

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

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JUN 11 2009

PUBLIC SERVICE
COMMISSION

In the Matter of:

APPLICATION OF NEW CINGULAR WIRELESS PCS, LLC)
FOR ISSUANCE OF A CERTIFICATE OF PUBLIC)
CONVENIENCE AND NECESSITY TO CONSTRUCT)
A WIRELESS COMMUNICATIONS FACILITY AT)CASE: 2009-00093
114 RISING SON LANE, PRESTONSBURG)
FLOYD COUNTY, KENTUCKY, 41653)

SITE NAME: BIG BRANCH (474G0111)

REQUEST FOR DECISION IN THE ABOVE APPLICATION

New Cingular Wireless PCS, LLC ("Applicant"), by counsel, respectfully requests the Kentucky Public Service Commission ("PSC") to grant a Certificate of Public Convenience and Necessity ("CPCN") in the within administrative proceeding forthwith based on the following facts and circumstances:

1. Applicant has met all filing requirements applicable to this proceeding as prescribed by the Kentucky Revised Statutes and The Kentucky Administrative Regulations, including notification of persons entitled to notice of the filing of the subject Application for CPCN by certified mail, publication and posted signs.
2. A letter dated March 30, 2009 from Floyd Skeans stating that the map sent with the notification letter was "faulty" is invalid. The map in question also included detailed directions to the site and the required notice signs were posted from March 24, 2009 until April 22, 2009 clearly providing Mr. Skeans an opportunity to determine the placement of the proposed WCF.

3. The Wireless Communication Facility ("WCF") that is the subject of the Application for a CPCN filed in this case is a vital element of the Applicant's wireless provisions of Applicant's Federal Communications Commission license.

Wherefore, the Applicant, by Counsel, urges the PSC to grant a CPCN forthwith in accordance with the terms of the Application in this proceeding.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Todd R. Briggs", written over a horizontal line.

Todd R. Briggs
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