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May 6, 2005

FEDERAL EXPRESS

Public Service Commission
Attn: Thomas M. Dorman
211 Sower Boulevard
P.O. Box 615
Frankfort, Kentucky 40601

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MAY 9 2005

PUBLIC SERVICE
COMMISSION

Re: White Plains
Docket No. 2005-00004

Dear Mr. Dorman:

Please find enclosed an original and five (5) copies of the First Amendment to the Application with regard to the above matter. Also enclosed is an original and five (5) copies of the FCC Registration. If you have any questions or require further information, please do not hesitate to contact me.

Very truly yours,

Patrick R. Hughes

PRH/rmc
Enclosures

cc: Ms. Sherry McFee

ATTORNEYS AT LAW

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

In the Matter of:

**APPLICATION OF NEXTEL WIP LEASE)
CORP. AND HEMPHILL CORPORATION)
FOR ISSUANCE OF A CERTIFICATE OF)
PUBLIC CONVENIENCE)
AND NECESSITY TO CONSTRUCT A)
WIRELESS COMMUNICATIONS)
FACILITY IN THE)
EVANSVILLE/HENDERSONVILLE (69))
BASIC ECONOMIC AREA,)
GREENVILLE, MUHLENBERG COUNTY,)
KENTUCKY)**

DOCKET NO. 2005-00004

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MAY 9 2005

**PUBLIC SERVICE
COMMISSION**

[SITE NO. 1410]

FIRST AMENDMENT TO THE APPLICATION:

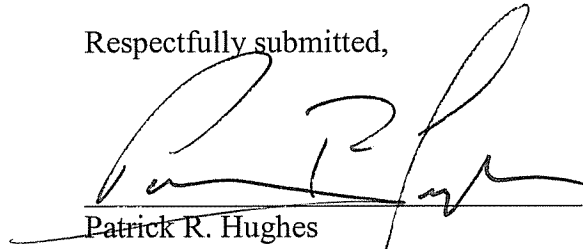
Nextel WIP Lease Corp. and Hemphill Corporation, collectively "Applicant", pursuant to 807 KAR 5:063, applied on April 12, 2005, for a Certificate of Public Convenience and Necessity to construct and operate a Wireless Communications Facility ("WCF") to complement the network which will serve the customers of the Evansville/Henderson Basic Economic Area ("BEA"). In support of this Application, Applicant respectfully amends the application to include the following:

1. The height of the proposed tower has been revised from 349 feet to 328 feet.

Attached as **Exhibit M** is the FAA Determination approving the subject site.

2. Any response to this Amendment to Application may be directed to Patrick R. Hughes of Deters, Benzinger & LaVelle at 207 Thomas More Parkway, Crestview Hills, Kentucky 41017 or by calling (859) 341-1881.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Patrick R. Hughes', written over a horizontal line.

Patrick R. Hughes
Deters, Benzinger & LaVelle
207 Thomas More Parkway
Crestview Hills, Kentucky 41017
(859) 341-1881
(859) 341-4879 (fax)
phughes@dbllaw.com

62751.1



Federal Aviation Administration
Eastern Regional Office
1 Aviation Plaza-AEA-520
Jamaica, NY 11434

Aeronautical Study No.
2005-ASO-685-OE

Issued Date: 5/5/2005

SHERRY MCFEE
HEMPHILL CORPORATION
3515 DAWSON ROAD
TULSA, OK 74115

**** 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: GREENVILLE, KY
Latitude: 37-14-35.2 NAD 83
Longitude: 87-14-35.4
Heights: 328 feet above ground level (AGL)
882 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 K 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.

This determination expires on 11/5/2006 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 (718)553-4546. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2005-ASO-685-OE.

Signature Control No: 411092-365808

(DNE)

Robert P Alexander
Specialist

Attachment(s)
Additional Information
Frequency Data

7460-2 Attached

Frequency Data for ASN 2005-ASO-685-OE


LOW FREQUENCY	HIGH FREQUENCY	FREQUENCY UNIT	ERP	ERP UNIT
1850	1990	MHz	1000	W

ASR Registration Search Results

ASR Registration Search

Registration Search Results

Displayed Results

 = Pending Application(s)

Specified Search

FAA Study Number like **2005-ASO-685-OE**

	Registration	Owner and Contact	Structure Description
1	Registration: 1248396 File Number: A0445670 Status: Granted FAA Study: 2005-ASO-685-OE	Owner: Hemphill Corporation (918)834-2200 Contact: Hemphill, John R (918)834-2200	Structure Type: TOWER Elevation of Site (meters): 168.9 Overall Height Above Ground (AGL) (meters): 100.0 Overall Height Above Sea Level (meters): 268.9 Located In: Graham, KY Lat/Long: 37-14-35.2N 087-14-35.4W FAA Chapters 4, 8, 12 Paint and Light In Accordance with FAA Circular Number 70/7460-1K

