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Commonwealth of Kentucky
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David L. Armstrong
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James W. Gardner
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Commissioner

September 25, 2009

Hon. Keith Bartley
Floyd County Attorney's Office
149 South Central Avenue
P.O. Box 1000
Prestonsburg, Kentucky 41653

CERTIFIED MAIL RETURN RECEIPT REQUESTED

Re: Floyd County Planning and Zoning Commission –
Kentucky Public Service Commission Case No. 2009-00093
Application of New Cingular Wireless PCS, LLC For Issuance of a Certificate of
Public Convenience and Necessity To Construct a Wireless Communications
Facility at 114 Rising Son Lane, Prestonsburg, Floyd County, Kentucky, 41653

Dear Mr. Bartley:

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 Floyd 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 Floyd County and the scope of its geographic jurisdiction.
2. Any other documents related to the establishment of the Planning and Zoning Commission in Floyd 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 Floyd 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 Floyd 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 number, 2009-00093, 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. 2009-00093
Floyd County Fiscal Court – Judge/Executive Marshall (regular mail)
Floyd County Planning Commission (regular mail)