

**COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION**

RECEIVED

DEC 16 2015

PUBLIC SERVICE
COMMISSION

In the matter of:

THE APPLICATION OF EAST KENTUCKY NETWORK)
LIMITED LIABILITY COMPANY FOR THE ISSUANCE)
OF A CERTIFICATE OF PUBLIC CONVENIENCE AND) CASE No 2015-00369
NECESSITY TO CONSTRUCT A TOWER IN MAGOFFIN)
COUNTY, KENTUCKY).

East Kentucky Network, LLC, d/b/a Appalachian Wireless, was granted authorization to provide cellular service in the KY-9 Cellular Market Area (CMA451) by the Federal Communications Commission (FCC). FCC license is included as Exhibit 1. East Kentucky Network, LLC merger documents were filed with the Commission on February 2, 2001 in Case # 2001-022. East Kentucky Network, LLC is a Kentucky Limited Liability Company that was organized on June 16, 1998. East Kentucky Network, LLC is in good standing with the state of Kentucky.

In an effort to improve service in Magoffin County, East Kentucky Network, LLC pursuant to KRS 278.020 Subsection 1 and 807 KAR 5:001 Section 9 is seeking the Commission's approval to construct a 300 foot self-supporting tower on a tract of land located near HC 60 Box 553, Salyersville, Magoffin County, Kentucky (37°38'10.2625"N 83°04'11.0369"W). A map and detailed directions to the site can be found in Exhibit 7.

Exhibit 2 is a list of all Property owners or residents according to the property valuation administrator's record who reside or own property within 500 feet of the proposed tower in accordance with the Public Valuation Administrator. No other properties are contiguous with East Kentucky Network's property.

Pursuant to 807 KAR 5:063 Section 1 (1)(L) and Section 1(1)(n)(1) all affected property owners according to the property valuation administrator's record who reside or own property

within 500 feet of the proposed Tower were notified by certified mail return receipt requested of East Kentucky Network, LLC's proposed construction and informed of their right to intervene. They were given the docket number under which this application is filed. Enclosed in Exhibit 2 is a copy of that notification.

Magoffin County has no formal local planning unit. In absence of this unit the Magoffin County Judge Executive's office was notified by certified mail, return receipt requested of East Kentucky Network Limited Liability Company's proposal and informed of their right to intervene. They were given the docket number under which this application is filed. Enclosed in Exhibit 3 is a copy of that notification.

Notice of the location of the proposed construction was published in the The Salyersville Independent, December 17, 2015, edition. Enclosed is a copy of that notice in Exhibit 3. The Salyersville Independent is the newspaper with the largest circulation in Magoffin County.

A geologist was employed to determine soil and rock types and to ascertain the distance to solid bedrock. The geotechnical report is enclosed as Exhibit 3.

A copy of the tower design information is enclosed as Exhibit 5. The proposed tower has been designed by engineers at World Tower Company, Inc. and will be constructed under their supervision. Their qualifications are evidenced in Exhibit 5 by the seal and signature of the registered professional engineer responsible for this project.

The tower will be erected by S & S Tower Services of St. Albans, West Virginia. S & S Tower Services has vast experience in the erection of communications towers.

FAA and Kentucky Airport Zoning Commission applications are included as Exhibit 6.

No Federal Communications Commission approval is required prior to construction of this facility. Once service is established from this tower we must immediately notify the Federal Communications Commission of its operation. Prior approval is needed only if the proposed

facility increases the size of the cellular geographic service area. This cell site will not expand the cellular geographic service area.

East Kentucky Network, LLC will finance the subject Construction with earned surplus in its General Fund.

Estimated Cost of Construction	\$ 350,000.00
Annual Operation Expense of Tower	\$ 12,500.00

Two notice signs meeting the requirements prescribed by 807 KAR 5:063, Section 1(2), measuring at least two (2) feet in height and four (4) feet in width and containing all required language in letters of required height, have been posted, one at a visible location on the proposed site and one on the nearest public road. The two signs were posted on November 17, 2015, and will remain posted for at least two weeks after filing of this application as specified.

Enclosed in Exhibit 8 is a copy of East Kentucky Network LLC's Memorandum for the site location along with a lot description.

The proposed construction site is on a very rugged mountaintop some feet from the nearest structure.

Due to the steep hillside surrounding the proposed site, the property in close proximity is unsuitable for any type of development. East Kentucky Network LLC's operation will not affect the use of nearby land nor its value. No more suitable site exists in the area. A copy of the search area map is enclosed in Exhibit 7. No other tower capable of supporting East Kentucky Network, LLC's load exists in the general area; therefore, there is no opportunity for co-location of our facilities with anyone else.

Enclosed, and filed as Exhibit 9 is a survey of the proposed tower site signed by a Kentucky registered professional engineer.

Exhibit 11 contains a vertical sketch of the tower supplied by Mark Sanders, Kentucky registered professional engineer.

WHEREFORE, Applicant respectfully requests that the PSC accept the foregoing Application for filing, and having met the requirements of KRS [278.020(1), 278.650, and 278.665] and all applicable rules and regulations of the PSC, grant a Certificate of Public Convenience and Necessity to construct and operate the proposed tower.

The foregoing document was prepared by staff at East Kentucky Network, LLC d/b/a Appalachian Wireless, and reviewed by William S. Kendrick, Attorney at Law. All related questions or correspondence concerning this filing should be mailed to East Kentucky Network, LLC d/b/a/ Appalachian Wireless, 101 Technology Trail, Ivel, KY 41642.

SUBMITTED BY: Lynn Haney DATE: 12-11-15
Lynn Haney, Regulatory Compliance Director

APPROVED BY: W.A. Gillum DATE: 12-14-15
W.A. Gillum, General Manager

ATTORNEY: William S. Kendrick DATE: 12-14-15
Hon. William S. Kendrick, Attorney

CONTACT INFORMATION:

W.A. Gillum, General Manager
Phone: (606) 477-2355, Ext. 111
Email: wagillum@ekn.com

Lynn Haney, Regulatory Compliance Director
Phone: (606) 477-2355, Ext. 1007
Email: lhaney@ekn.com

William S. Kendrick, Attorney
Phone: (606) 263-4943
Email: wkendrick@pennstuart.com

Mailing Address:

**East Kentucky Network, LLC
d/b/a Appalachian Wireless
101 Technology Trail
Ivel, KY 41642**

1	FCC License
2	Copies of Cell Site Notices to Land Owners
3	Notification of County Judge Executive and Newspaper Advertisement
4	Universal Soil Bearing Analysis
5	Tower Design
6	FAA and KAZC Applications
7	Driving Directions from County Court House and Map to Suitable Scale
8	Memorandum for Proposed Site with Legal Description
9	Survey of Site Signed/Sealed by Professional Engineer Registered in State of Kentucky
10	Site Survey Map with Property Owners Identified in Accordance with PVA of County
11	Vertical Profile Sketch of Proposed Tower
12	

Cellular License - KNKN880 - East Kentucky Network, LLC d/b/a Appalachian Wireless

Call Sign	KNKN880	Radio Service	CL - Cellular
Status	Active	Auth Type	Regular

Market

Market	CMA451 - Kentucky 9 - Elliott	Channel Block	B
Submarket	0	Phase	2

Dates

Grant	08/30/2011	Expiration	10/01/2021
Effective	08/30/2011	Cancellation	

Five Year Buildout Date

10/23/1996

Control Points

1 U.S. 23, HAROLD, KY

Licensee

FRN	0001786607	Type	Limited Liability Company
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Licensee

East Kentucky Network, LLC d/b/a Appalachian Wireless 101 Technology Trail Ivel, KY 41642 ATTN Gerald Robinette, Manager	P:(606)477-2355 F:(606)874-7551
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Contact

Lukas, Nace, Gutierrez & Sachs, LLP Pamela L Gist Esq 8300 Greensboro Drive McLean, VA 22102	P:(703)584-8665 F:(703)584-8695 E:pgist@fcclaw.com
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Ownership and Qualifications

Radio Service	Mobile	Type	
Regulatory Status	Common Carrier	Interconnected	Yes

Alien Ownership

The Applicant answered "No" to each of the Alien Ownership questions.

Basic Qualifications

The Applicant answered "No" to each of the Basic Qualification questions.

EXHIBIT II: LIST OF PROPERTY OWNERS:

Statement Pursuant to Section 1 (1) (I) 807 KAR 5:063

Section 1 (1)(I) 1. The following is a list of every property owner who according to property valuation administrator's records, owns property within 500 feet of the proposed tower and each have been: notified by certified mail, return receipt requested, of the proposed construction,

Section 1 (1)(I) 2. Every person listed below who, according to the 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

Section 1 (1)(I) 3. Every person listed below who, according to property valuation administrator's records owns property within 500 feet of the proposed tower has been: Informed of his right to request intervention.

LIST OF PROPERTY OWNERS

Greg and Lois Minix
HC 60 Box 553
Salyersville, KY 41465

Gary and Cynthia Howard
HC 60 Box 542
Salyersville, KY 41465

R.C. and Rotha Jean Owens
HC 60 Box 525
Salyersville, KY 41465

Sara Rowe Heirs
C/O Bert Minix
P.O. Box 232
Alger, OH 45812



VIA: U.S. CERTIFIED MAIL

PUBLIC NOTICE

December 10, 2015

Greg and Lois Minix
HC 60 Box 553
Salyersville, KY 41465

RE: Public Notice-Public Service Commission of Kentucky (Case No. 2015-00369)

East Kentucky Network, LLC d/b/a Appalachian Wireless has applied to the Public Service Commission of Kentucky for a Certificate of Public Convenience and Necessity to construct and operate a new facility to provide cellular telecommunications service in Magoffin County. The facility will include a **300-foot self-supporting tower with attached antennas extending upwards, and an equipment shelter** located on a tract of land near HC 60 Box 553, Salyersville, Magoffin County, Kentucky. A map showing the location of the proposed new facility is enclosed. This notice is being sent to you because you may own property or reside within a 500' radius of the proposed tower.

The Commission invites your comments regarding the proposed construction. You also have the right to intervene in this matter. The Commission must receive your initial communication within 20 days of the date of this letter as shown above.

Your comments and request for intervention should be addressed to: Executive Director's Office, Public Service Commission of Kentucky, P.O. Box 615, Frankfort, KY 40602. Please refer to Case No. 2015-00369 in your correspondence.

If you have any questions for East Kentucky Network, LLC, please direct them to my attention at the following address: East Kentucky Network, LLC, 101 Technology Trail, Ivel, KY 41642 or call me at 606-477-2355, Ext. 1007.

Sincerely,

A handwritten signature in cursive script that reads "Lynn Haney".

Lynn Haney
Regulatory Compliance Director
Enclosure 1



VIA: U.S. CERTIFIED MAIL

PUBLIC NOTICE

December 10, 2015

Gary and Cynthia Howard
HC 60 Box 542
Salyersville, KY 41465

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Sincerely,

Lynn Haney
Regulatory Compliance Director
Enclosure 1



VIA: U.S. CERTIFIED MAIL

PUBLIC NOTICE

December 10, 2015

R.C. and Rotha Jean Owens
HC 60 Box 525
Salyersville, KY 41465

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Sincerely,

Lynn Haney
Regulatory Compliance Director
Enclosure 1

EAST KENTUCKY NETWORK
TECHNOLOGY TRAIL
KY 41642
PHONE: (606) 874-7550
FAX: (606) 874-7551

VIA: U.S. CERTIFIED MAIL



PUBLIC NOTICE

December 10, 2015

Sara Rowe Heirs
C/O Bert Minix
P.O. Box 232
Alger, OH 45812

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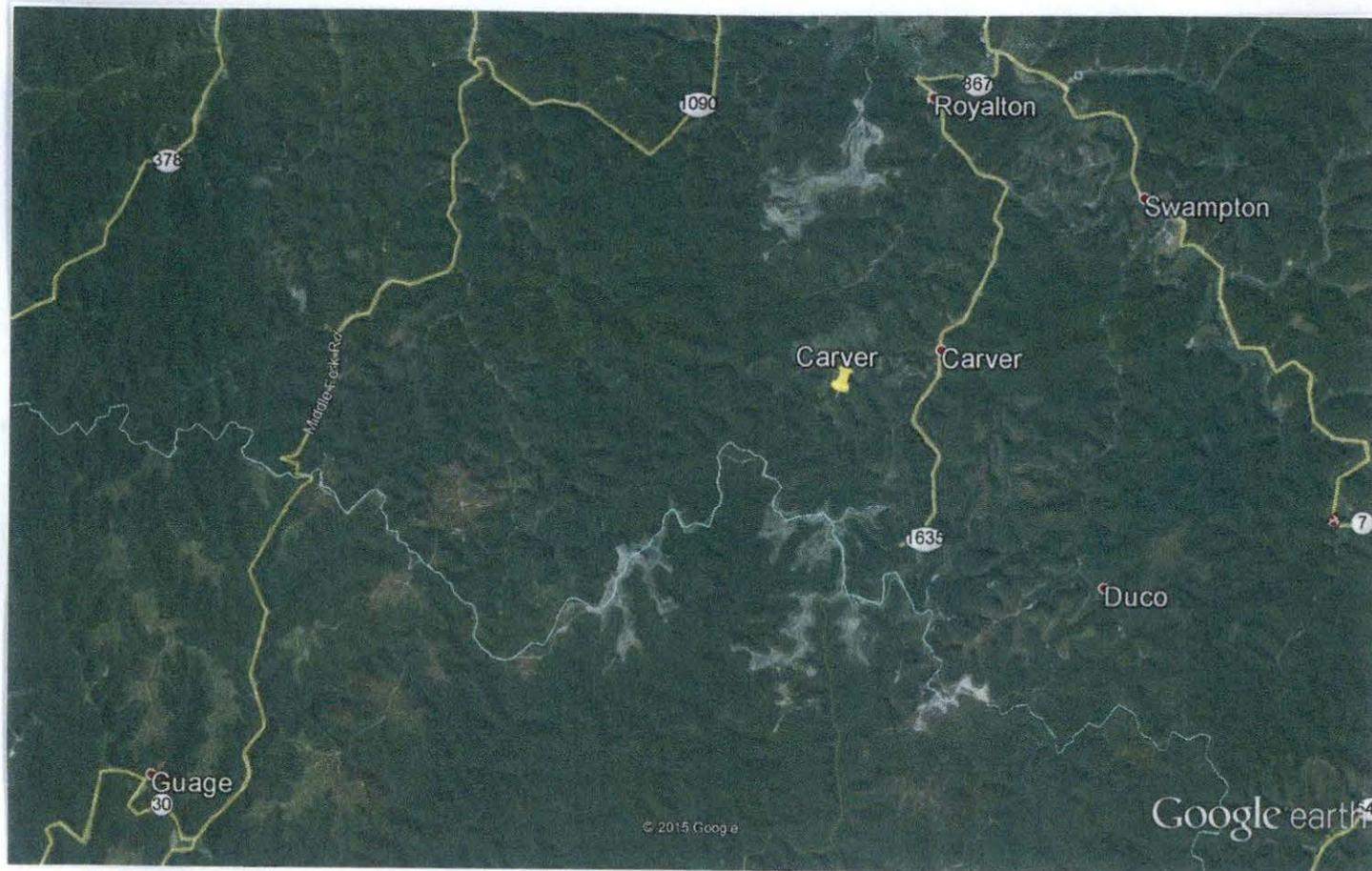
If you have any questions for East Kentucky Network, LLC, please direct them to my attention at the following address: East Kentucky Network, LLC, 101 Technology Trail, Ivel, KY 41642 or call me at 606-477-2355, Ext. 1007.

Sincerely,

A handwritten signature in cursive script that reads "Lynn Haney".

Lynn Haney
Regulatory Compliance Director
Enclosure 1

Appalachian Wireless Location Map



Site Name
Carver

Location
HC 60 Box 553 Salyersville, KY.

GPS Location
N 37 38 10.26
W 83 04 11.03



VIA: U.S. CERTIFIED MAIL

December 10, 2015

Charles "Doc" Hardin, Judge Executive
P.O. Box 430
Salyersville, KY 41465

RE: Public Notice-Public Service Commission of Kentucky (Case No. 2015-00369)

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The Commission invites your comments regarding the proposed construction. You also have the right to intervene in this matter. The Commission must receive your initial communication within 20 days of the date of this letter as shown above.

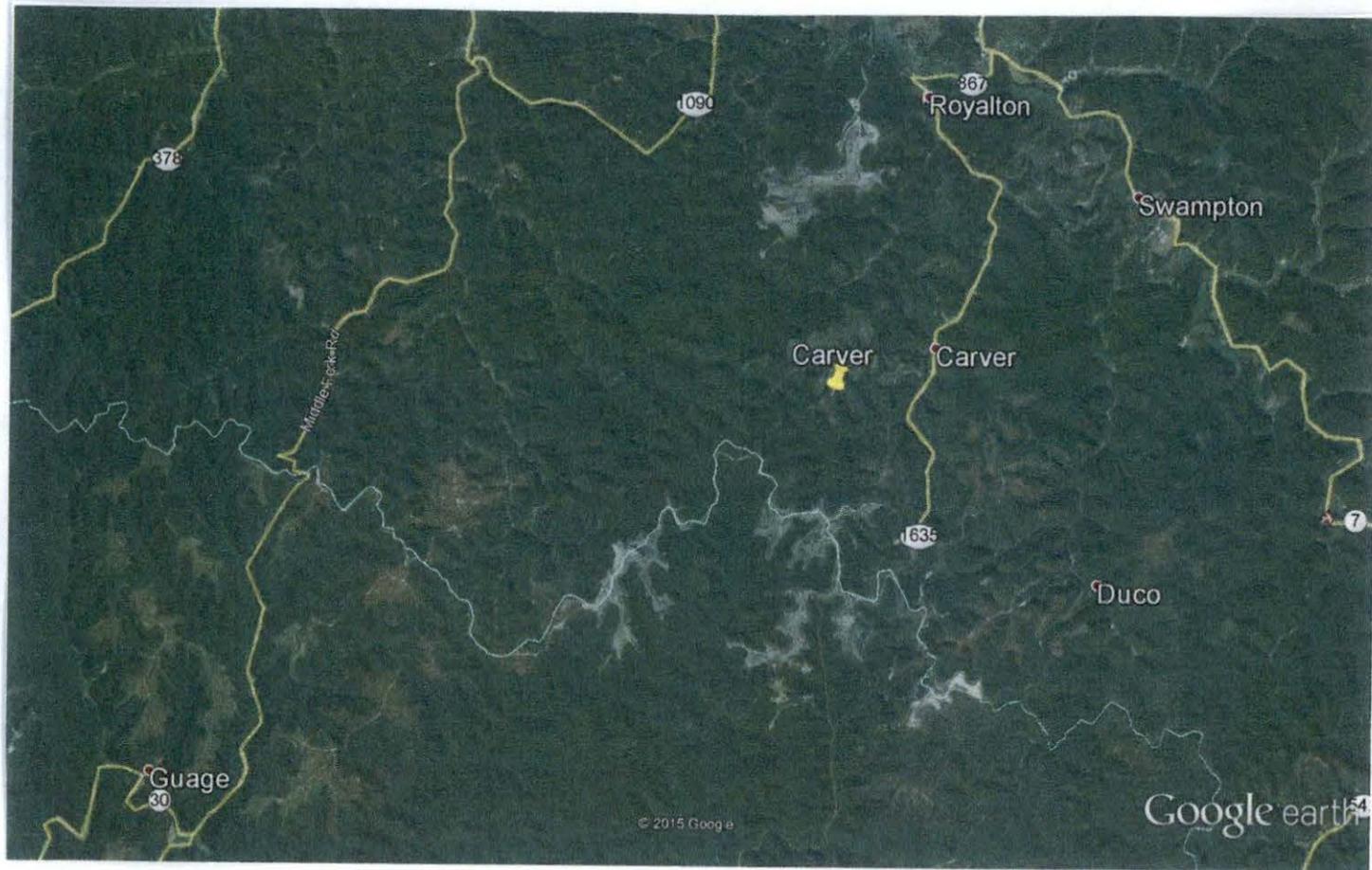
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Sincerely,

Lynn Haney
Regulatory Compliance Director
Enclosure

Appalachian Wireless Location Map



Site Name

Carver

Location

HC 60 Box 553 Salyersville, KY.

GPS Location

N 37 38 10.26

W 83 04 11.03

dba Appalachian Wireless
101 Technology Trail
Ivel, KY 41642
Phone: 606-477-2355
Fax: 606-791-2225

EAST KENTUCKY
NETWORK



To: The Salyersville Independent
Attn: Classifieds

From: Raina Helton
Regulatory Compliance Assistant

Email: jo@salyersvilleindependent.com

Date: December 10, 2015

Re: PUBLIC NOTICE ADVERTISEMENT

Pages: 1

Please place the following Public Notice Advertisement in The Salyersville Independent to be ran on December 17, 2015.

PUBLIC NOTICE:

RE: Public Service Commission of Kentucky (CASE NO. 2015-00369)

Public Notice is hereby given that East Kentucky Network, LLC, dba Appalachian Wireless has applied to the Kentucky Public Service Commission to construct a cellular telecommunications tower on a tract of land located near HC 60 Box 553, Salyersville, Magoffin County, Kentucky. The proposed tower will be a 300 foot self-supporting tower with attached antennas. If you would like to respond to this notice, please contact the Executive Director, Public Service Commission, 211 Sower Boulevard, PO Box 615, Frankfort, Kentucky 40602. Please refer to Case No. 2015-00369.

If you have any questions about the placement of the above mentioned notice, please call me at 606-477-2375, ext. 1005.

Thank you,

Raina Helton
Regulatory Compliance Assistant

The message above and the information contained in the documents transmitted are confidential and intended only for the person(s) named above. Dissemination, distribution or copying of this communication by anyone other than the person(s) named above is prohibited. If you have received this communication in error, please notify us immediately by telephone and return the original message to us at the address listed above via regular mail. Thank you.

WENDELL R. HOLMES, P.G.

424 Pear Street
Hazard, KY 41701
November 6, 2015

Carver Tower Site

Purpose:

A site assessment was conducted for Appalachian Wireless on a tract of land located in Magoffin County near Carver, Kentucky. The site of the proposed tower is a reclaimed surface mine. The purpose of this investigation was to determine the depth to bedrock and of what type of rock the bedrock consists.

Site Investigation:

The trenching method was used to determine the type of bedrock material at the proposed tower site. A Kubota excavator was used to dig a trench to expose the sandstone material. (See attached page for descriptions of materials encountered.)

The terrain in Magoffin County is slightly to moderately steep. The tower site is located on top of a ridge 1.10 miles southwest of the community of Carver, KY in Magoffin County. The sandstone bedrock below the tower site is approximately 9.00 feet deep based on the information obtained from the site investigation and geological maps of the area.

Conclusions:

The proposed tower site is located on a ridge in the area. Tests were not conducted to determine the load-bearing strength of the sandstone bedrock. However, it is apparent that the tower will be constructed on the sandstone material.

The field work for this site was performed by Wendell R. Holmes, using generally accepted methods in the practice of geological science.

Wendell R. Holmes, G.


WENDELL R. HOLMES, P.G.

**424 Pear Street
Hazard, Ky. 41701
(606)438-7250**

Geologist Log

Location: Carver Tower Site

Unit Thickness	Total depth	Strata	Description
9.00'	9.00'	Mine Fill	Shale, Sandstone, Rocks and Fragments
10.00'	19.00'	Sandstone	Gray and Hard



World Tower
COMPANY, INC.

1213 Compressor Drive
P.O. Box 508
Mayfield, KY 42066
270-247-3642
FAX: 270-247-0909
E-mail: worldtower@worldtower.com
Web: www.worldtower.com

300' MODEL WSST TOWER
FOR: APPALACHIAN WIRELESS
SITE: CARVER, KY
DESIGN PACKAGE



11-19-2015

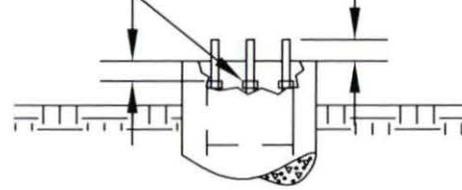
GENERAL NOTES

1. WELDED CONNECTIONS SHALL CONFORM TO THE LATEST REVISION OF THE AMERICAN WELDING SOCIETY AWS. D 1.1.
2. TOWER AND ALL FABRICATED ACCESSORIES ARE HOT-DIP GALVANIZED.
3. ALL BOLTS SHALL BE GALVANIZED ACCORDING TO THE STANDARD SPECIFICATION FOR ZINC COATING OF IRON AND STEEL HARDWARE ASTM A153.
4. LEG STEEL IS 50 KSI MIN YIELD SOLID ROUND OR PIPE AND BRACING STEEL IS 36 KSI MIN YIELD SOLID ROUND OR STRUCTURAL ANGLE.
5. ALL STRUCTURAL BOLTS ARE ASTM A325.
6. TOWER SHOULD BE INSPECTED IN ACCORDANCE WITH TIA-222-G EVERY 5 YEARS.
7. TOWER INSPECTION SHOULD ONLY BE PERFORMED BY EXPERIENCED QUALIFIED PERSONNEL. FOR ASSISTANCE IN PROPER MAINTENANCE OF YOUR TOWER, CALL WORLD TOWER AT 270-247-3642.



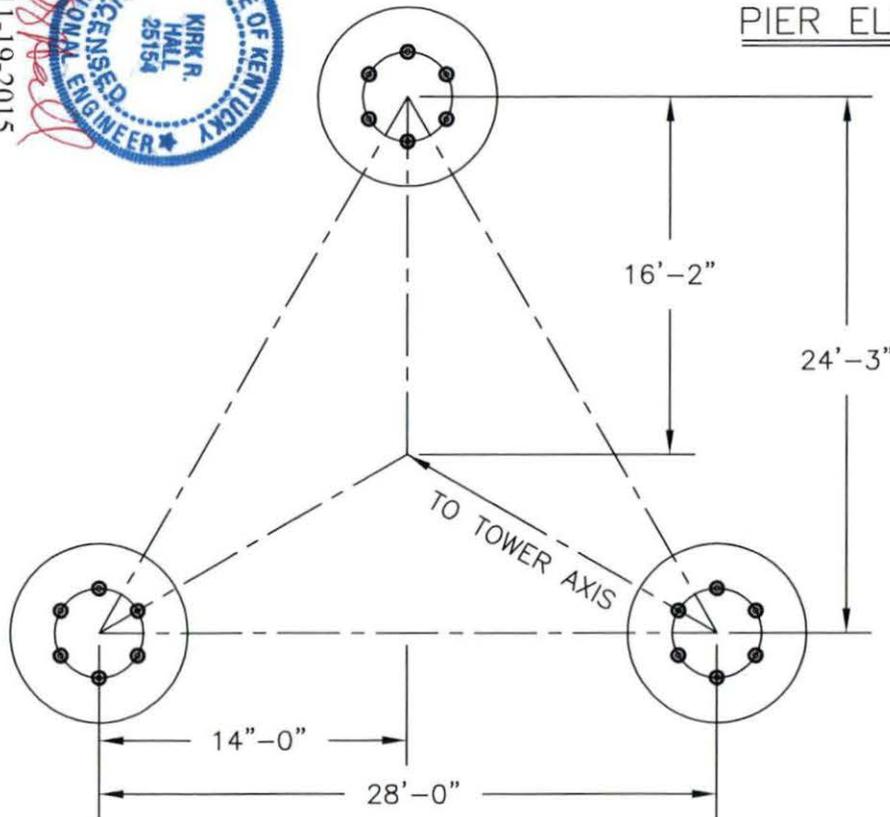
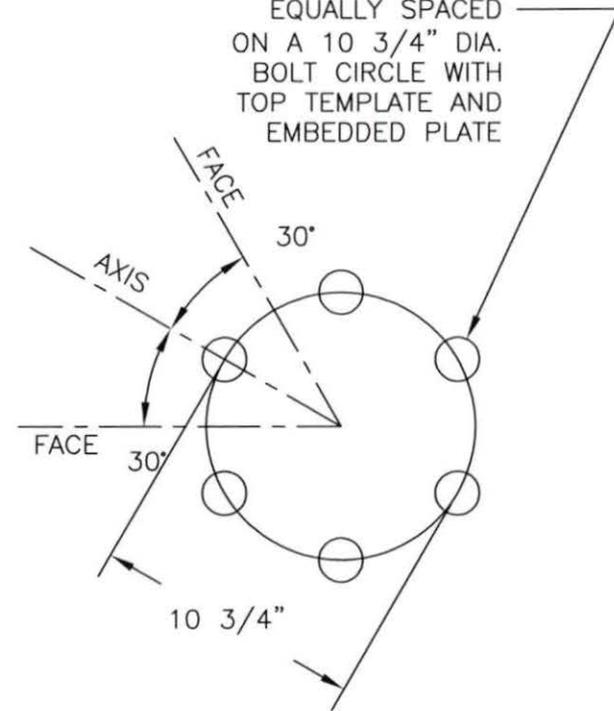
WORLD TOWER				
TITLE: 300' MODEL WSST TOWER FOR: APPALACHIAN WIRELESS SITE: CARVER, KY				
SCALE	DWN.	LKG	CKD.	DATE 11-19-15
FILE	DWG. NO.			Q15868N

GALVANIZED NUT TYP. 3" MIN. 8" PROJ.



PIER ELEVATION

ANCHOR BOLTS
 (6) 1 1/2" ϕ X 78"
 (ASTM A354 GR. BC)
 EQUALLY SPACED
 ON A 10 3/4" DIA.
 BOLT CIRCLE WITH
 TOP TEMPLATE AND
 EMBEDDED PLATE

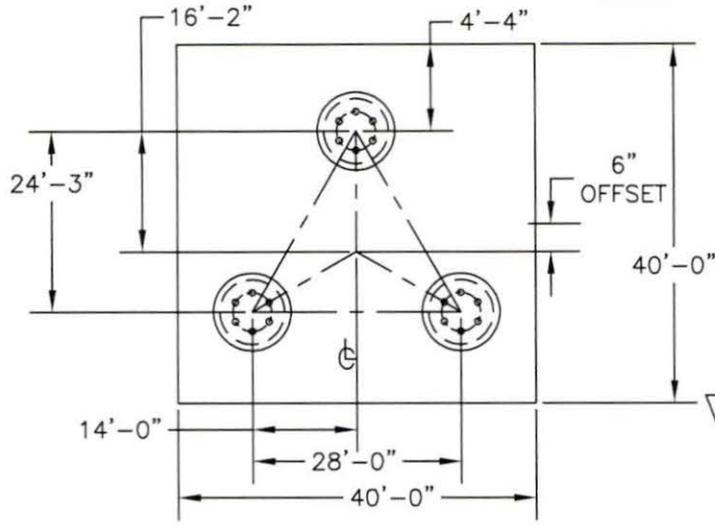


TITLE:

300' MODEL WSST TOWER
 FOR: APPALACHIAN WIRELESS
 SITE: CARVER, KY

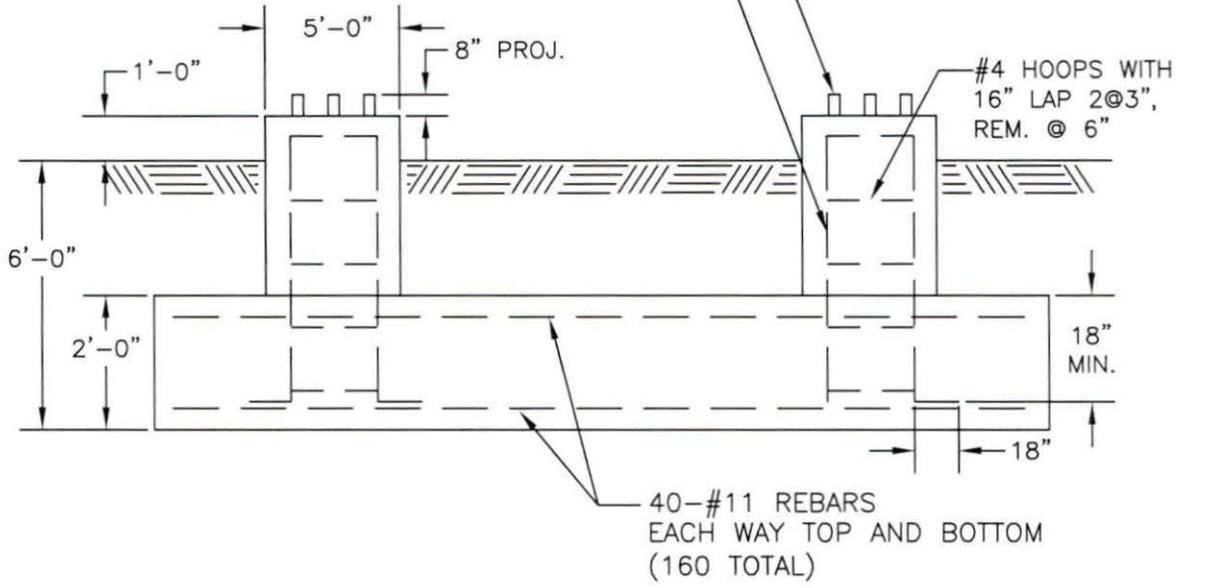
WORLD TOWER

SCALE	NONE	DWN.	LKG	CKD.	DATE	11-19-15
FILE				DWG. NO.	Q15868AB	



129.4 CU. YDS.
CONCRETE REQ'D.

BASE REACTIONS	
OTM:	13612.0 FT. KIPS
COMP.	595.0 KIPS
UPLIFT	501.0 KIPS
SHEAR (3 LEGS)	87.0 KIPS
WT. NO ICE	100.0 KIPS
WT. 3/4" ICE	331.0 KIPS



11-19-2015

GENERAL NOTES

1. CONCRETE TO HAVE 4000 PSI MIN. COMPRESSIVE STRENGTH AFTER 28 DAYS.
2. ALL REINFORCMENT STEEL IS DEFORMED AND MEETS THE STRENGTH REQUIREMENTS OF ASTM A615 GRADE 60.
3. EMBEDDED STEEL TO HAVE 3" MIN. CONCRETE COVER.
4. FOUNDATION DESIGN IS BASED ON CUSTOMER SUPPLIED SOIL DATA FROM WENDELL HOLMES. DATED NOVEMBER 6, 2015.

TITLE: FOUNDATION DETAIL
300' WSST TOWER
FOR: APPALACHIAN WIRELESS
SITE: CARVER, KY

WORLD TOWER

SCALE NONE	DWN. LKG	CKD.	DATE 11-19-15
FILE	DWG. NO. Q15868F		



Notice of Proposed Construction or Alteration - Off Airport

[Add a new Case Off Airport - Desk Reference Guide V_2015.4.0](#)

[Add a New Case Off Airport for Wind Turbines - Met Towers - Desk Reference Guide V_2015.4.0](#)

Project Name: EAST -000347605-15

Sponsor: East Kentucky Network, LLC

Details for Case : Carver

[Show Project Summary](#)

Case Status

ASN: 2015-ASO-19105-OE

Status: Accepted

Public Comments: None

Date Accepted: 11/06/2015

Date Determined:

Letters: None

Documents: 11/06/2015

Project E
None

Construction / Alteration Information

Notice Of: Construction

Duration: Permanent

if Temporary : Months: Days:

Work Schedule - Start: 12/15/2015

Work Schedule - End: 12/20/2015

***For temporary cranes-Does the permanent structure require separate notice to the FAA?
To find out, use the Notice Criteria Tool. If separate notice is required, please ensure it is filed.
If it is not filed, please state the reason in the Description of Proposal.**

State Filing: Filed with State

Structure Summary

Structure Type: Tower

Structure Name: Carver

FDC NOTAM:

NOTAM Number:

FCC Number:

Prior ASN:

Structure Details

Latitude: 37° 38' 10.26" N

Longitude: 83° 4' 11.03" W

Horizontal Datum: NAD83

Site Elevation (SE): 1337 (nearest foot)

Structure Height (AGL): 310 (nearest foot)

Current Height (AGL): (nearest foot)

*** For notice of alteration or existing provide the current
AGL height of the existing structure.
Include details in the Description of Proposal**

Minimum Operating Height (AGL): (nearest foot)

*** For aeronautical study of a crane or construction equipment
the maximum height should be listed above as the
Structure Height (AGL). Additionally, provide the minimum**

Common Frequency Bands

Low Freq	High Freq
698	806
806	824
824	849
851	866
869	894
896	901
901	902
930	931
931	932
932	932.5
935	940
940	941
1850	1910

operating height to avoid delays if impacts are identified that require negotiation to a reduced height. If the Structure Height and minimum operating height are the same enter the same value in both fields.

1930	1990
2305	2310
2345	2360

Nacelle Height (AGL):
*** For Wind Turbines 500ft AGL or greater**

(nearest foot)

Specific Frequencies

Requested Marking/Lighting:

Dual-red and medium intensity

Other :

Recommended Marking/Lighting:

Current Marking/Lighting:

None

Other :

Nearest City:

Carver

Nearest State:

Kentucky

Description of Location:

On the Project Summary page upload any certified survey.

Approx. 1.1 mi WSW of Carver
(Magoffin), KY

Description of Proposal:

A new 300' tower with
top-mounted antennas (overall
height of 310' AGL).

[← Previous](#) [Back to Search Result](#) [Next](#)



KENTUCKY AIRPORT ZONING COMMISSION

APPLICATION FOR PERMIT TO CONSTRUCT OR ALTER A STRUCTURE

APPLICANT (name) East Kentucky Network, LLC c/o LNGS		PHONE 703-584-8667	FAX 703-584-8692	KY AERONAUTICAL STUDY #
ADDRESS (street) 8300 Greensboro Dr, #1200		CITY McLean	STATE VA	ZIP 22102
APPLICANT'S REPRESENTATIVE (name) Ali Kuzehkanani		PHONE 703-584-8667	FAX 703-584-8692	
ADDRESS (street) 8300 Greensboro Dr, #1200		CITY McLean	STATE VA	ZIP 22102
APPLICATION FOR <input checked="" type="checkbox"/> New Construction <input type="checkbox"/> Alteration <input type="checkbox"/> Existing			WORK SCHEDULE	
DURATION <input type="checkbox"/> Permanent <input type="checkbox"/> Temporary (months days)			Start 12/15/15 End 12/20/15	
TYPE <input type="checkbox"/> Crane <input type="checkbox"/> Building <input checked="" type="checkbox"/> Antenna Tower <input type="checkbox"/> Power Line <input type="checkbox"/> Water Tank <input type="checkbox"/> Landfill <input type="checkbox"/> Other		MARKING/PAINTING/LIGHTING PREFERRED <input type="checkbox"/> Red Lights & Paint <input type="checkbox"/> White- medium intensity <input type="checkbox"/> White- high intensity <input checked="" type="checkbox"/> Dual- red & medium intensity white <input type="checkbox"/> Dual- red & high intensity white <input type="checkbox"/> Other		
LATITUDE 37°38'10.26"		LONGITUDE 83°04'11.03"		DATUM <input checked="" type="checkbox"/> NAD83 <input type="checkbox"/> NAD27 <input type="checkbox"/> Other
NEAREST KENTUCKY City Carver County Magoffin		NEAREST KENTUCKY PUBLIC USE OR MILITARY AIRPORT Julian Carroll Airport		
TE ELEVATION (AMSL, feet) 337		TOTAL STRUCTURE HEIGHT (AGL, feet) 310		CURRENT (FAA aeronautical study #)
OVERALL HEIGHT (site elevation plus total structure height, feet) 1647				PREVIOUS (FAA aeronautical study #)
DISTANCE (from nearest Kentucky public use or Military airport to structure) 13.8 mi				PREVIOUS (KY aeronautical study #)
DIRECTION (from nearest Kentucky public use or Military airport to structure) WSW				
DESCRIPTION OF LOCATION (Attach USGS 7.5 minute quadrangle map or an airport layout drawing with the precise site marked and any certified survey.) Approx. 1.1 mi WSW of Carver (Magoffin), KY				
DESCRIPTION OF PROPOSAL A new 300' tower with top-mounted antennas (overall height of 310' AGL)				
FAA Form 7460-1 (Has the "Notice of Construction or Alteration" been filed with the Federal Aviation Administration?) <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes, when? 11/06/15				
CERTIFICATION (I hereby certify that all the above entries, made by me, are true, complete, and correct to the best of my knowledge and belief.)				
PENALTIES (Persons failing to comply with KRS 183.861 to 183.990 and 602 KAR 050 are liable for fines and/or imprisonment as set forth in KRS 183.990(3). Noncompliance with FAA regulations may result in further penalties.)				
NAME i Kuzehkanani	TITLE Dir of Engineering	SIGNATURE 	DATE 11/06/15	
COMMISSION ACTION <input type="checkbox"/> Chairperson, KAZC <input type="checkbox"/> Administrator, KAZC				
<input type="checkbox"/> Approved	SIGNATURE			DATE
<input type="checkbox"/> Disapproved				

Driving Directions for Carver

Starting in front of the Magoffin County Court House at the intersection of Highways 460, 40 and 7, take Route 7 (South/460East) .2 miles, turn right on Route 7 (south), go 6.1 miles, turn right on Route 867 (west), go 1.0 miles, turn left on Oakley Ck, then go 4.2 miles, turn right on Carver Road. Go .6 miles, turn right on Copperhead Road, go .1 miles. Tower access road will be on the right (signs will be posted here).

Prepared By:

Jack Adkins

Appalachian Wireless

606-339-0531



Data use subject to license.

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www.delorme.com



Scale 1 : 17,600



1" = 1,466.7 ft

Data Zoom 14-0

MEMORANDUM OF LEASE

THIS MEMORANDUM OF LEASE is made and entered into on this the 15th day of October, 2015, with a commencement date of October 1st, by and between Gregory Minix and Lois Ann Minix, his wife, with the mailing address of HC 60 Box 553, Salyersville, Kentucky 41465, hereinafter referred to as "Lessors" and East Kentucky Network, LLC d/b/a Appalachian Wireless, with a mailing address of 101 Technology Trail, Ivel, Kentucky, 41642, hereinafter referred to as "Lessee."

WITNESSETH:

1. **Demised Premises:** For good and valuable consideration, Lessors do hereby lease to Lessee, and Lessee does hereby lease from Lessors, a portion of that certain tract of real estate located in Magoffin County, Kentucky, and being a portion of the same land conveyed to Greg Minix by Deed of Conveyance referenced in Deed Book 140, Page 444, in the Magoffin County Clerk's Office. Said property is more particularly described in the description and plat attached hereto and made a part hereof as Exhibits A and B, prepared by Steven E. Haywood of Summit Engineering, Licensed Professional Land Surveyor (hereinafter referred to as the "Premises");
2. **Term:** The term of the Lease shall be for a period of five (5) years from the commencement date of the Lease Agreement.
3. **Option to Renew:** Lessee shall have the option to renew the Lease for an additional six (6) terms of five (5) years each.
4. **Binding Effect:** All of the terms, conditions, and covenants hereof shall be binding and shall inure to the benefit of the heirs, representatives, successors, and assigns of the parties hereto.

5. **Purpose:** This Memorandum of Lease is prepared solely for the purpose of recordation, and is not intended, nor shall it be deemed, to modify any of the terms and conditions set forth in the Lease, nor to construe any of the rights, duties or responsibilities of Lessors and Lessee thereunder.

In Witness Whereof, Lessors and Lessee have executed this Memorandum of Lease as of the day, month and year first written above.

LESSORS:

Gregory Minix
Gregory Minix

Lois Ann Minix
Lois Ann Minix

COMMONWEALTH OF KENTUCKY
COUNTY OF Magoffin

The foregoing instrument was acknowledged before me on this 15th day of October, 2015, by Gregory and Lois Ann Minix, Lessors.

Raina D. Bradley
Notary Public

My Commission Expires Feb 3, 2016

LESSEE:

EAST KENTUCKY NETWORK, LLC

By W A Gillum

Its CEO/GM

COMMONWEALTH OF KENTUCKY
COUNTY OF Floyd

The foregoing instrument was acknowledged before me on this 12th day of October, 2015, by W.A. Gillum, CEO/General Manager of East Kentucky Network, LLC, d/b/a Appalachian Wireless.

Raene D. Bradley
Notary Public

My Commission Expires Feb 3, 2016

This instrument was prepared by:

Wm. S. Kendrick

William S. Kendrick, Attorney at Law
Penn, Stuart & Eskridge
119 E. Court Street, Ste. 201
Prestonsburg, KY 41653



Description
Carver, Magoffin County, KY
Carver Tower Site

A certain tract of land located in the community of Carver, Magoffin County, Kentucky and being on the Ridge between Oakley Creek and Beetree Fork of the Licking River and the Licking River, more particularly described as follows:

Unless stated otherwise any monument referred to herein as a Re-Bar and Cap is a set ½" steel re-bar eighteen (18") in length with a yellow plastic cap stamped Summit L.S. #2661. All bearings stated herein are referred to Grid North based on Kentucky Single Zone State Plane NAD 83 coordinates.

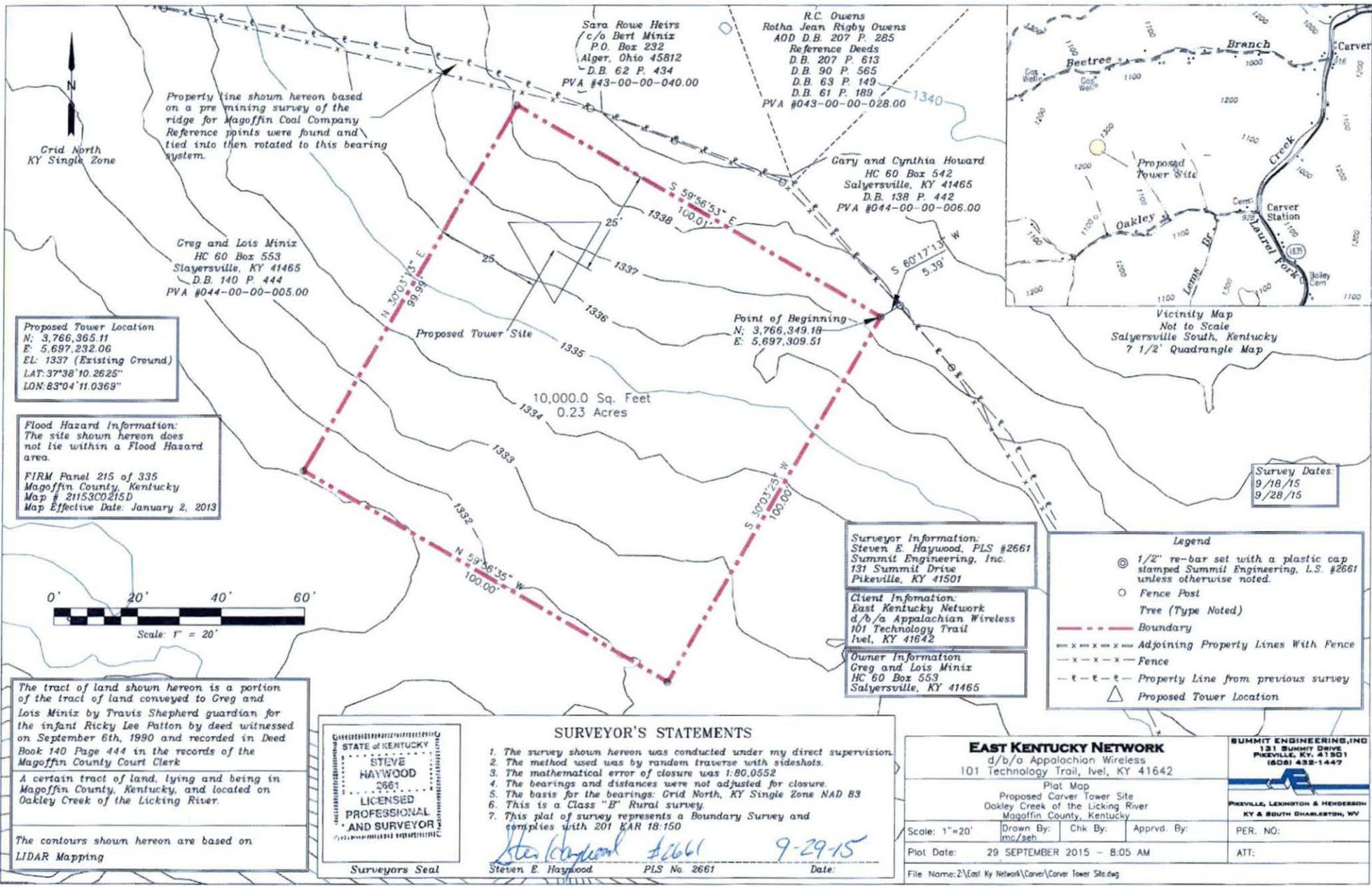
Beginning at a set Re-Bar and Cap and being S 60°17'13"W a distance of 5.39' from a fence post on the boundary line between Greg and Lois Minix (D.B. 140 P. 444) and Gary Howard (D.B. 138 P. 442) and having Kentucky Single Zone Coordinates of N: 3,766,349.18 E: 5,697,308.51;

Thence, S 30°03'250" W a distance of 100.00' to a set Re-Bar and Cap;
Thence, N 59°56'35" W a distance of 100.00' to a set Re-Bar and Cap;
Thence, N 30°03'13" E a distance of 99.99' to a set Re-Bar and Cap;
Thence, S 59°56'53" E a distance of 100.00' to the point of beginning and containing 0.23 acres more or less according to a survey conducted by persons under the direct supervision of Steven E. Haywood, PLS #2661 with Summit Engineering on September 28, 2015 and being a portion of the tract of land conveyed to Greg Minix by Travis Shepherd as guardian for the infant, Ricky Lee Patton, by deed witnessed on September 6th, 1990 and recorded in Deed Book 140 Page 444 in the records of the Magoffin County Court Clerk's office.


Steven E. Haywood, PLS #2661



Date: 9/29/2015



Grid North
KY Single Zone

Property line shown hereon based on a preliminary survey of the ridge for Magoffin Coal Company. Reference points were found and tied into then rotated to this bearing system.

Greg and Lois Miniz
HC 60 Box 553
Salyersville, KY 41465
D.B. 140 P. 444
PVA #044-00-00-005.00

Proposed Tower Location
N: 3,766,365.11
E: 5,697,232.06
EL: 1337 (Existing Ground)
LAT: 37°38'10.2625"
LON: 83°04'11.0369"

Flood Hazard Information:
The site shown hereon does not lie within a Flood Hazard area.
FIRM Panel 215 of 335
Magoffin County, Kentucky
Map # 2153C0215D
Map Effective Date: January 2, 2013



The tract of land shown hereon is a portion of the tract of land conveyed to Greg and Lois Miniz by Travis Shepherd guardian for the infant Ricky Lee Patton by deed witnessed on September 6th, 1990 and recorded in Deed Book 140 Page 444 in the records of the Magoffin County Court Clerk.

A certain tract of land, lying and being in Magoffin County, Kentucky, and located on Oakley Creek of the Licking River.

The contours shown hereon are based on LIDAR Mapping

STATE OF KENTUCKY
STEVE HAYWOOD
2661
LICENSED PROFESSIONAL AND SURVEYOR

Surveyors Seal

SURVEYOR'S STATEMENTS

1. The survey shown hereon was conducted under my direct supervision.
2. The method used was by random traverse with sideshots.
3. The mathematical error of closure was 1:80,0552
4. The bearings and distances were not adjusted for closure.
5. The basis for the bearings: Grid North, KY Single Zone NAD 83
6. This is a Class "B" Rural survey.
7. This plat of survey represents a Boundary Survey and complies with 201 KAR 18:150

Steven E. Haywood PLS No. 2661 Date: 9-29-15

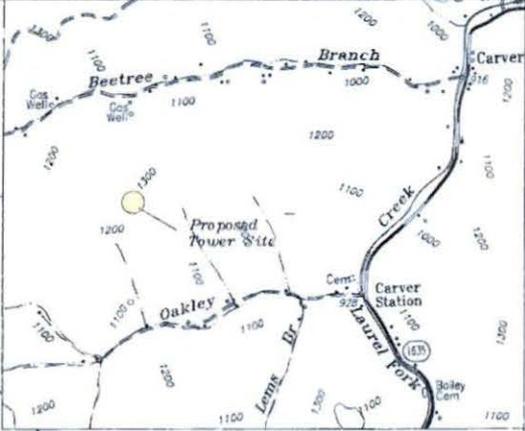
Sara Rowe Heirs
c/o Bert Miniz
P.O. Box 232
Alger, Ohio 45812
D.B. 62 P. 434
PVA #43-00-00-040.00

R.C. Owens
Rotha Jean Rigby Owens
ADD D.B. 207 P. 285
Reference Deeds
D.B. 207 P. 613
D.B. 90 P. 565
D.B. 63 P. 149
D.B. 61 P. 189
PVA #043-00-00-028.00

Gary and Cynthia Howard
HC 60 Box 542
Salyersville, KY 41465
D.B. 138 P. 442
PVA #044-00-00-006.00

Point of Beginning
N: 3,766,349.18
E: 5,697,309.51

10,000.0 Sq. Feet
0.23 Acres



Vicinity Map
Not to Scale
Salyersville South, Kentucky
7 1/2' Quadrangle Map

Survey Dates:
9/18/15
9/28/15

Surveyor Information:
Steven E. Haywood, PLS #2661
Summit Engineering, Inc.
131 Summit Drive
Pikeville, KY 41501

Client Information:
East Kentucky Network
d/b/a Appalachian Wireless
101 Technology Trail
Ivel, KY 41642

Owner Information:
Greg and Lois Miniz
HC 60 Box 553
Salyersville, KY 41465

Legend

- ⊙ 1/2" re-bar set with a plastic cap stamped Summit Engineering, L.S. #2661 unless otherwise noted.
- Fence Post
- Tree (Type Noted)
- Boundary
- x-x-x-x- Adjoining Property Lines With Fence
- x-x-x-x- Fence
- e-e-e-e- Property Line from previous survey
- △ Proposed Tower Location

EAST KENTUCKY NETWORK
d/b/a Appalachian Wireless
101 Technology Trail, Ivel, KY 41642

Plat Map Proposed Carver Tower Site Oakley Creek of the Licking River Magoffin County, Kentucky				SUMMIT ENGINEERING, INC 131 SUMMIT DRIVE PIKEVILLE, KY. 41501 (608) 432-1447	
Scale: 1"=20'	Drawn By: mc/sep	Chk By:	Apprvd. By:	PER. NO.:	
Plot Date: 29 SEPTEMBER 2015 - 8:05 AM				ATT:	
File Name: Z:\East Ky Network\Carver\Carver Tower Site.dwg					

CARVER TOWER

SITE SURVEY WITH PROPOSED TOWER & BUILDING LOCATION

CENTER OF TOWER
 LAT: 37° 38' 10.2625"
 LON: 83° 04' 11.0369"

R.C. Owens
 Ratha Jean Rigby Owens
 AOD D.B. 207 P. 285
 PVA #043-00-00-028.00
 Reference Deeds
 D.B. 207 P. 613
 D.B. 90 P. 565
 D.B. 63 P. 149
 D.B. 61 P. 189

Sara Rowe Heirs
 c/o Bert Minix
 P.O. Box 232
 Alger, Ohio 45812
 D.B. 62 P. 434
 PVA #43-00-00-040.00

Cary and Cynthia Howard
 HC 60 Box 542
 Salyersville, KY 41465
 D.B. 138 P. 442
 PVA #044-00-00-006.00

Greg and Lois Minix
 HC 60 Box 553
 Salyersville, KY 41465
 D.B. 140 P. 444
 PVA #044-00-00-005.00

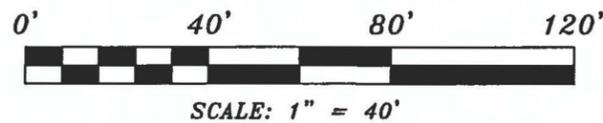
Greg and Lois Minix
 HC 60 Box 553
 Salyersville, KY 41465
 D.B. 140 P. 444
 PVA #044-00-00-005.00

Point of Beginning
 N: 3,766,348.18
 E: 5,697,309.51

Property line shown hereon based on a pre mining survey of the ridge for Magoffin Coal Company. Reference points were found and tied into then related to this bearing system.

10,000.0 Sq. Feet
 0.23 Acres

NOTE: Survey taken from Plat by Summit Engineering, Inc. dated 9-29-2015.



Legend

- ⊙ 1/2" re-bar set with a plastic cap stamped Summit Engineering, L.S. #2661 unless otherwise noted.
- Fence Post
- Boundary
- Adjoining Property Lines
- X - X - Fence
- P — Property Line from previous survey
- △ Proposed Tower Location

FAA Certification

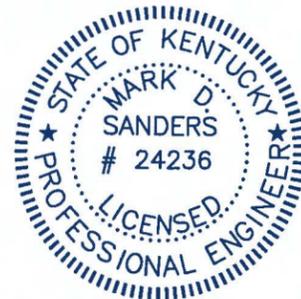
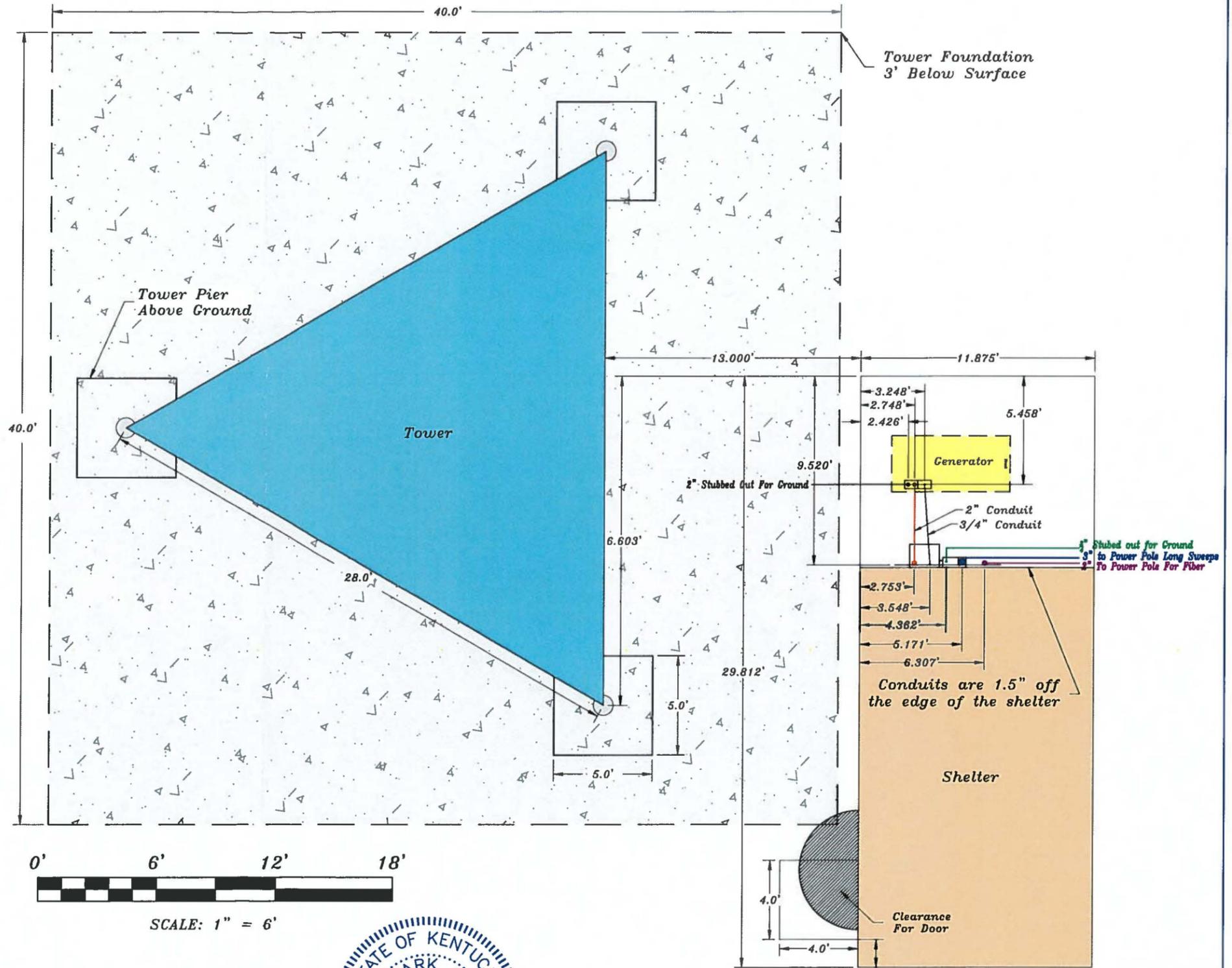
In Accordance with FAA Order 8260.19C, Appendix C, I hereby certify that the Obstacle Accuracy Codes for the proposed Tower meets or exceeds accuracy 2C (+50 ft Horizontal and +20 ft Vertical).

Steve E. Haywood 2661
 Steven E. Haywood, PLS #2661
 12-7-15
 Date

NAD 83 KY Single Zone
 State Plane Coordinates
 N: 3,766,365.11
 E: 5,697,232.06

EL: 1337 (Existing Ground)

STATE OF KENTUCKY
 STEVE HAYWOOD
 2661
 LICENSED PROFESSIONAL LAND SURVEYOR



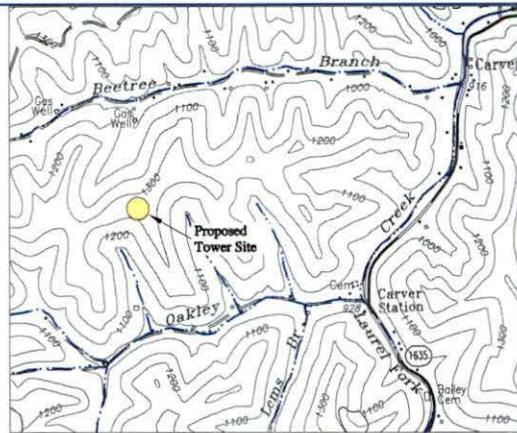
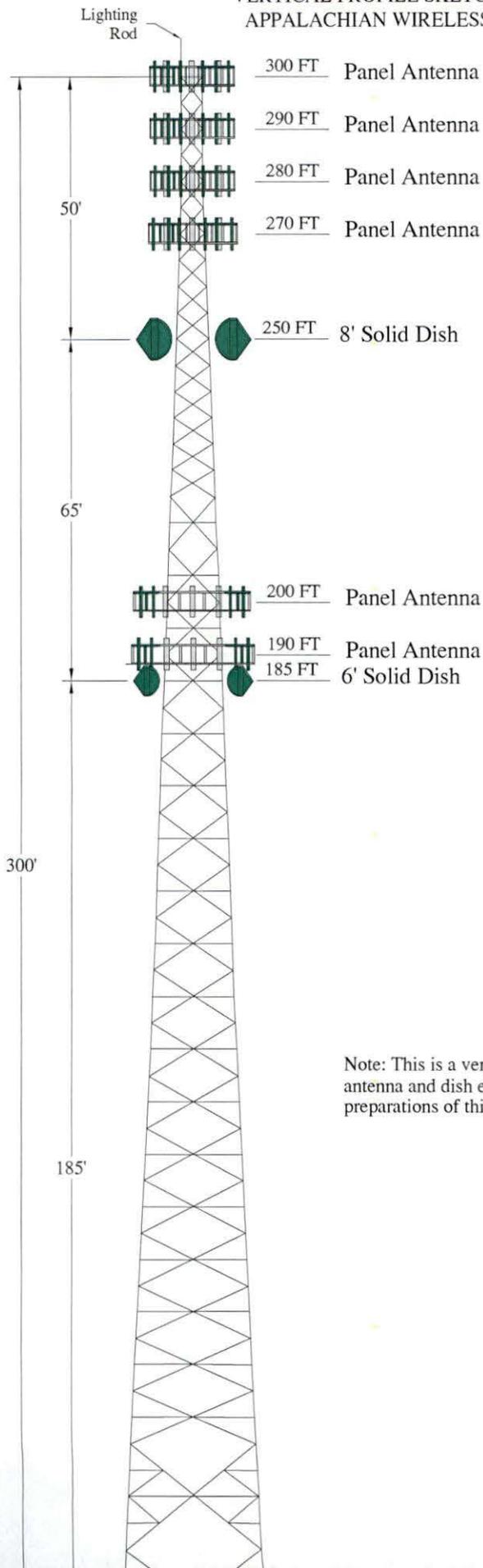
Mark Sanders
 Mark Sanders
 24236
 PE# 24236
 12-7-15
 DATE

EAST KENTUCKY NETWORK D/B/A APPALACHIAN WIRELESS 101 TECHNOLOGY TRAIL, IVEL, KY 41643				SUMMIT ENGINEERING, INC. 131 SUMMIT DRIVE PIKEVILLE, KY. 41501 (606) 432-1447	
Carver Tower Site Map Greg and Lois Minix Oakley Creek of the Licking River Magoffin County, Kentucky					
Scale: As Noted	Drawn By: MAC	Chk By: MAC	Apprvd. By:	PER. NO:	
Plot Date: 07 DECEMBER 2015 - 10:10 AM			ATT:		
File Name: Z:\East Ky Network\Carver\Carver Site Plan.dwg					

CARVER TOWER

VERTICAL PROFILE SKETCH

APPALACHIAN WIRELESS



Vicinity Map
NTS

Note: This is a vertical sketch of the tower indicating the proposed antenna and dish elevations. No design criteria was considered in the preparations of this drawing.



Graphic Scale
1" = 30'



Application
CONTAINS
LARGE OR OVERSIZED
MAP(S)

RECEIVED ON:
12/16/2015