (502) 564-3940
Fax: (502) 564-3460
psc.ky.gov

David L. Armstrong
Chairman

James W. Gardner
Vice Chairman

Charles R. Borders
Commissioner

September 25, 2009

Hon. Steve Gold
Henderson County Attorney's Office
20 North Main Street, Courthouse
P.O. Box 1316
Henderson, Kentucky 42419

CERTIFIED MAIL RETURN RECEIPT REQUESTED

Re: Henderson County Planning and Zoning Commission –

Kentucky Public Service Commission Case No. 2009-00034

New Cingular Wireless PCS LLC for Issuance of a Certificate of Public Convenience and Necessity to Construct a Wireless Communications Facility

Kentucky Public Service Commission Case No. 2009-00067

Application of Powertel/Memphis, Inc. d/b/a T-Mobile Kentucky for a Certificate of Public Convenience and Necessity for Construction of a Wireless Communications Facility

Dear Mr. Gold:

Pursuant to the Kentucky Open Records Act, KRS 61.870, *et seq.*, the Kentucky Public Service Commission ("Commission") requests the opportunity to receive copies of certain public records within the custody or otherwise within the control of the Henderson County Fiscal Court.

The information and documents requested relate to the formation and scope of the geographic jurisdiction of the local Planning and Zoning Commission. The requested records include:


1. All ordinances, regulations and comprehensive plans related to the local Planning and Zoning Commission in Henderson County and the scope of its geographic jurisdiction.
2. Any other documents related to the establishment of the Planning and Zoning Commission in Henderson County and the scope of its geographic jurisdiction.

The Commission shall expect your response to this request within three working days in accordance with KRS 61.880(1). The Commission's intent is to review all of the above documents, and the Commission may request additional copies of some or all of said documents. Please provide an explanation in the event that any of the documents listed above are not in your files. If your office or the Henderson County Fiscal Court intends to bill the Commission for a fee in excess of \$0.10 per page to provide a copy of the requested documents, please contact the Commission's office before fulfilling the open records request.

The Commission is willing to accept Henderson County's production of the requested documents by CD-ROM. Please ensure that the documents are either in Adobe Acrobat/PDF or Microsoft Word (2003 or newer version) if you intend to provide them by CD-ROM.

You may send your response to my attention and please include Commission case numbers, 2009-00034 and 2009-00067, in your correspondence. Thank you for your assistance with this matter. If you have any questions or concerns, you may contact Commission Staff Attorneys Tiffany Bowman at (502) 564-3940, ext. 465 or Allyson Honaker (502) 564-3940, ext. 265

Sincerely,



Jeff Derouen
Executive Director

JD/tb

cc: Parties of Record (regular mail)
Main Case File Nos. 2009-00034 and 2009-00067
Henderson County Fiscal Court – Judge/Executive Watkins (regular mail)
Ms. Peggy Wood, Planning Director (regular mail)