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

James W. Gardner  
Vice Chairman

Charles R. Borders  
Commissioner

June 17, 2010

Mr. Dean Littrell  
5454 South Highway 27  
Somerset, KY 42501

Re: Case No. 2010-00006  
Application of Bluegrass Wireless LLC for Issuance of a Certificate of  
Public Convenience and Necessity to Construct a Wireless  
Telecommunications Facility (Slate Branch) in Rural Service Area #6  
(Pulaski) of the Commonwealth of Kentucky

Dear Mr. Littrell:

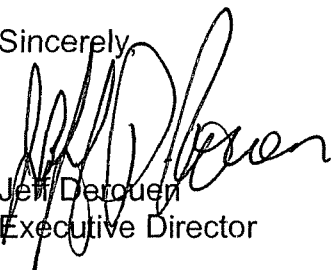
This letter is in response to your letter dated May 11, 2010, stating concerns regarding a cellular tower being constructed at 85 Chappell Way. It is unclear from your letter whether you are seeking to personally intervene in this matter or you merely want your concerns to be filed in the record and considered by the Commission in rendering a decision in this matter.

Intervention in a case before the Commission is governed by 807 KAR 5:001, Section 3(8)(a) and (b). According to this regulation, any person who wishes to become a party to an action may move the Commission for leave to intervene. A person requesting to intervene will be granted limited intervention unless he submits a written request for full intervention. Limited intervention means that the person will be given full rights at the hearing in which he appears and shall receive copies of all orders. However, he will not receive copies of filed testimony, exhibits, pleadings, correspondence and all other documents submitted by parties. A copy of the regulation is enclosed for your review.

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You shall have until June 30, 2010 to respond to this letter and state whether or not you are seeking intervention in this matter and, if so, whether you want limited or full intervention. If a response is not received by June 30, 2010, the Commission will consider your letter as a public comment letter and it will be filed in the record and considered by the Commission. If you have any questions, you may contact Allyson Honaker, Staff Attorney, at (502) 564-3940 ext 265.

Sincerely,



Jeff Derouen  
Executive Director

JD/ah

cc: Parties of Record

Kentucky Administrative Regulations

Title 807. Public Protection and Regulation Cabinet Public Service Commission

Chapter 5. Utilities

→ **807 KAR 5:001. Rules of procedure**

Section 3. General Matters Pertaining to All Formal Proceedings.

- (1) Address of the commission. All communications should be addressed to "Public Service Commission, Frankfort, Kentucky."
- (2) Case numbers and styles. Each matter coming formally before the commission will be known as a case and will receive a number and style, descriptive of the subject matter. Such number and style shall be placed on all subsequent papers in such case.
- (3) Form of papers filed. All pleadings and applications filed with the commission in formal proceedings shall be printed or typewritten on one (1) side of the paper only, and typewriting shall be double spaced.
- (4) Signing of pleadings. Every pleading of a party represented by an attorney shall be signed by at least one (1) attorney of record in his individual name and shall state his address. Except when otherwise specifically provided by statute, pleadings need not be verified or accompanied by affidavit.
- (5) Amendment. At its discretion, the commission may allow any complaint, application, answer or other paper to be amended or corrected or any omission supplied therein.
- (6) Witnesses and subpoenas.
  - (a) Upon the application of any party to a proceeding, subpoenas requiring the attendance of witnesses for the purpose of taking testimony may be signed and issued by a member of the commission.
  - (b) Subpoenas for the production of books, accounts, papers or records (unless directed to issue by the commission on its own authority) will be issued only at the discretion of the commission, or any commissioner, upon application in writing, stating as nearly as possible the books, accounts, papers or records desired to be produced.
- (7) Service of process. When any party has appeared by attorney, service upon such attorney will be deemed proper service upon the party.
- (8) Intervention and parties. In any formal proceeding, any person who wishes to become a party to a proceeding before the commission may by timely motion request that he be granted leave to intervene. Such motion shall include his name and address and the name and address of any party he represents and in what capacity he is employed by such party.
  - (a) Each person granted leave to intervene shall be considered as making a limited intervention unless he submits to the secretary a written request for full intervention. A person making only a limited intervention shall be entitled to the full rights of a party at the hearing in which he appears and shall be served with the commission's order, but he shall not be served with filed testimony, exhibits, pleadings, correspondence and all other documents submitted by parties. A person making a limited appearance will not be certified as a party for the purposes of receiving service of any petition for rehearing or petition for judicial review.
  - (b) If a person granted leave to intervene desires to be served with filed testimony, exhibits, pleadings, correspondence and all other documents submitted by parties, and to be certified as a party for the purposes of receiving service of any petition for rehearing or petition for judicial review, he shall submit in writing to the secretary a request for full intervention, which shall specify his interest in the proceeding. If the

commission determines that a person has a special interest in the proceeding which is not otherwise adequately represented or that full intervention by party is likely to present issues or to develop facts that assist the commission in fully considering the matter without unduly complicating or disrupting the proceedings, such person shall be granted full intervention.