

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF CUMBERLAND CELLULAR)	
PARTNERSHIP FOR ISSUANCE OF A)	
CERTIFICATE OF PUBLIC CONVENIENCE)	
AND NECESSITY TO CONSTRUCT A)	CASE NO.
WIRELESS COMMUNICATIONS FACILITY)	2009-00120
(COOPERSVILLE) IN RURAL SERVICE AREA)	
#5 (WAYNE) OF THE COMMONWEALTH OF)	
KENTUCKY)	

O R D E R

On July 8, 2009, the Commission issued an Order (“July 8 Order”) in this proceeding setting forth a procedural schedule wherein the Intervenor, Mr. Jerry Neal, was given the opportunity to present written evidence demonstrating the potential loss to his property’s value resulting from the construction of the proposed cell facility. In that Order, Mr. Neal was instructed to submit his evidence to the Commission and the counsel for the applicant, Cumberland Cellular Partnership (“Cumberland”), no later than July 31, 2009. The Commission’s records reflect that no filing was submitted by Mr. Neal by July 31, 2009.

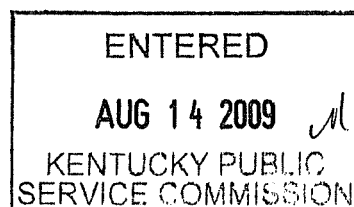
As stated in the July 8 Order, the Commission wants to ensure that Mr. Neal is given a fair opportunity to provide details and information, not simply argument, which support his objections and concerns with Cumberland’s proposed construction plans. In furtherance of that goal, the Commission shall provide Mr. Neal with an additional opportunity to supplement the record. The procedural schedule issued within the July 8 Order is hereby suspended. By this Order, Mr. Neal shall have ten days from the date

of this Order to provide written evidence that demonstrates and supports his allegations of the potential loss to his property's value due to the construction of the cell facility proposed by Cumberland. If Mr. Neal fails to provide the information requested within this Order within ten days of the date of this Order, the Commission shall move forward with a review and decision on the merits of Cumberland's application for a Certificate of Public Convenience and Necessity for the construction of the Coopersville wireless communications facility in Wayne County, Kentucky.

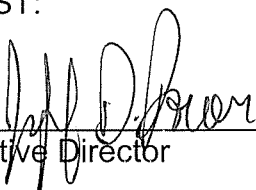
IT IS HEREBY ORDERED that:

1. The procedural schedule issued on July 8, 2009 in this proceeding is suspended.
2. Within ten days of the date of this Order, Mr. Neal shall submit to the Commission and to counsel for the applicant written evidence demonstrating the potential loss to his property's value resulting from the construction of the proposed wireless communications facility.
3. Mr. Neal shall file five copies of his written evidence with the Commission, in addition to serving one copy on counsel for the applicant.

By the Commission



ATTEST:


Executive Director

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CFO
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