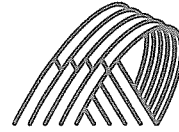


EAST KENTUCKY NETWORK  
POST OFFICE BOX 405  
PRESTONSBURG, KY 41653  
PHONE: (606)886-6007  
FAX: (606)886-0206  
EMAIL: INFO@EKN.COM  
WEBSITE: EKN.COM

EAST KENTUCKY  
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PUBLIC SERVICE  
COMMISSION

September 8, 2004

Beth O'Donnell, Executive Director  
ATTN: Brenda Talley  
Public Service Commission  
P. O. Box 615  
Frankfort, KY 40602

RE: (CASE NO. 2004-00020)

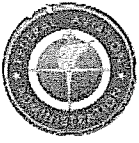
As requested in your letter dated September 1, please find enclosed the Federal Aviation Administration determinations for our new tower near South Williamson in Pike County, Kentucky. As I understand from your reminder letter, the enclosed final decisions regarding the FAA and KAZC applications are all that is necessary to complete the filing requirements of the South Williamson Tower. (Case No. 2004-00020)

You may contact me at my office at 606-886-6007, Ext. 166 or by email at [jrobinson@ekn.com](mailto:jrobinson@ekn.com) if you need any further information concerning this filing.

Thank you,

Janice Robinson  
Accounting Department

Enclosure



Federal Aviation Administration  
Southern Regional Office  
1701 Columbia Avenue-ASO-520  
College Park, GA 30337

Aeronautical Study No.  
2004-ASO-391-OE

Issued Date: 2/23/2004

LEROY A. (ART) ADAM, LUKAS, NACE, GUTIERREZ & SACHS  
EAST KENTUCKY NETWORK, 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:

Structure Type: Antenna Tower  
Location: SOUTH WILLIAMSON, KY  
Latitude: 37-38-53.32 NAD 83  
Longitude: 82-16-46.51  
Heights: 325 feet above ground level (AGL)  
1705 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 70/7460-1 AC 70/7460-1K Change 1, Obstruction Marking and Lighting, a med-dual system - Chapters 4, 8 (M-Dual), & 12.

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 the construction reaches its greatest height  
(7460-2, Part II)

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 the project. Failure to respond to periodic FAA inquiries could invalidate this determination.

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 8/23/2005 unless:

- (a) extended, revised or terminated by the issuing office.
- (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 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.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power will void this determination. Any future construction or alteration, including increase to 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)305-5579. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2004-ASO-391-OE.*

**Signature Control No: 370223-255204**

(DNE)

Earl P. Newalu Jr.  
Specialist

Attachment(s)  
Case Description  
Frequency Data

7460-2 Attached

PROPOSED

Frequency Data for ASN 2004-ASO-391-OE

LOW FREQUENCY	HIGH FREQUENCY	FREQUENCY UNIT	ERP	ERP UNIT
880	890	MHz	.15	KW

**CERTIFIED MAIL**



7004 1350 0001 2846 1411



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**NETWORK**

PO BOX 405, PRESTONSBURG, KY 41653



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Beth O'Donnell, Executive Director  
ATTN: Brenda Talley  
Public Service Commission  
P. O. Box 615  
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4060240615 07