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August 31, 2009

VIA CERTIFIED USPS MAIL

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

RECEIVED

SEP 04 2009

PUBLIC SERVICE  
COMMISSION

**RE: Application for Wireless Communications Facility Case Number 2009-00258.**

Dear Mr. Evans:

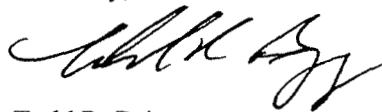
I am in receipt of your letter dated August 17, 2009 regarding the proposed wireless communications facility by New Cingular Wireless PCS, LLC on Scuddy Mountain Pine Road in Vicco, Kentucky.

Although I sympathize with your concern regarding access to your property, this seems to be a private matter between you and Mr. Combs and not associated with the above mentioned application. I will forward a copy of your letter to Mr. Combs so that he is made aware of your concerns and I would advise you to take the matter up with him directly.

Regarding the proximity of other wireless communication facilities within 5 miles of your home, New Cingular Wireless PCS, LCC only constructs tower sites that are necessary to complete the coverage objective for that certain FCC license area. We are obligated to provide coverage within the FCC license area and we do so with a minimum number of wireless communication facilities required. I have also enclosed a copy of the survey as you requested.

Please contact me if you have any further questions.

Sincerely,



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

Enclosure

Cc: Kentucky Public Service Commission w/o enclosure