



Steven L. Beshear
Governor

Leonard K. Peters
Secretary
Energy and Environment Cabinet

Commonwealth of Kentucky
Public Service Commission
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Frankfort, Kentucky 40602-0615
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David L. Armstrong
Chairman

James Gardner
Vice Chairman

Charles R. Borders
Commissioner

October 2, 2009

Honorable Patrick R. Hughes
Deters, Benzinger & LaVelle, P.S.C.
207 Thomas More Parkway
Crestview Hills, KY 41017

RE: Case No 2009-00261
Filing Deficiencies

The Commission staff has reviewed your application in the above case. This filing is rejected for the reasons set forth below.

1. Filing deficiencies pursuant to 807 KAR 5:063:

807 KAR 5:063: Section 1(1)(b) A copy of the utility's applications to the Kentucky Airport Zoning Commission.

807 KAR 5:063: Section 1(1)(l) 2. A statement that every person who, according to property valuation administrator's records, owns property within 500 feet of the proposed tower has been: Given the Commission docket number under which the application will be processed; and

807 KAR 5:063: Section 1(1)(n) 2. A statement that the local county judge, executive, has been: Given the Commission docket number under which the application will be processed; and

807 KAR 5:063: Section 1(1)(q) A statement that notice of the location of the proposed construction has been published in a newspaper of general circulation in the county in which the construction is proposed.

JD/tw

The statutory time period in which the Commission must process this case will not commence until the above-mentioned information is filed with the Commission. If your filing contains a proposed effective date, the rejection of your filing for reasons of deficiencies voids that proposed effective date. When you file the required information to correct the deficiencies, you may refile your proposed tariff with a new proposed effective date that is at least 30 days from the date you file the required information. You are requested to file 10 copies of this information within 15 days of date of this letter. If you need further assistance, please contact my staff at 502/564-3940.

Sincerely,



Jeff Derouen
Executive Director

JD/tw



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Tom Jankowski
New Cingular Wireless PCS, LLC dba AT&T Mobility, PCS
11760 US Highway 1, Suite 600
N. Palm Beach, FL 33408

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