

8-17-09

Briggs Law Offices PSC

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AUG 18 2009

PUBLIC SERVICE
COMMISSION

Dear sir, I wish to lodge a protest against installation of a communication facility on Suddy Mountain for the following reasons.

On the west side of my property, which tax bill lists as 24 1/2 acres, Mike Combs has me land locked. The existing road is presently used by the Gas Company and four wheelers. On the fact, Robert Price, Coal power, used as a haul road for his strip mine operation. I will withdraw this protest if free access is granted by Mike Combs to me and

my heirs to James Evans property
further I would like to be assured
of a valid survey

Secondly there are presently
two communication towers within
5 miles or so of my home. one
in Sisco Ky and one at JbB
Ky

I would appreciate being informed
as to validity of my request.

Thank you
James J. Evans

Copy to
Kentucky Public Commission

BRIGGS LAW OFFICE, PSC
TODD R. BRIGGS
17300 POLO FIELDS LANE
LOUISVILLE, KENTUCKY 40245

TELEPHONE (502) 254-9756

FACSIMILE (502) 254-5717

**Notice of Proposed Construction
Wireless Telecommunications Facility**

James S. Evans
P.O. Box 67
Happy, KY 41746

Via Certified Mail Return Receipt Requested

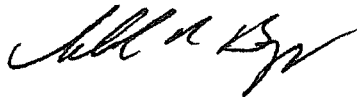
Dear Landowner:

New Cingular Wireless PCS, LLC is applying to the Kentucky Public Service Commission (the "Commission") for a Certificate of Public Convenience and Necessity to construct and operate a new wireless telecommunications facility located at Scuddy Mountain Pine Road, Vicco, Kentucky 41773. A map showing the location is attached. The proposed facility will include a 300 foot self-support tower, plus related ground facilities.

This notice is being sent to you because the Perry County Property Valuation Administrator's records indicate that you own property that is within a 500' radius of the proposed tower site OR adjacent to the property on which the tower is to be constructed.

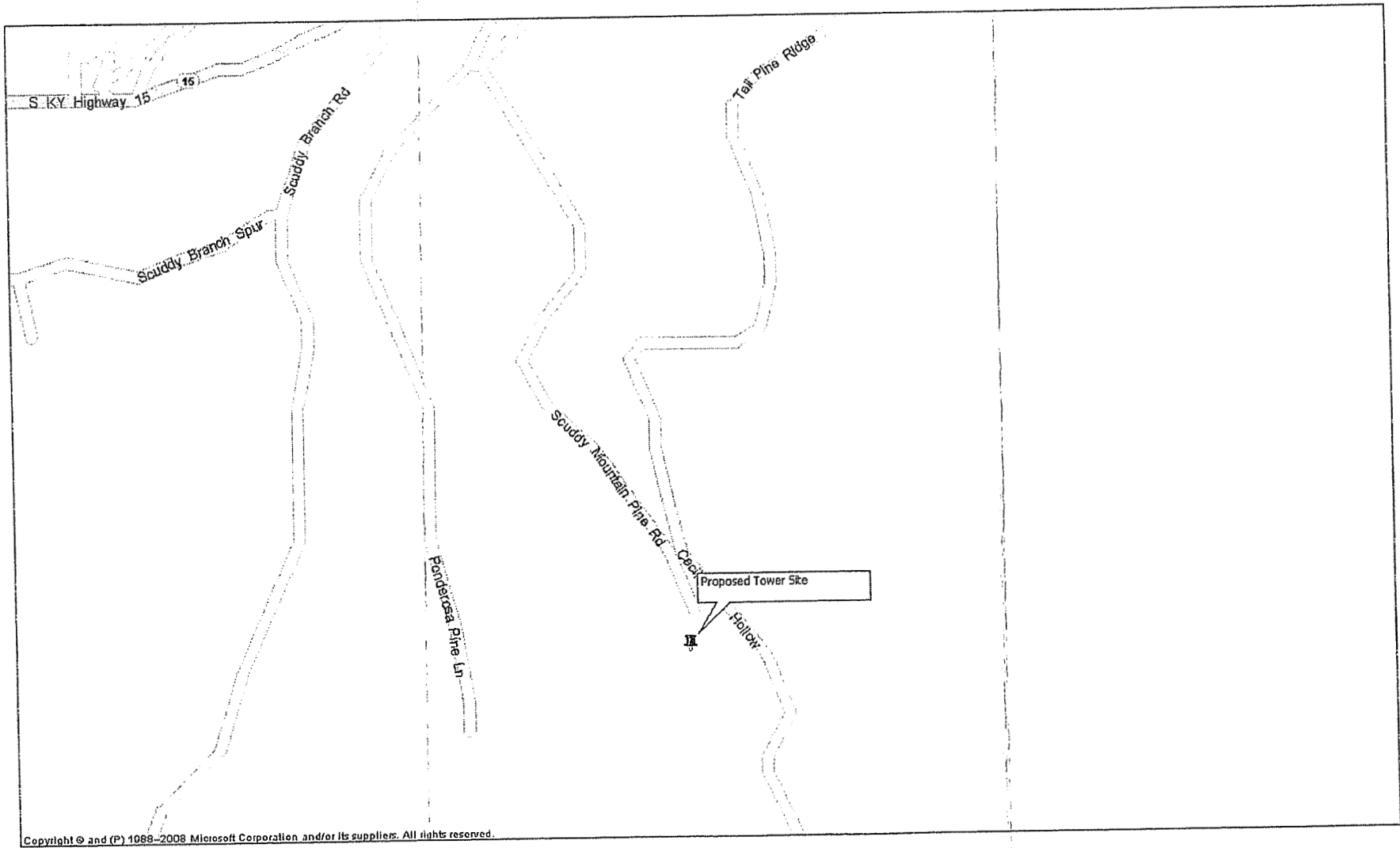
The Commission invites your comments regarding the proposed construction and wants you to be aware of your right to intervene in the Commission's proceedings on this application. Your comments and request for intervention should be addressed to: Kentucky Public Service Commission, Executive Director, 211 Sower Boulevard, P.O. Box 615, Frankfort, Kentucky 40602. Please refer to case number 2009-00258 in any correspondence.

Sincerely,



Todd R. Briggs
Counsel for New Cingular Wireless PCS, LLC

Enclosure



Directions to Site: From Hazard at the corner of State Route 451 (Main Street) and State Route 15B, proceed South on State Route 15B approximately 9.5 miles to Scuddy Mountain Pine Road and turn right. Follow Scuddy Mountain Pine Road to Site at end.

Prepared by: Briggs Law Office, PSC (502) 254-9756