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March 17, 2010

Honorable James E. Staples  
Woodford County Magistrate  
103 South Main  
Woodford County Courthouse  
Versailles, KY 40383

Re: Case No. 2010-00015  
Application of New Cingular Wireless PCS, LLC for Issuance of a  
Certificate of Public Convenience and Necessity to Construct a Wireless  
Communications Facility at 3950 Lexington Road, Versailles, Woodford  
County, Kentucky 40383  
Site Name: Little Texas (252PO127)

Mr. Staples:

On March 11, 2010, the Kentucky Public Service Commission ("Commission") received your letter wherein you requested intervention, requested the Commission hold a public hearing on the construction application and provided comments and questions with respect to the application.

By Order dated February 26, 2010 the Commission placed the New Cingular Wireless PCS, LLC ("New Cingular") tower application in abeyance. This proceeding is being placed in abeyance pending a ruling by the Kentucky Supreme Court in a related matter concerning this Commission's jurisdiction over applications to build wireless communications towers at locations within the political boundary of a local planning commission that has adopted planning and zoning regulations. The Supreme Court matter is styled *Kentucky Public Service Commission v. L. Glenn Shadoan, et al.*, Case No. 2009-SC-000053-DR.

The Commission's jurisdiction over New Cingular's current application to build a tower in Woodford County is largely dependent upon the Supreme Court's decision. Please note that although New Cingular's application will be affected by the ruling, New Cingular is not a party in the Supreme Court action.

As the application has been placed in abeyance, the Commission will not undertake a review of New Cingular's application or your request for intervention or a public hearing until such time as this proceeding becomes active again. The Commission will notify you either by letter or by Order once the proceeding becomes active. No further action will be required by you at this time.

If you have any questions or concerns regarding this matter, please contact Commission Staff Attorney Tiffany Bowman at (502) 564-3940, ext. 465.

Sincerely,



Jeff Derouen  
Executive Director

JD/tjb

cc: Main Case File – 2010-00015  
Hon. Alan George – Woodford County Attorney  
Parties of Record  
All Woodford County Magistrates  
Woodford County Judge/Executive