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April 27, 2000

Stephanie Bell, Secretary
KY Public Service Commission
211 Sower Boulevard
P O Box 615
Frankfort KY 40602

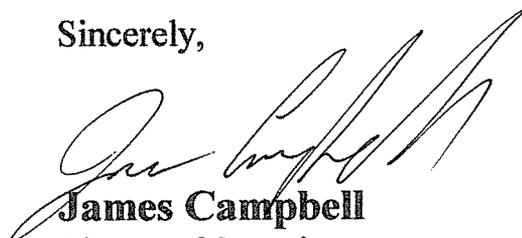
RECEIVED
APR 26 2000
PUBLIC SERVICE
COMMISSION

RE: Case No. 2000-002
Between Left Beaver Creek and
Spewing Camp Branch, Price, Floyd County, KY
KAZC Final Decision
Your letter of 04/21/00 (copy attached)

Please find enclosed copies of the above referenced.

If you have any questions or need additional information, I may be called at **606 478 9401 ext 207** or email me at jcamp@gearheart.com.

Sincerely,



James Campbell
Director of Operations

JC/ndt

Enclosures

C:\My Documents\FILES\ACGP\SC-18A2(StephanieBell KAZC Final Decision002)JC.doc



Kentucky Airport Zoning Commission
125 Holmes Street
Frankfort, KY 40622

(502) 564-4480
fax (502) 464-7053
No.: AS-036-7K0-99-305

March 10, 2000

APPROVAL OF APPLICATION

APPLICANT:
APPALACHIAN CELLULAR GENERAL PAR
LEROY ADAM, CONSULTING ENGINEER
C/O LUKAS NACE GUTIERREZ & SACHS
1111 NINETEENTH STREET N W SUITE 1200
WASHINGTON, DC 20036

SUBJECT: AS-036-7K0-99-305

STRUCTURE: Antenna Tower
LOCATION: PRICE, KY
COORDINATES: 37°24'35.0"N / 82°44'13.6"W
HEIGHT: 325' AGL/2,080' AMSL

The Kentucky Airport Zoning Commission has approved your application for a permit to construct (325' AGL/2,080' AMSL) Antenna Tower near PRICE, KY 37°24'35"N, 82°44'14"W.

This permit is valid for a period of 18 Month(s) from its date of issuance. If construction is not completed within said 18-Month period, this permit shall lapse and be void, and no work shall be performed without the issuance of a new permit.

A copy of the approved application is enclosed for your files.

Dual obstruction lighting is required in accordance with 502 KAR 50.100.

Ronald Bland, Administrator

KENTUCKY TRANSPORTATION CABINET OFFICE OF AERONAUTICS 421 ANN STREET FRANKFORT, KENTUCKY 40622 Application for Permit to Construct or Alter a Structure --Instructions on Reverse Side of Form--		DO NOT FILL IN	
		AERONAUTICAL STUDY NO. <u>AS-036-7KQ-99-05</u>	
		APPLICANT - NAME & ADDRESS Appalachian Cellular, LLC c/o Lukas, Nace, Gutierrez & Sachs 1111 19th Street NW, Suite 1200 Washington D.C. 20036	
		TELEPHONE NO. (202) 857-3500	
TYPE OF STRUCTURE			
1. CHECK ONE <input checked="" type="checkbox"/> New Construction <input type="checkbox"/> Alteration		2. CHECK ONE <input checked="" type="checkbox"/> Permanent <input type="checkbox"/> Temporary Length of time _____ months	
3. NATURE AND COMPLETE DESCRIPTION OF STRUCTURE Structure: <u>New 300' Self-supported Communications Tower with a 25' antenna top-mounted</u> Frequency: <u>Cellular Band B (880-890 MHz)</u> ERP: <u>200 Watts (Max.)</u>			
4. County in which construction will take place <u>Floyd County</u>			
LOCATION OF STRUCTURE -submit a map-			
5. COORDINATES (To nearest second)		6. NEAREST CITY OR TOWN, & STATE	
LATITUDE LONGITUDE		Price, KY	
37° 24' 35.0"	82° 44' 13.6"	(a) DISTANCE TO B. .56 Miles	(b) DIRECTION TO B. N204°E
7. NAME OF NEAREST PUBLIC AIRPORT WITHIN KY. BOUNDARIES Pikeville Co. - Hatcher Field (7K0)		8. DISTANCE & DIRECTION TO NEAREST POINT OF NEAREST RUNWAY 14.2 miles at N41.70°E	
9. HEIGHT & ELEVATION (Complete A, B & C to nearest foot)			10. WORK SCHEDULE DATES
A. ELEVATION OF SITE ABOVE MEAN SEA LEVEL		1755'	A. WILL START
B. HEIGHT OF STRUCTURE INCLUDING APPURTENANCES & LIGHTING (if any) ABOVE GROUND, OR WATER IF SO SITUATED		325'	1/25/00
C. OVERALL HEIGHT ABOVE MEAN SEA LEVEL (A + B)		2080'	B. WILL COMPLETE
			2/8/00
D. IF APPLICATION IS FOR CONSTRUCTION/ALTERATION OF AN OVERHEAD TRANSMISSION LINE OR STATIC WIRE WITH SPAN LENGTH 1000 FEET OR MORE. See Appendix E.			
11. CHECK IF COMPLETED STRUCTURE WILL BE			YES NO
A. MARKED FOR THE PROTECTION OF AIR NAVIGATION			X
B. PAINTED AS SPECIFIED IN THE REGULATIONS OF THE COMMISSION RELATED TO OBSTRUCTION MARKING			X
C. LIGHTED AS SPECIFIED IN THE REGULATIONS OF THE COMMISSION RELATED TO OBSTRUCTION MARKING			X
12. HAS "NOTICE OF CONSTRUCTION OR ALTERATION" (Form 7460-1) BEEN FILED WITH FEDERAL AVIATION ADMINISTRATION FOR AIRSPACE CLEARANCE? IF SO, WHEN FILED? Yes; 8/12/99			
13. CERTIFICATION -- I Herby Certify that all the above statements made by me are true, complete, and correct to the best of my knowledge and belief.			
By <u>LeRoy Adam, Consulting Engineer</u>		Date <u>12/13/99</u>	
PENALTY -- See Reverse Side of this Form			
COMMISSION ACTION		<input type="checkbox"/> CHAIRMAN, KAZC (OH) <input type="checkbox"/> ADMINISTRATOR, KAZC	
APPROVED <input checked="" type="checkbox"/>	<u>Ronald G. Bland</u>		
DISAPPROVED <input type="checkbox"/>	Date <u>3/10/00</u>		

Federal Aviation Administration
Southern Region, ASO-520
P.O. Box 20636
Atlanta, GA 30320

AERONAUTICAL STUDY
No: 99-ASO-4152-OE

ISSUED DATE: 09/14/99

C/O LUKAS, NACE, GUTIERREZ & SACHS
APPALACHIAN CELLULAR, LLC
1111 19TH ST N.W., STE 1200
WASHINGTON, DC 20036

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has completed an aeronautical study under the provisions of 49 U.S.C., Section 44718 and, if applicable, Title 14 of the Code of Federal Regulations, part 77, concerning:

Description: NEW ANTENNA TOWER
880-890 MHZ/200 WATTS; MW 6 GHZ/1 WATT
Location: PRICE KY
Latitude: 37-24-35.36 NAD 83
Longitude: 082-44-13.16
Heights: 325 feet above ground level (AGL)
2080 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

-As a condition to this determination, the structure should be marked and/or lighted in accordance with FAA Advisory Circular 70/7460-1J, Obstruction Marking and Lighting, Chapters 4, 8(M-Dual), & 13.

-It is required that the enclosed FAA Form 7460-2, Notice of Actual Construction or Alteration, be completed and returned to this office any time the project is abandoned or:

At least 10 days prior to start of construction
(7460-2, Part I)

Within 5 days after construction reaches its greatest height
(7460-2, Part II)

While the structure does not constitute a hazard to air navigation, it would be located within or near a military training area and/or route.

This determination expires on 03/14/01 unless:

- (a) extended, revised or terminated by the issuing office or
- (b) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case the determination expires on the date prescribed by the FCC for completion of construction or on the date the FCC denies the application.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE POSTMARKED OR DELIVERED TO THIS OFFICE AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE.

-As a result of this structure being critical to flight safety, it is

required that the FAA be kept apprised as to the status of this project. Failure to respond to periodic FAA inquiries could invalidate this determination.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, frequency(ies) or use of greater power will void this determination. Any future construction or alteration, including increase in heights, power, or the addition of other transmitters, requires separate notice to the FAA.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

A copy of this determination will be forwarded to the Federal Communications Commission if the structure is subject to their licensing authority.

If we can be of further assistance, please contact our office at 404-305-5581. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 99-ASO-4152-OE.



Wade Carpenter
Specialist, Airspace Branch

(DNE)

7460-2 Attached