

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC APPLICATION OF CELLCO)	
PARTNERSHIP D/B/A VERIZON WIRELESS FOR)	CASE NO.
APPROVAL OF CO-LOCATION ON EXISTING)	2023-00126
TOWER)	

ORDER

On April 13, 2023, Cellco Partnership d/b/a Verizon Wireless (Verizon Wireless) filed a notice of intent to use electronic filing, stating that it would file an application for a certificate of public convenience and necessity (CPCN) to co-locate on an existing cell tower no later than April 18, 2023.¹

LEGAL STANDARD

Commission regulation 807 KAR 5:001, Section 8, provides that an applicant must file a written notice of intent to use electronic filing procedures at least seven days prior to submitting an application. In Case No. 2022-00311, the Commission, on its own motion, granted deviation from the regulation and ordered that applicants shall file written notice of its election to use electronic filing procedures using the Notice of Election of Use of Electronic Filing Procedures form at least three days prior to the submission of its application.²

¹ The Commission notes that the date on the notice is April 23, 2022, which the Commission reads as a typographical error.

² See Case No. 2022-00311, *Review of Electronic Filing Procedures in 807 KAR 5:001, Section 8(2), (4), and (6)* (Ky. PSC Oct. 6, 2022), Order.


Additionally, KRS 278.040(3) authorizes the Commission to promulgate reasonable administrative regulations to implement the provisions of KRS Chapter 278.

DISCUSSION AND FINDINGS

Given that the intended application date has long passed, in the interest of administrative efficiency the Commission finds that Verizon Wireless should either file a notice withdrawing its notice of intent or file an amended notice of intent to use electronic filing with a date certain when the application will be filed within 30 days of the date of service of this Order. If Verizon Wireless fails to submit the required filing within 30 days of the date of service of this Order, the Commission, by separate Order will enter an Order dismissing this matter.

IT IS THEREFORE ORDERED that within 30 days of the date of service of this Order, Verizon Wireless shall file with the Commission either a notice withdrawing its notice of intent to use electronic filing or an amended notice of intent to use electronic filing with a date certain that the application will be filed.

PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman


Commissioner

ENTERED
OCT 06 2023
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KENTUCKY PUBLIC
SERVICE COMMISSION

ATTEST:


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