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

James W. Gardner  
Vice Chairman

John W. Clay  
Commissioner

April 8, 2009

Consol Energy, Inc.  
Attn: James O. Childers  
P.O. Box 130  
Mousie, Kentucky 41839

Re: Case No. 2009-00114  
Application of New Cingular Wireless PCS, LLC for Issuance of a  
Certificate of Public Convenience and Necessity to Construct a Wireless  
Communications Facility at 251 Babe Bolen Drive, Garrett, Knott County,  
Kentucky, 41630

Dear Mr. Childers:

On April 2, 2009, the Commission received your letter on behalf of Consol Energy, Inc. ("Consol") regarding the proposed tower construction in Knott County. You stated that Consol was formally protesting the construction of the tower and that the company was requesting intervention in this matter.

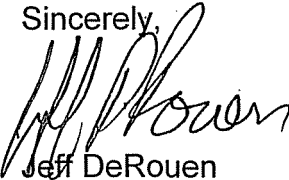
Based upon a review of the records of the Kentucky Secretary of State's Office, the Commission has determined that Consol is a foreign corporation authorized to do business in Kentucky, with its principal offices located at 1800 Washington Road, Pittsburgh, Pennsylvania 15241. As Consol is an incorporated entity, the Commission will require that an attorney submit a motion for intervention on Consol's behalf and represent the corporation in any pleadings filed with the Commission and throughout all stages of this proceeding. In appearances before the Commission, a corporation must be represented by an attorney licensed to practice law in the Commonwealth of Kentucky.

Consol will have 20 days from the date of this letter to have counsel submit a motion for intervention. The motion must detail the scope Consol's interest in the

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proposed construction site, as well as other facts relevant to the proceeding. Questions regarding this proceeding should be directed to Tiffany Bowman, Commission Staff Attorney, at (502) 564-3940, ext. 465.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeff DeRouen". The signature is fluid and cursive, with the first name "Jeff" and last name "DeRouen" clearly distinguishable.

Jeff DeRouen  
Executive Director

TB/ew

cc: Parties of Record