

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

RECEIVED

MAY 25 2006

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 2006-00133  
NECESSITY TO CONSTRUCT A TOWER IN LETCHER )  
COUNTY, KENTUCKY).

In case number 91-002 East Kentucky Network, LLC, formerly Mountaineer Cellular Limited Liability Company was granted a Certificate of Public Convenience and Necessity by the Kentucky Public Service Commission to construct and operate a cellular radio telecommunications system for KY RSA 10.

In an effort to improve service in Letcher 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 tower near Gordon, Kentucky. The proposed tower will be a 180 foot self-supporting tower plus antenna, lightning rod located on a ridgeline fifteen hundred feet north of the Pine Mountain Overthrust Fault, between Valley Branch and Line Fork of the North Fork of the Kentucky River, three miles west of Gordon in Letcher County, Kentucky. A map and detailed directions to the site can be found in Exhibit 8.

East Ky Network LLC merger documents were filed with the Commission on February 2, 2001 in Case # 2001-022.

FAA and Kentucky Airport Zoning Commission approvals have been applied for and final approval will be provided to you as soon as it is issued. These applications are enclosed as Exhibit 4 and 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.

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 Dielectric Tower Operations, Inc. of Newburgh, IN 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 A & D Communication of Cattlesburg, Kentucky. A & D has vast experience in the erection of communications towers.

Enclosed, and should be filed with Exhibit 10, back of folder, is a survey of the proposed tower site signed by a Kentucky registered professional engineer. There is no structure within 500 feet of the proposed tower as indicated in this enclosure. Exhibit 2 is a list of all Property owners or residents within 500' of the proposed tower. No other properties are contiguous with East Kentucky's property.

Exhibit 10, back of folder, also contains a vertical sketch of the tower supplied by Coleman Engineering.

Pursuant to 807 KAR5:063 Section s1 (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 proposal 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. Letcher County has no formal local planning unit. In absence of this unit the Letcher County Judge Executive's office was notified by certified mail, return receipt requested of East

Kentucky Network's proposal and informed of their right to intervene. They were given the docket number under which this application is filed. Enclosed in Exhibit 1 is a copy of that notification.

East Kentucky Network will finance subject Construction with earned surplus in General Fund.

Estimated Cost of Construction	140,000.00
Annual Operation Expense of Tower	12,500.00

A sign 24" X 48" which conforms to the Public Service Commissions guidelines issued on September 3, 1997 was posted on the site on May 9 and will remain posted for at least two weeks after filing of this application as specified by the PSC guidelines. A second such sign was posted at the nearest public road, and will remain posted two weeks after this filing.

Enclosed in Exhibit 9 is a copy of East Kentucky Network LLC's deeds to the site.

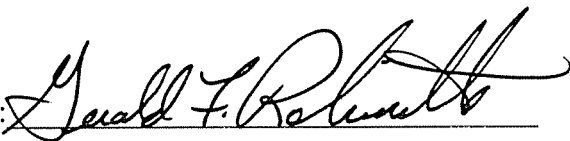
Notice of the location of the proposed construction was published on the second & third weeks of May in The Mountain Eagle in Letcher County, Kentucky. Enclosed is a copy of that notice in Exhibit 1. The Mountain Eagle is the newspaper with the largest circulation in Letcher County.

The proposed construction site is on a very rugged mountaintop some feet from the nearest structure. Prior to construction, the site was wooded.

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 8. 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.

**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 Janice Robinson, Technical Site Coordinator for East Kentucky Network d/b/a Appalachian Wireless. All related questions or correspondence concerning this filing should be mailed to Gerald Robinette, General Manager, East Kentucky Network, LLC d/b/a Appalachian Wireless, P. O. Box 405, Prestonsburg, KY 41653.

SUBMITTED BY:  DATE: 5-23-06

**Gerald Robinette, General Manager**

**Contacts:**

**Gerald Robinette, General Manager**

**Phone: (606) 791-2375, Ext. 111**

**Email: grobinette@ekn.com**

**Janice Robinson, Technical Site Coordinator**

**Phone: (606) 791-2375, Ext. 166**

**Email: jrobinson@ekn.com**

**Mailing Address:**

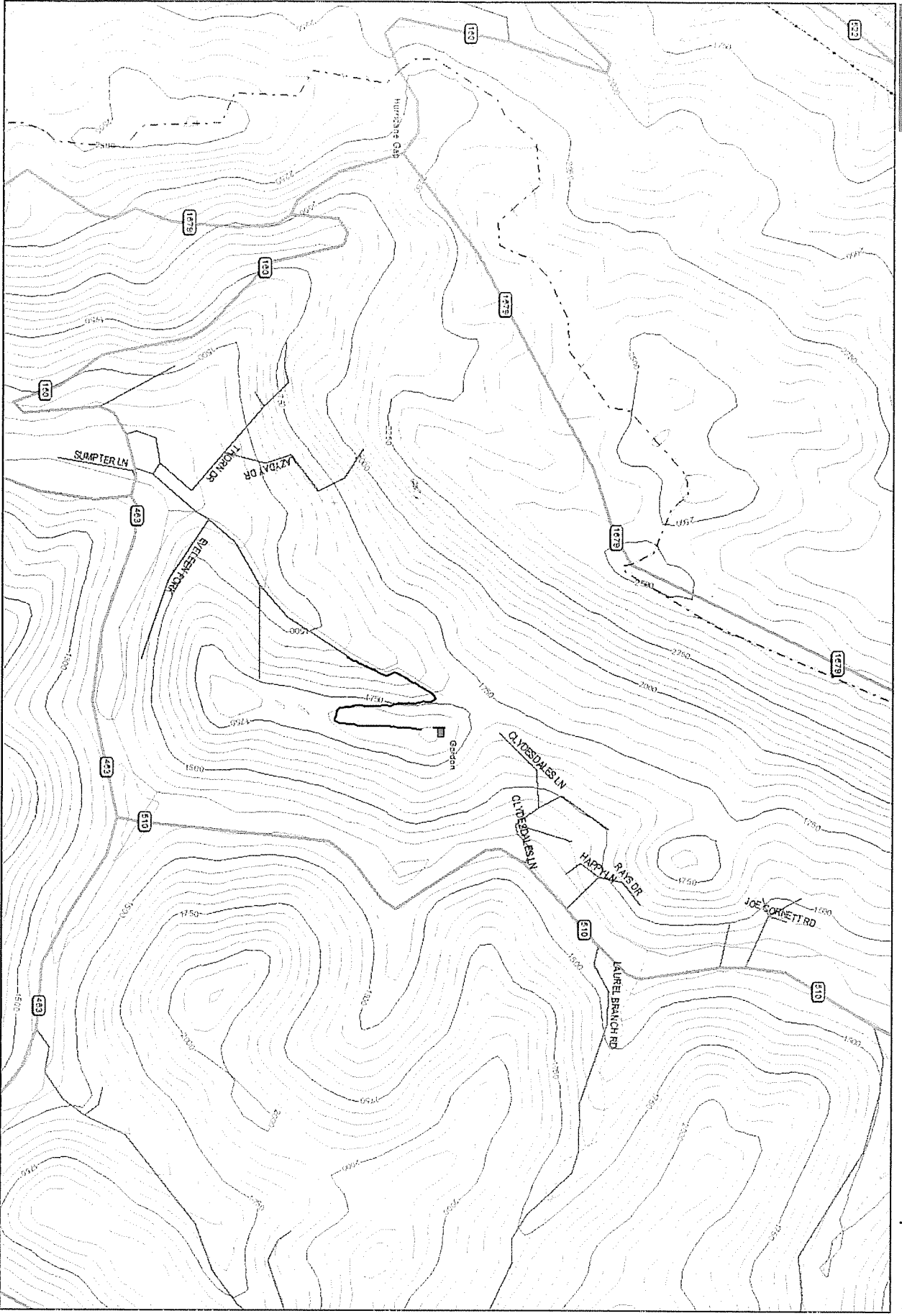
**East Kentucky Network, LLC.**

**d/b/a Appalachian Wireless**

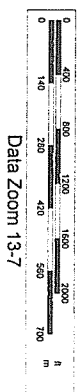
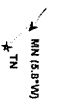
**355 Village Drive**

**P. O. Box 405**

**Prestonsburg, KY 41653**



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 www.delorme.com





**GORDON CELLTOWER SITE**  
**Letcher County, KY**

**(CASE # 2006-00133)**

**EXHIBIT**

**ITEM**

- 1) NOTIFICATION: County Judge. / Public Notice
- 2) List of Property Owners / Public Notice Letters
- 3) Universal Letter: Soil Bearing Analysis/Geotechnical Report
- 4) Kentucky Airport Zoning Commission Application
- 5) Tower and Foundation Design.
- 6) FAA Approval / Notice of Proposed Construction.
- 7) 2004 Audited Financial Statements.
- 8) Driving Directions from County Seat to Site / Map.
- 9) Deed of Conveyance or Lease Agreement of Proposed Property.
- 10) Site Development: (1) Survey Map signed and sealed by P.E. /  
(2) Vertical Profile Sketch of Tower.





d/b/a Appalachian Wireless  
P.O. Box 405  
355 Village Drive  
Prestonsburg, KY 41653  
Phone: 606/886-6007  
Fax: 606/791-2225

EAST KENTUCKY  
NETWORK



**Fax**

<b>To:</b> The Mountain Eagle	<b>From:</b> JANICE ROBINSON
<b>Fax:</b> 606-633-2843	<b>Phone:</b> 606-791-2375, Ext. 166
<b>Phone:</b> 606-633-2252	<b>Pages:</b> 1 Pages (INCLUDING COVER)
<b>Re:</b> PUBLIC NOTICE ADVERTISEMENT	<b>Date:</b> May 9, 2006

**Nancy,**

We would like to have the following public notice printed in The Mountain Eagle for the next two weeks. The notice should state the following:

**PUBLIC NOTICE:**

**RE: Public Service Commission of Kentucky (CASE NO. 2006-00133)**

Notice is hereby given that East Kentucky Network, LLC, dba Appalachian Wireless has applied to the Kentucky Public Service Commission to construct a tower near Gordon in Letcher County. The proposed tower will be a 180-foot self-supporting tower.. The proposed tower site is situated on a ridgeline, fifteen hundred feet north of the Pine Mountain Overthrust Fault, between Valley Branch and Line Fork of the North Fork of the Kentucky River, three miles west of Gordon in Letcher County, Kentucky.

If you would like to respond to this notice, please contact the Executive Director, Public Service Commission, 211 Sower Boulevard, P O Box 615, Frankfort, Kentucky 40602. Please refer to Case No. 2006-00133

If you have questions about the placement of the above mentioned notice, please call me at 606-791-2375, ext. 166.

Thank you,

*Janice Robinson*

**Accounting Department** If you have any problems with this fax, please call 606/886-6007.

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.



LIST OF PROPERTY OWNERS

GORDON TOWER SITE  
(Case # 2006-00133)

(Within 500')

Irene Cornett  
95 Clydsdale Drive  
Gordon, KY 41819

Edgar Darrell Cornett  
2900 Fairgrounds Road  
Brandenburg, KY 40108

Mavis J. Miniard  
79 Happy Lane  
Gordon, KY 41819

Nally & Haydon Cumberland  
General Delivery  
Gordon, KY 41819

Ottis & Doris Gilliam  
General Delivery  
Gordon, KY 41819

VIA: U.S. CERTIFIED MAIL

May 9, 2006

Carroll Smith, Judge/Executive  
Letcher County Court House  
156 Main St. Suite 107  
Whitesburg, KY 41858

606-633-2129

Dear Judge Smith:

RE: Public Notice-Public Service Commission of Kentucky (Case No. 2006-00133)

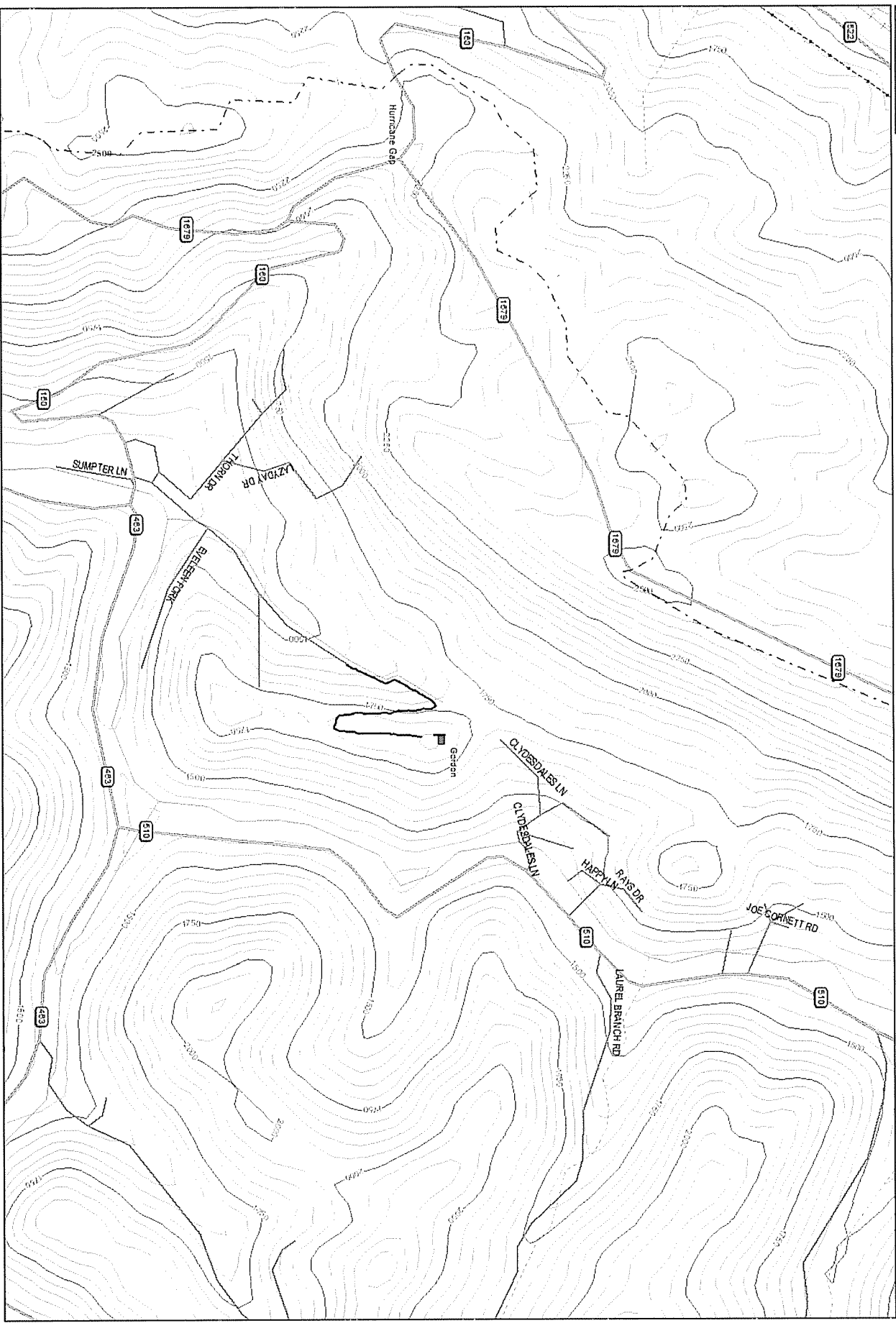
East Kentucky Network, LLC d/b/a Appalachian Wireless has applied to the Public Service Commission of Kentucky for a Certificate of Public Convenience and Necessity to construct and operate a new facility to provide cellular telecommunications service. The facility will include a 180-foot self-supported tower, plus attached antennas extending upwards, and an equipment shelter to be located on a ridgeline, fifteen hundred feet north of the Pine Mountain Overthrust Fault, between Valley Branch and Line Fork of the North Fork of the Kentucky River, three miles west of Gordon in Letcher County, Kentucky. This notice is being sent to you because you are the Judge Executive of Letcher County, Kentucky..

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.

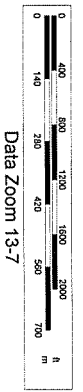
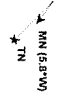
Your comments and request for intervention should be addressed to: Executive Director's Office, Public Service Commission of Kentucky, P.O. Box 615, Frankfort, KY 40602. Please refer to Case No. 2006-00133 in your correspondence.

Sincerely,

Janice Robinson  
Technical Site Coordinator  
enclosure



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 www.delorme.com



VIA: U.S. CERTIFIED MAIL

PUBLIC NOTICE

May 9, 2006

Ottis & Doris Gilliam  
General Delivery  
Gordon, KY 41819

RE: Public Notice-Public Service Commission of Kentucky (Case No. 2006-00133)

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. The facility will include a 180-foot self-supported tower, plus attached antennas extending upwards, and an equipment shelter to be located on a ridgeline, fifteen hundred feet north of the Pine Mountain Overthrust Fault, between Valley Branch and Line Fork of the North Fork of the Kentucky River, three miles west of Gordon in Letcher 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.

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Janice Robinson  
Technical Site Coordinator

Enclosure: (1) map.

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Technical Site Coordinator

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Mavis J. Miniard  
79 Happy Lane  
Gordon, KY 41819

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Technical Site Coordinator



VIA: U.S. CERTIFIED MAIL

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May 9, 2006

Irene Cornett  
95 Clydsdale Drive  
Gordon, KY 41819

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Sincerely,

Janice Robinson  
Technical Site Coordinator

Enclosure: (1) map.

VIA: U.S. CERTIFIED MAIL

PUBLIC NOTICE

May 9, 2006

Edgar Darrell Cornett  
2900 Gairgrounds Road  
Brandenburg, KY 40108

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Sincerely,

Janice Robinson  
Technical Site Coordinator

Enclosure: (1) map.



**WENDELL R. HOLMES, P.G.**  
**139 Wabaco Circle Road**  
**Hazard, KY 41701**  
**(606) 435-8100**

March 5, 2005

Gordon Tower Site

Purpose:

A site assessment was conducted for Appalachian Wireless on a tract of land located in Letcher County near Gordon, Kentucky. The site of the proposed tower is now forestland. 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. An excavator and a dozer were used to expose the bedrock material. It is one and one half feet to the sandstone bedrock. (See attached page for descriptions of materials encountered.)

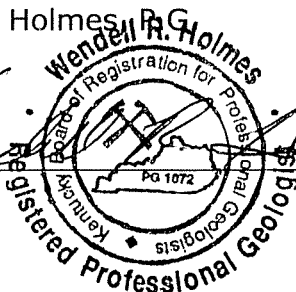
The terrain in Letcher County is moderately to very steep. The tower site is located on a ridgeline, fifteen hundred feet north of the Pine Mountain Overthrust Fault, between Valley Branch and Line Fork of the North Fork of the Kentucky River, three miles west of Gordon in Letcher County. The sandstone formation below the tower site is approximately sixty feet thick, 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. The sandstone bedrock on the proposed tower site is part of the Breathitt Formation, and is middle to lower Pennsylvanian in age. Tests were not conducted to determine the load-bearing strength of the bedrock. However, it is apparent that the tower will be constructed on the sandstone bedrock formation.

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, P.G.



Wendell R. Holmes

Registered Professional Geologist

Kentucky Board of Geology

Registration for Professional Geologists

PG 1072

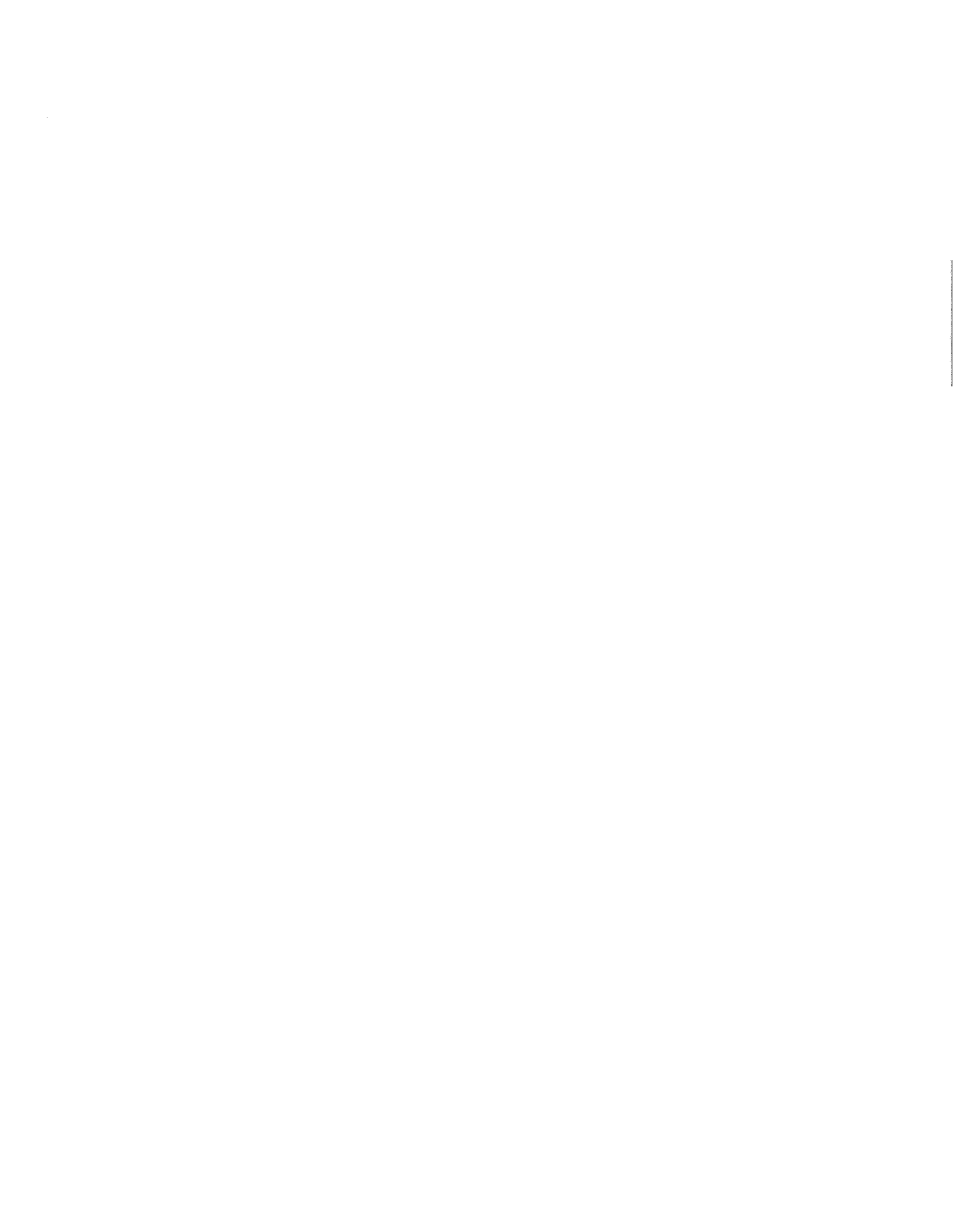
**WENDELL R. HOLMES, P.G.**

**139 Wabaco Circle Road  
Apartment 2  
Hazard, Ky. 41701**

**Geologist Log**

Location: Gordon Tower Site

Unit Thickness	Total depth	Strata	Description
1.50'	1.50'	Soil	Yellow, Brown, with Sandstone Fragments
2.00'	3.50'	Sandstone	Brown, Weathered and Broken
60.00'	63.50'	Sandstone	Brown and Gray
15.00'	78.50'	Sandy Shale	Brown and Gray



# LUKAS, NACE, GUTIERREZ & SACHS

CHARTERED

1650 TYSONS BOULEVARD, SUITE 1500

MCLEAN, VIRGINIA 22102

703 584 8678 • 703 584 8696 FAX

WWW.FCCLAW.COM

RUSSELL D LUKAS\*  
DAVID L NACE  
THOMAS GUTIERREZ\*  
ELIZABETH R SACHS\*  
GEORGE L LYON, JR  
PAMELA L GIST  
DAVID A LAFURIA  
B LYNN F RATNAVALE\*  
TODD SLAMOWITZ\*  
STEVEN M CHERNOFF\*

CONSULTING ENGINEERS  
ALI KUZEHKANANI  
LEROY A ADAM  
LEILA REZANAVAZ  
SUMEET K BHALOTIA  
OF COUNSEL  
JOHN J MCAVOY\*  
J K HAGE III\*  
LEONARD S KOLSKY\*  
HON. GERALD S MCGOWAN\*  
TAMARA DAVIS-BROWN\*

\*NOT ADMITTED IN VA

Writers Direct Dial  
(703) 584-8667  
akuzehkanani@fcclaw.com

April 24, 2006

## Via U.S. Mail

EXPRESS PROCESSING CENTER  
Federal Aviation Administration  
Southwest Regional Office  
Air Traffic Airspace Branch, ASW-520  
2601 Meacham Blvd.  
Fort Worth, TX 76137-4298

Dear FAA Evaluator:

Enclosed is an FAA Form 7460-1 (Notice of Proposed Construction or Alteration) for a new 200' communications tower structure (180' tower plus 20' antenna/lightning rod) near Gordon (Letcher County), Kentucky. The site ("Gordon") is approximately 0.75 miles west of the town. The site has an existing FAA Determination for a 270' structure. The proposed filing is to reduce the overall height from 270' to 200'.

The proponent, East Kentucky Network, LLC, is the licensee for Cellular Block B service in Kentucky 10 - Powell Rural Service Area (KY10B RSA), Market No 452B. Transmit technology to be employed at this station is CDMA in the Cellular Band B frequency band (880 -890 MHz and 891 - 894 MHz); the maximum ERP is 100 Watts.

The transmitting systems at this site will be installed and maintained such that transmitter spurious radiation in the frequency range of 118 MHz to 137 MHz is attenuated at least 71 dB below the unmodulated carrier level.

Should you have any questions or require additional information, please do not hesitate to call the undersigned at the above identified telephone number.

Sincerely,

  
Ali Kuzehkanani  
Director of Engineering

Enclosure

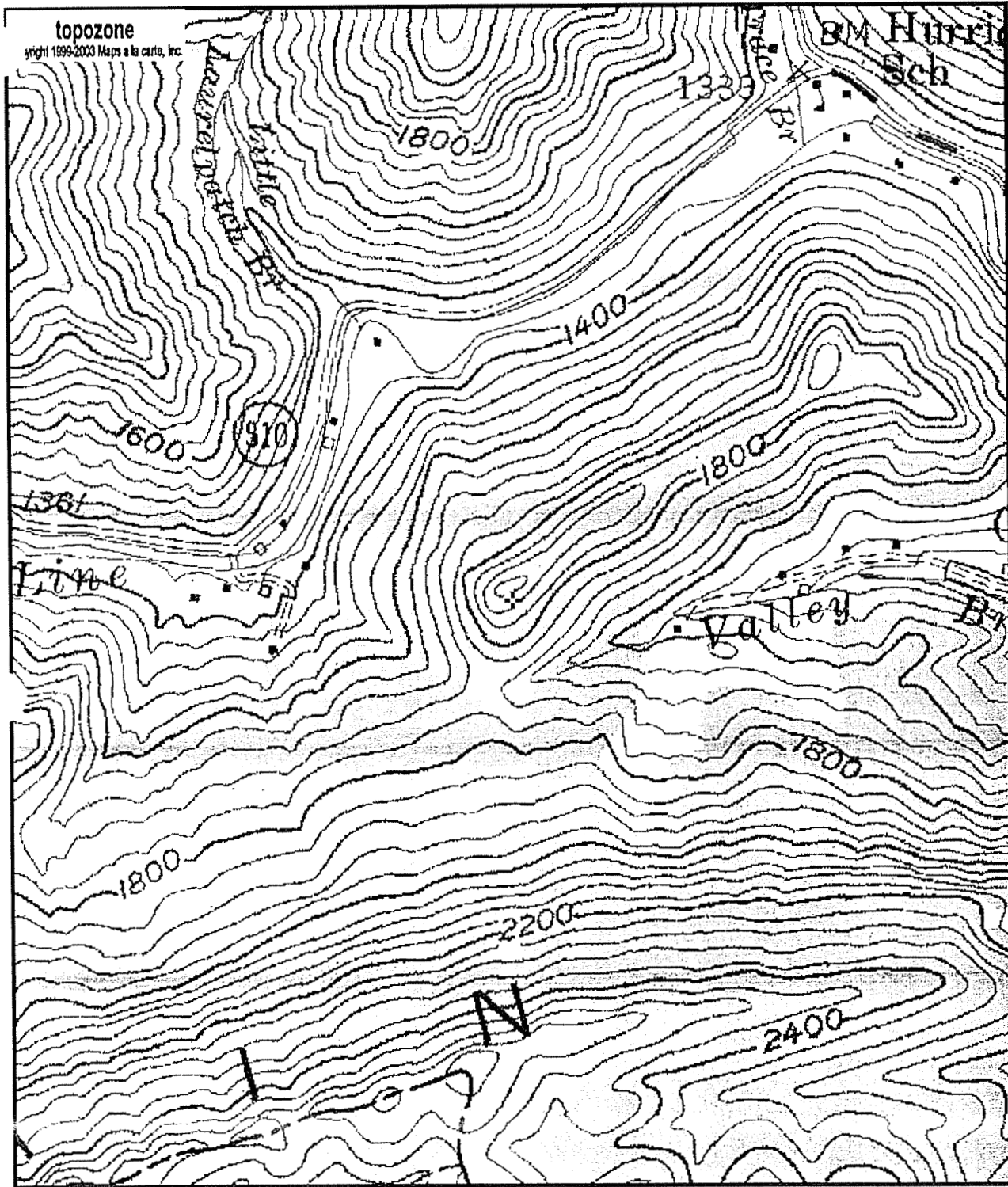
cc: East Kentucky Network, LLC  
Attention: Marty Thacker and Gerald Robinett



TC 56-50E (Rev 02/0)

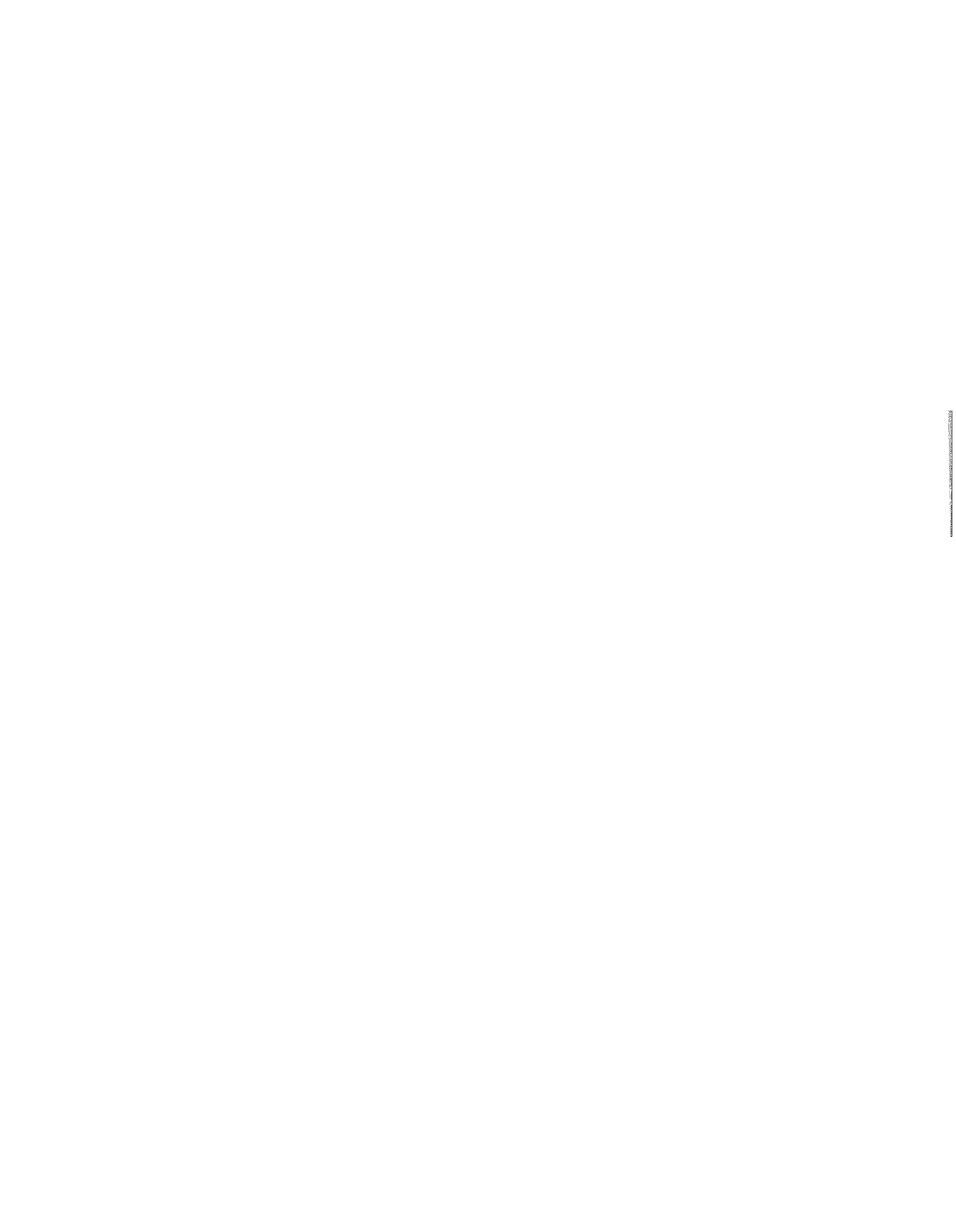
Kentucky Transportation Cabinet, Kentucky Airport Zoning Commission, 200 Mero Street, Frankfort, KY 40622 <b>APPLICATION FOR PERMIT TO CONSTRUCT OR ALTER A STRUCTURE</b> INSTRUCTIONS INCLUDED		Kentucky Aeronautical Study Number _____
1 APPLICANT -- Name, Address, Telephone, Fax, etc East Kentucky Network, LLC c/o Lukas, Nace, Gutierrez & Sachs, Chtd 1650 Tysons Blvd, Suite 1500 McLean, VA 22102 T: 703-584-8667 F: 703-584-8692	9 Latitude: <u>36</u> ° <u>59</u> ' <u>27</u> " <u>96</u> " 10 Longitude: <u>83</u> ° <u>02</u> ' <u>13</u> " <u>99</u> " 11 Datum: <input checked="" type="checkbox"/> NAD83 <input type="checkbox"/> NAD27 <input type="checkbox"/> Other 12 Nearest Kentucky City: <u>Gordon</u> County <u>Letcher</u>	
2 Representative of Applicant -- Name, Address, Telephone, Fax Ali Kuzehkanani Lukas, Nace, Gutierrez & Sachs, Chtd 1650 Tysons Blvd, Suite 1500 McLean, VA 22102 T: 703-584-8667 F: 703-584-8692	13 Nearest Kentucky public use or Military airport: <u>Tucker-Gunthrie Memorial Airport</u> 14 Distance from #13 to Structure: <u>20.0</u> 15 Direction from #13 to Structure: <u>ENE</u> 16 Site Elevation (AMSL): <u>1,900.00</u> Feet 17 Total Structure Height (AGL): <u>200.00</u> Feet 18 Overall Height (#16 + #17) (AMSL): <u>2,100.00</u> Feet 19 Previous FAA and/or Kentucky Aeronautical Study Number(s): <u>2004-ASO-5462-OE</u> 20 Description of Location: (Attach USGS 7.5 minute Quadrangle Map or an Airport layout Drawing with the precise site marked and any certified survey) The proposed site is 0.75 miles (1.2 km) west of Gordon (Letcher Co.), KY	
3 Application for: <input type="checkbox"/> New Construction <input checked="" type="checkbox"/> Alteration <input type="checkbox"/> Existing 4 Duration: <input checked="" type="checkbox"/> Permanent <input type="checkbox"/> Temporary (Months Days ) 5 Work Schedule: Start <u>10 May 2006</u> End <u>20 May 2006</u> 6 Type: <input checked="" type="checkbox"/> Antenna Tower <input type="checkbox"/> Crane <input type="checkbox"/> Building <input type="checkbox"/> Power Line <input type="checkbox"/> Landfill <input type="checkbox"/> Water Tank <input type="checkbox"/> Other 7 Marking/Painting and/or Lighting Preferred: <input type="checkbox"/> Red Lights and Paint <input checked="" type="checkbox"/> Dual - Red & Medium Intensity White <input type="checkbox"/> White - Medium Intensity <input type="checkbox"/> Dual - Red & High Intensity White <input type="checkbox"/> White - High Intensity <input type="checkbox"/> Other 8. FAA Aeronautical Study Number _____		
21 Description of Proposal:  The tower to be constructed is a communication support structure which consists of a 180-foot guyed support structure plus a 20-foot high antenna/lightning rod for operation of a Band B CDMA Cellular base station. The Antenna system is a three-sectored directional configuration with the maximum ERP in any direction of 100.0 Watts		
22 Has a "NOTICE OF CONSTRUCTION OR ALTERATION" (FAA Form 7460-1) been filed with the Federal Aviation Administration? <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes, When <u>April 24, 2006</u>		
CERTIFICATION: I hereby certify that all the above statements made by me are true, complete and correct to the best of my knowledge and belief		
Ali Kuzehkanani, Dir of Engineering Printed Name and Title	 Signature	24 Apr 2006 Date
PENALTIES: Persons failing to comply with Kentucky Revised Statutes (KRS 183.861 through 183.990) and Kentucky Administrative Regulations (602 KAR 050:Series) are liable for fines and/or imprisonment as set forth in KRS 183.990(3). Non-compliance with Federal Aviation Administration Regulations may result in further penalties.		
Commission Action: <input type="checkbox"/> Chairman, KAZC <input type="checkbox"/> Administrator, KAZC <input type="checkbox"/> Approved <input type="checkbox"/> Disapproved _____ Date _____		

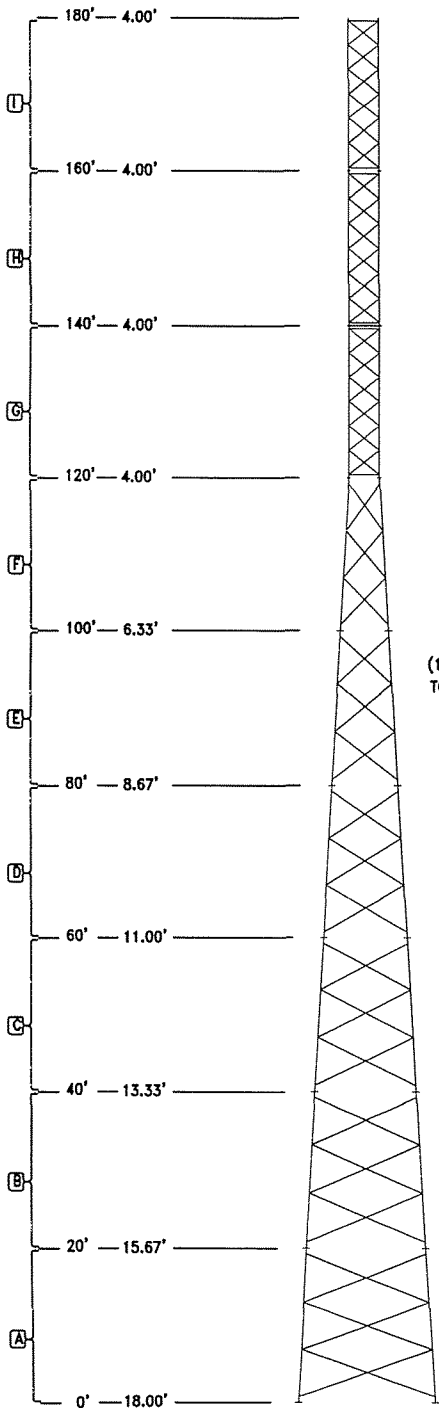




0 0.1 0.2 0.3 0.4 0.5 km  
0 0.09 0.18 0.27 0.36 0.45 mi  
Map center is 36° 59' 28"N, 83° 02' 14"W (WGS84/NAD83)  
**Louellen** quadrangle  
Projection is UTM Zone 17 NAD83 Datum

M=-5.836  
G=-1.226



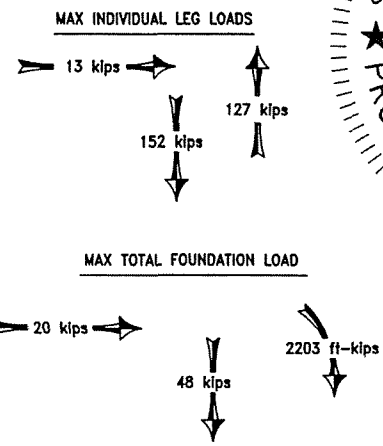
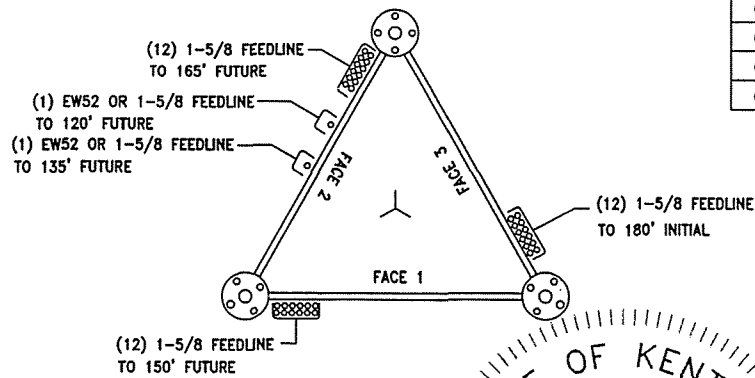


MEMBER CHART

SECTION	ELEVATION	FACE SIZE	LEGS	GIRTS			SECTION WEIGHT (lbs.)
				DIAGONALS	HORIZONTALS	CLIMBING	
A	0' - 20'	18.00' - 15.67'	3-1/4	L 3 x 3 x 3/16	N/A	NOTE: 3	3300
B	20' - 40'	15.67' - 13.33'	3-1/4	L 3 x 3 x 3/16	N/A	NOTE: 3	3175
C	40' - 60'	13.33' - 11.00'	3	L 2-1/2 x 2-1/2 x 3/16	N/A	NOTE: 3	2600
D	60' - 80'	11.00' - 8.67'	3	L 2 x 2 x 3/16	N/A	NOTE: 3	2350
E	80' - 100'	8.67' - 6.33'	3	L 2 x 2 x 3/16	N/A	NOTE: 3	2275
F	100' - 120'	6.33' - 4.00'	3	L 2 x 2 x 3/16	N/A	NOTE: 3	2200
G	120' - 140'	4.00'	2-1/4	3/4 S.R.	7/8 S.R.	NOTE: 3	1350
H	140' - 160'	4.00'	1-3/4	3/4 S.R.	7/8 S.R.	NOTE: 3	975
I	160' - 180'	4.00'	1-3/4	5/8 S.R.	3/4 S.R.	NOTE: 3	875

Feedline Distribution Information

1) The Tower Structure is Designed According To The Feedline Distribution Information Provided.

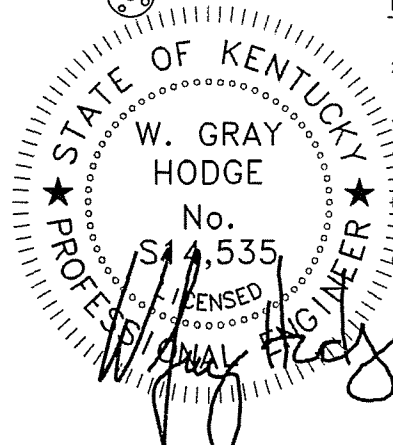


ANTENNA INFORMATION

ANTENNA	ELEVATION	LINE
(12) TYPICAL 4' CELL PANELS	● 180'	1-5/8
(12) TYPICAL 4' CELL PANELS	● 165'	1-5/8
(12) TYPICAL 4' CELL PANELS	● 150'	1-5/8
(1) 8' STD. DISH	● 135'	1-5/8 OR EW
(1) 6' STD. DISH	● 120'	1-5/8 OR EW

DESIGN & DRAWING NOTES:

- SOME DETAIL HAS BEEN OMITTED FOR CLARITY OF ILLUSTRATION.
- TOWER STRUCTURE IS DESIGNED IN ACCORDANCE WITH ANSI/EIA-222-F STANDARDS FOR A BASIC WIND SPEED OF 70 MPH WITH 1/2" ICE.
- TOWER DESIGNED FOR STEP BOLTS AND CLIP-ON WAVEGUIDE LADDER.
- ALL LEG & LEG FLANGE PL MATERIAL IS ASTM A-572 GRADE 50 (Fy ≥ 50 ksi). ALL OTHER MATERIAL IS ASTM A36 (Fy ≥ 36 ksi).
- SECTIONS A - F ARE 3-BAY X-BRACED. SECTIONS G - I ARE 6-BAY X-BRACED.
- (6) 1-1/4" # ASTM A449 ANCHOR BOLTS REQUIRED PER LEG.



REV. #	DESCRIPTION	DATE	APP.	DRAWN A.W.L.	DATE
					3-28-06

THIRD ANGLE PROJECTION

COMPANY CONFIDENTIAL INFORMATION CONTAINED HEREIN IS CONFIDENTIAL. IT IS TO BE USED SOLELY FOR THE PURPOSE PROVIDED, AND IT IS NOT TO BE DISCLOSED TO OTHERS WITHOUT THE PRIOR WRITTEN CONSENT OF SPX CORPORATION.

TOLERANCES  
.XX ± 3/32" ANGLES ± 2'  
.XX ± 3/32" DRILLED HOLES #1/32"  
.XXX ± 1/16" BURNED HOLES #1/16"

UNLESS OTHERWISE SPECIFIED DIMENSIONS ARE IN: INCHES

**Dielectric**  
TOWER OPERATIONS

PH# (812) 853-0595  
FAX# (812) 853-6652  
2855 HIGHWAY 261  
NEWBURGH, IN. 47630

TITLE  
ELEVATION VIEW & MEMBER INFORMATION  
GORDON, KY.

DWG NO.  
S2939T-1 (18760)

REV  
0

DO NOT SCALE DRAWING

**PAD**

REBAR SIZE	REBAR LENGTHS	# OF REBAR	TOTAL FT. REQ'D
#9 GRADE 60	29'	60	1740'

**PIER (verts) (Total for 3 Piers)**

REBAR SIZE	REBAR LENGTHS	# OF REBAR	TOTAL FT. REQ'D
#7 GRADE 60	7' - 11"	36	285'

**PIER (ties) (Total for 3 Piers)**

REBAR SIZE	REBAR LENGTHS	# OF REBAR	TOTAL FT. REQ'D
#4 GRADE 60	30" $\phi$	24	188'-5"

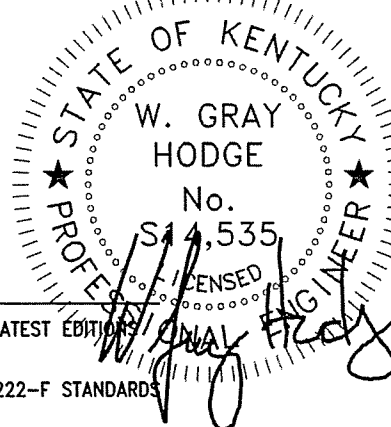
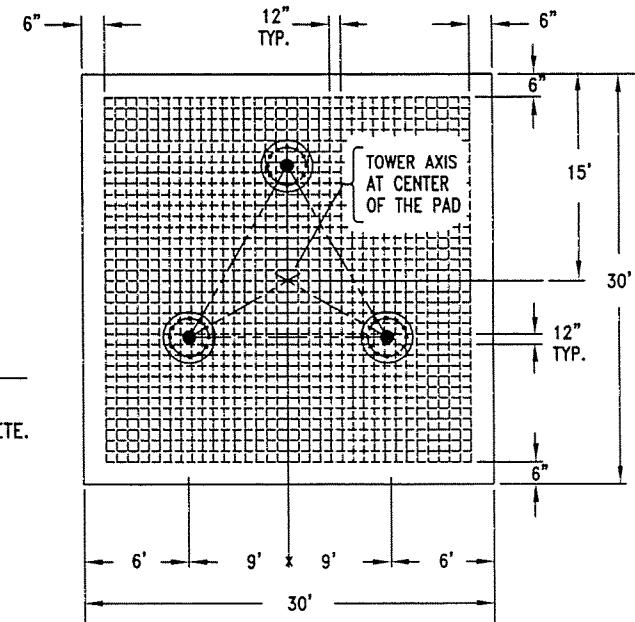
APPROXIMATE CONCRETE REQ'D = 70-1/4 yd<sup>3</sup>

**REBAR SPLICING CHART**

BAR SIZE	SPLICE LENGTH
3	15"
4	17"
5	21"
6	26"
7	30"
8	36"
9	46"
10	58"
11	71"

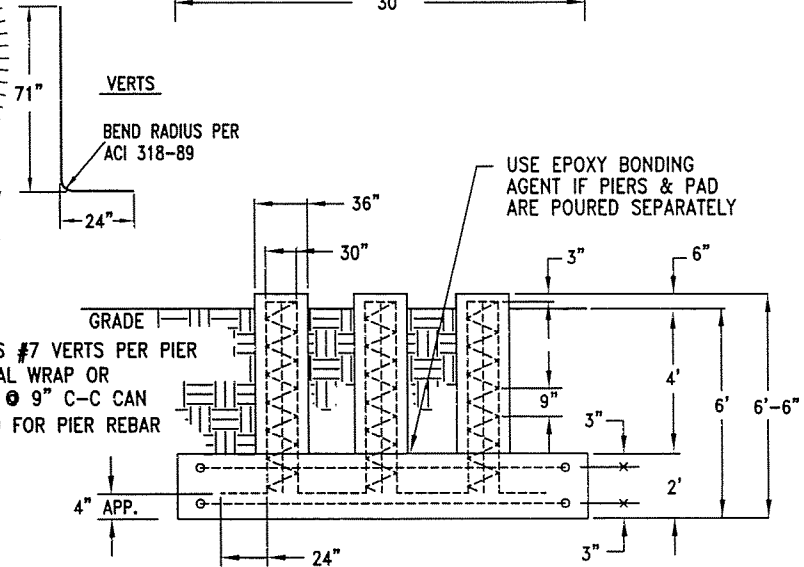
**SPLICING NOTES:**

- 1) STAGGER ALL SPLICES.
- 2) SPLICE CHART IS BASED ON 3000 PSI CONCRETE.
- 3) SPLICE REBAR ONLY WHEN NECESSARY.



**NOTES:**

- 1) ALL WORKMANSHIP AND MATERIALS SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF ACI 301 AND ACI318.
- 2) THIS FOUNDATION IS DESIGNED TO CONFORM ACI 318-99 AND ANSI/EIA-222-F STANDARDS UTILIZING THE SOILS REPORT PREPARED BY WENDELL R. MOLMES, P.G. A COPY SHALL BE PROVIDED TO THE FOUNDATION CONTRACTOR. SOIL CONDITIONS THAT DIFFER FROM THOSE DESCRIBED IN THE REPORT SHALL BE BROUGHT TO THE ATTENTION OF THE RESIDENT ENGINEER/INSPECTOR. ALL COMMENTS OR RECOMMENDATIONS REGARDING CONSTRUCTION TESTING OR CONSTRUCTION MONITORING SHALL BE STRICTLY FOLLOWED.
- 3) ALL CONCRETE SHALL BE 3000 PSI AT 28 DAYS. CYLINDERS SHALL BE PROPERLY CAST WITH COPIES OF THE TEST REPORTS GOING TO THE RESIDENT ENGINEER/INSPECTOR.
- 4) ALL ADMIXTURES MUST BE ADDED SEPARATELY INTO FRESH CONCRETE AND SUFFICIENTLY MIXED. A NON-CORROSIVE CONCRETE SET ACCELERATE MAY BE UTILIZED IN COMPLIANCE WITH ASTM 494 TYPE C. A WATER REDUCING ADMIXTURE MAY BE UTILIZED IN COMPLIANCE WITH ASTM 494 TYPE A.
- 5) ALL BACKFILL SHALL BE PLACED IN 9 INCH LIFTS AND COMPACTED TO A MINIMUM OF 95 PERCENT OF THE STANDARD PROCTOR MAXIMUM DRY DENSITY AS MEASURED BY ASTM D-698 UNLESS MORE STRINGENT COMPACTION IS REQUIRED BY THE SOIL REPORT.
- 6) MINIMUM CONCRETE COVER SHALL BE 3 INCHES UNLESS OTHERWISE NOTED.
- 7) CROWN TOP OF PIER FOR DRAINAGE AND CHAMFER ALL EXPOSED CONCRETE EDGES 1 INCH.



REV. #	DESCRIPTION	DATE	APP.	DRAWN A.W.L.	DATE
					3-29-06
				CHECK	
				APPROVAL	

TOLERANCES  
 .X± 3/32" HOLES± 2"  
 .XX± 3/32" DRILLED HOLES± #1/32"  
 .XXX± 1/16" BURNED HOLES± #1/16"

UNLESS OTHERWISE SPECIFIED DIMENSIONS ARE IN INCHES

**Dielectric**  
 TOWER OPERATIONS  
 PH# (812) 853-0595  
 FAX# (812) 853-6852  
 2855 HIGHWAY 261  
 NEWBURGH, IN. 47630

**BASE FOUNDATION DESIGN**  
**GORDON, KY.**

DWG NO. S2939T-F1 (18760)

DO NOT SCALE DRAWING



**Notice of Proposed Construction or Alteration (7460-1)**

**Project Name:** EAST -000039051-06

**Sponsor:** East Kentucky Network, LLC

**Details for Case : Gordon**

Show Project Summary

**Case Status**

**ASN:** 2006-ASO-2523-OE  
**Status:** Accepted

**Date Submitted:** 04/24/2006  
**Date Accepted:** 04/24/2006  
**Date Determined:**  
**Letters:** None

**Construction / Alteration Information**

**Notice Of:** Alteration  
**Duration:** Permanent  
*if Temporary:* Months: Days:  
**Work Schedule - Start:** 05/10/2006  
**Work Schedule - End:** 05/20/2006  
**State Filing:** Filed with State

**Structure Summary**

**Structure Name:** Gordon  
**Structure Type:** Tower  
*Other:*  
**FCC Number:**  
**Prior ASN:** 2004-ASO-5462-OE

**Structure Details**

**Latitude:** 36° 59' 27.96" N  
**Longitude:** 83° 2' 13.99" W  
**Horizontal Datum:** NAD83  
**Horizontal Accuracy:** None  
**Site Elevation (SE):** 1900 (nearest foot)  
**Structure Height (AGL):** 200 (nearest foot)  
**Marking/Lighting:** None

**Common Frequency Bands**

Low Freq	High Freq	Freq Unit	ERP	ERP Unit
869	894	MHz	500	W

**Specific Frequencies**

*Other:*

**Nearest City:** Gordon  
**Nearest State:** Kentucky  
**Traverseway:** No Traverseway  
**Description of Location:** The proposed site is 0.75 miles (1.2 km.) west of Gordon (Letcher Co.), KY  
**Description of Proposal:** A 180-foot tower with top-mounted 20-foot antenna/lightning rod operating in the 800-900 MHz Band. Operating ERP will be 100 watts.

**Janice Robinson**

---

**From:** Marty Thacker [m.thacker@tgtel.com]  
**Sent:** Wednesday, May 10, 2006 11:06 AM  
**To:** Janice Robinson  
**Subject:** Fw: 678 - KAZC study request for proposed Gordon Site

Janice,  
The attachments on this Email are the FAA and KAZC filings

Thanks

Marty  
----- Original Message -----  
**From:** Ali Kuzehkanani  
**To:** Houlihan, John (KYTC)  
**Cc:** grobinette@ekn.com ; Marty Thacker  
**Sent:** Monday, April 24, 2006 4:57 PM  
**Subject:** 678 - KAZC study request for proposed Gordon Site

Dear John:

Forwarded herewith in accordance with KRS 183.990 and Chapter 50 of Title 602 of the Kentucky Administrative Regulations, is an "Application for Permit to Construct or Alter a Structure" (Form TC 56-50) for a communications support structure proposed near Gordon (Letcher Co.), KY. The site is located approximately 0.75 miles (1.2 km) west of Gordon (Letcher), KY at geographic coordinates (**NAD83**) N 37-59-27.96; W 83-02-13.99.

Attached is a copy of the electronic FAA 7460-1 filing. A copy of the final FAA determination will be provided to you as soon as it is issued.

Please let me know if you have any questions or require any additional information.

Thank you in advance for your help in this matter.

Regards

**Ali Kuzehkanani**  
Director of Engineering  
Lukas, Nace, Gutierrez & Sachs  
1650 Tysons Boulevard, Suite 1500  
McLean, VA 22102  
Tel (703) 584-8667  
Fax (703) 584-8692  
Email [ali@fcclaw.com](mailto:ali@fcclaw.com)  
Email [akuzehkanani@fcclaw.com](mailto:akuzehkanani@fcclaw.com)





EAST KENTUCKY NETWORK, LLC  
DBA APPALACHIAN WIRELESS

FINANCIAL REPORT

December 31, 2004

INDEPENDENT AUDITOR'S REPORT

To the Members  
East Kentucky Network, LLC  
dba Appalachian Wireless  
Prestonsburg, Kentucky 41653

We have audited the accompanying balance sheets of East Kentucky Network, LLC, dba Appalachian Wireless as of December 31, 2004 and 2003 and the related statements of income, members' equity and cash flows for the years then ended. These financial statements are the responsibility of the Company's management. Our responsibility is to express an opinion on these financial statements based on our audits.

We conducted our audits in accordance with auditing standards generally accepted in the United States of America. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation. We believe that our audits provide a reasonable basis for our opinion.

In our opinion, the financial statements referred to above present fairly, in all material respects, the financial position of East Kentucky Network, LLC, dba Appalachian Wireless as of December 31, 2004 and 2003 and the results of its operations and its cash flows for the years then ended in conformity with accounting principles generally accepted in the United States of America.

*Jones, Nale & Mattingly P.C.*

Louisville, Kentucky  
February 18, 2005

EAST KENTUCKY NETWORK, LLC  
DBA APPALACHIAN WIRELESS

BALANCE SHEETS  
December 31, 2004 and 2003

ASSETS	<u>2004</u>	<u>2003</u>
<b>CURRENT ASSETS</b>		
Cash and cash equivalents	\$ 2,115,534	\$ 2,115,534
Short-term investments	100,000	100,000
Accounts receivable, less allowance for doubtful accounts of \$378,680 in 2004 and \$280,280 in 2003	1,481,900	1,481,900
Accounts receivable, members (Notes 6 and 7)	54,397	54,397
Inventory	826,636	826,636
Prepaid expenses	148,558	148,558
Total current assets	<u>\$ 4,727,025</u>	<u>\$ 4,727,025</u>
<b>PROPERTY, PLANT AND EQUIPMENT (Note 4)</b>		
Plant in service:		
General support	\$ 7,536,872	\$ 7,536,872
MTSO equipment	10,925,458	10,925,458
Cell equipment	31,817,505	31,817,505
Paging equipment	3,309,174	3,309,174
Fiber ring	4,484,626	4,484,626
Unfinished plant	1,708,762	1,708,762
	<u>\$ 59,782,397</u>	<u>\$ 59,782,397</u>
Less accumulated depreciation	23,457,869	23,457,869
	<u>\$ 36,324,528</u>	<u>\$ 36,324,528</u>
<b>OTHER ASSETS</b>		
Investment in affiliated company, RTFC (Note 4)	\$ 873,368	\$ 873,368
Intangible assets, net of accumulated amortization of \$1,741,672 in 2004 and \$1,301,347 in 2003 (Note 2)	4,762,678	4,762,678
Goodwill	787,286	787,286
Other	29,788	29,788
	<u>\$ 6,453,120</u>	<u>\$ 6,453,120</u>
	<u>\$ 47,504,673</u>	<u>\$ 47,504,673</u>

The Notes to Financial Statements are an integral part of these statements.



EAST KENTUCKY NETWORK, LLC  
DBA APPALACHIAN WIRELESS

STATEMENTS OF INCOME  
Years Ended December 31, 2004 and 2003

	2004	2003
<b>REVENUE</b>		
Retail	\$ 18,777,436	\$ 16,436,35
Roamer	4,693,531	3,784,72
Long distance	168,585	178,97
Paging	1,282,952	1,606,37
Equipment sales, cellular	1,571,027	1,365,22
Equipment sales, paging	79,573	87,92
Other	2,308,826	1,908,72
Total revenue	\$ 28,881,930	\$ 25,368,34
 <b>EXPENSES</b>		
Cost of cellular service	\$ 7,155,982	\$ 7,019,19
Cost of paging service	589,260	629,90
Cost of equipment sales, cellular	3,202,000	2,256,15
Cost of equipment sales, paging	101,331	140,39
Customer service	1,004,290	950,58
Billing	1,100,361	1,016,66
Selling	1,598,369	1,337,97
Maintenance	873,613	705,77
Utilities	306,593	303,44
Bad debts	698,471	937,22
Cell site rental	120,866	127,33
Taxes	243,180	241,55
Advertising	688,001	470,77
General and administrative	1,868,518	1,473,00
Occupancy	452,041	253,77
Depreciation	4,084,043	3,481,55
Amortization	507,010	609,22
Total expenses	\$ 24,593,929	\$ 21,954,40
Income from operations	\$ 4,288,001	\$ 3,414,94
 <b>OTHER INCOME (EXPENSE)</b>		
Interest income	\$ 29,556	\$ 35,77
Interest expense	(574,654)	(591,22)
	\$ (545,098)	\$ (555,45)
Net income	\$ 3,742,903	\$ 2,861,49

The Notes to Financial Statements are an integral part of these statements.

EAST KENTUCKY NETWORK, LLC  
DBA APPALACHIAN WIRELESS

STATEMENTS OF MEMBERS' EQUITY  
Years Ended December 31, 2004 and 2003

	Cellular Services, Inc.	Gearhart Communi- cations Company, Inc.	Mountain Tele- communi- cations, Inc.	Thacker- Grigsby Telephone Co., Inc.	Peoples Rural Telephone Coop- erative Corp- oration, Inc.	Total
Balance, January 1, 2003	\$ 4,995,363	\$ 4,995,362	\$ 4,995,362	\$ 4,995,363	\$ 4,995,363	\$24,976,813
Net income	572,366	572,366	572,366	572,365	572,365	2,861,828
Capital contributions	500,000	500,000	500,000	500,000	500,000	2,500,000
Balance, December 31, 2003	<u>\$ 6,067,729</u>	<u>\$ 6,067,728</u>	<u>\$ 6,067,728</u>	<u>\$ 6,067,728</u>	<u>\$ 6,067,728</u>	<u>\$30,338,641</u>
Net income	748,580	748,581	748,581	748,581	748,580	3,742,903
Capital distributions	(35,000)	(35,000)	(35,000)	(35,000)	(35,000)	(175,000)
Balance, December 31, 2004	<u>\$ 6,781,309</u>	<u>\$ 6,781,309</u>	<u>\$ 6,781,309</u>	<u>\$ 6,781,309</u>	<u>\$ 6,781,308</u>	<u>\$33,906,544</u>

The Notes to Financial Statements are an integral part of these statements.

EAST KENTUCKY NETWORK, LLC  
DBA APPALACHIAN WIRELESS

STATEMENTS OF CASH FLOWS  
Years Ended December 31, 2004 and 2003

	2004	2003
<b>CASH FLOWS FROM OPERATING ACTIVITIES</b>		
Net income	\$ 3,742,903	\$ 2,861,828
Adjustments to reconcile net income to net cash provided by operating activities:		
Depreciation	4,084,043	3,481,218
Amortization	507,010	609,215
Changes in assets and liabilities, net of the effects of investing and financing activities:		
(Increase) decrease in accounts receivable	(276,339)	261,472
(Increase) decrease in accounts receivable, members	23,313	(77,710)
(Increase) decrease in inventory	(406,781)	437,460
(Increase) in prepaid expenses	(41,233)	(20,127)
Decrease in other assets	1,121	1,119
Increase in accounts payable	480,443	22,942
(Decrease) in accounts payable, member	(5,574)	(45,077)
Increase in accrued expenses	393,916	107,040
Increase (decrease) in customer deposits	(11,842)	47,660
Net cash provided by operating activities	\$ 8,490,980	\$ 7,687,040
 <b>CASH FLOWS FROM INVESTING ACTIVITIES</b>		
Purchase of property, plant and equipment	\$ (12,214,324)	\$ (4,933,301)
Proceeds from sale of short-term investments	2,517,468	--
Purchase of short-term investments	--	(2,517,468)
Purchase of RTFC equity certificates	(5,619)	(3,352)
Net cash (used in) investing activities	\$ (9,702,475)	\$ (7,454,121)
 <b>CASH FLOWS FROM FINANCING ACTIVITIES</b>		
Proceeds from capital contributions	\$ --	\$ 2,500,000
Capital distributions	(175,000)	--
Net borrowings (payments) on notes payable	1,500,000	(500,000)
Payments on long-term borrowings	(779,000)	(728,750)
Net cash provided by financing activities	\$ 546,000	\$ 1,271,250
 Net increase (decrease) in cash and cash equivalents	\$ (665,495)	\$ 1,504,160
 Cash and cash equivalents:		
Beginning	2,781,029	1,276,860
Ending	\$ 2,115,534	\$ 2,781,020
 <b>SUPPLEMENTAL DISCLOSURE OF CASH FLOW INFORMATION</b>		
Cash payments for interest	\$ 619,257	\$ 531,500

The Notes to Financial Statements are an integral part of these statements.

EAST KENTUCKY NETWORK, LLC  
DBA APPALACHIAN WIRELESS  
NOTES TO FINANCIAL STATEMENTS

Note 1. Summary of Significant Accounting Policies

Nature of operations

East Kentucky Network, LLC, dba Appalachian Wireless, is a Kentucky limited liability company formed by the merger of Appalachian Cellular, LLC, Mountaineer Cellular, LLC and East Kentucky Network, LLC on January 1, 2000. The Company is engaged in cellular telephone communications and paging services to residential and commercial customers located in eastern Kentucky. The Company's five members consist of Cellular Services, Inc.; Gearheart Communications Company, Inc.; Mountain Telecommunications, Inc.; Peoples Rural Telephone Cooperative Corporation, Inc.; and Thacker-Grigsby Telephone Co., Inc.

Cash

The Company maintains its cash balances, which exceed the \$100,000 federally insured limit, with several financial institutions. These financial institutions have strong credit ratings and management believes that credit risk related to the accounts is minimal.

Cash equivalents

For purposes of the statement of cash flows, the Company considers temporary investments having a maturity of three months or less to be cash equivalents.

Short-term investments

Certificates of deposit having original maturities between three and nine months are classified as short-term investments, are carried at cost, which approximates fair value, and are held to maturity.

Inventory

Inventory is composed of cellular telephone equipment, paging equipment, and accessories purchased for resale during the ordinary course of business. The inventory is valued at the lower of cost or market, cost being determined by the first-in, first-out (FIFO) method.

Property, plant and equipment

Property, plant and equipment are recorded at cost. Depreciation is provided using the straight-line method over the estimated useful lives of the assets.

Investment

The investment in affiliated company is composed of equity certificates in Rural Telephone Finance Cooperative and is reported at cost, which approximates fair value.



## NOTES TO FINANCIAL STATEMENTS

### Note 1. Summary of Significant Accounting Policies (Continued)

#### Intangible assets

The customer lists, non-compete agreements, FCC licenses, and use of name are recorded at cost and are being amortized over 15 years by the straight-line method. The excess cost over the fair value of the net assets acquired (goodwill) related to paging acquisitions is measured for impairment on an annual basis, and written down, if necessary, to its estimated value at that time.

#### Recognition of revenue

Cellular service and paging revenues are recognized when earned. Monthly access and feature charges are billed one month in advance and recognized as revenue the following month. Revenue from telephone and accessories sold are recognized as revenue upon delivery to the customer.

#### Advertising

Advertising costs are expensed as incurred. At December 31, 2004 and 2003, these costs were \$688,001 and \$470,732, respectively.

#### Income taxes

Under existing provisions of the Internal Revenue Code, the income or loss of a limited liability company is recognized by the members for income tax purposes. Accordingly, no provision for income tax has been provided for in the accompanying financial statements.

#### Use of estimates

Management uses estimates and assumptions in preparing financial statements. Those estimates and assumptions affect the reported amounts of assets and liabilities, the disclosure of contingent assets and liabilities, and the reported revenues and expenses.

#### Reclassification

Certain amounts presented in the prior year have been restated to conform with the current year presentation.

## NOTES TO FINANCIAL STATEMENTS

### Note 2. Intangible Assets

Intangible assets consist of the following at December 31, 2004:

	Gross Amount	Accumulated Amortization
Customer lists	\$ 5,363,530	\$ (1,438,317)
Non-compete agreements	220,348	(92,218)
FCC licenses	841,593	(198,350)
Use of name	10,000	(3,001)
Other	68,879	(9,786)
	\$ 6,504,350	\$ (1,741,672)

Intangible assets consist of the following at December 31, 2003:

	Gross Amount	Accumulated Amortization
Customer lists	\$ 5,363,530	\$ (1,080,021)
Non-compete agreements	220,348	(77,498)
FCC licenses	841,593	(132,073)
Use of name	10,000	(2,333)
Other	25,839	(9,422)
	\$ 6,461,310	\$ (1,301,347)

Aggregate amortization expense related to these intangible assets for the years ended December 31, 2004 and 2003 totaled \$440,325 and \$547,652, respectively. The following represents the total estimated amortization of intangible assets for each of the succeeding five years:

Year ending December 31:

2005	\$ 500,000
2006	500,000
2007	500,000
2008	500,000
2009	500,000

## NOTES TO FINANCIAL STATEMENTS

### Note 3. Notes Payable

Notes payable consist of the following:

	December 31,	
	2004	2003
RTFC, Line of Credit (a)	\$ --	\$ 1,800,000
Cumberland Mountain Paging (b)	400,000	400,000
Total	\$ 400,000	\$ 2,200,000

- (a) The Company has a line of credit agreement with Rural Telephone Finance Cooperative (RTFC) that provides for borrowings up to \$5,000,000. The outstanding balance at December 31, 2004 and 2003 was \$3,300,000 and \$1,800,000, respectively. The agreement carries an interest rate at prime, plus one and one-half percent, is unsecured and was renewed June 28, 2004 for 24 months. Accordingly, the note is presented in the financial statements as long-term debt at December 31, 2004 (see Note 4).
- (b) The Company issued two promissory notes in connection with the acquisition of certain paging assets. Both notes were due in one year with interest at a rate of 4%. The remaining note with a balance of \$400,000 is currently due, but the Company is negotiating the amount based upon the purchased customer lists.

### Note 4. Long-Term Debt

Long-term debt as of December 31, 2004 and 2003 consists of the following:

	December 31, 2004		
	Balance	Current	Long-Term
Notes payable, RTFC:			
Dated 11/13/97, variable rate (6.15% at 12/31/04)	\$ 218,285	\$ 22,714	\$ 195,571
Dated 11/13/97, variable rate (6.15% at 12/31/04)	999,575	104,012	895,563
Dated 11/13/97, fixed rate (7.20% at 12/31/04)	813,493	81,476	732,017
Dated 12/31/98, fixed rate (7.25% at 12/31/04)	677,532	55,516	622,016
Dated 02/13/01, variable rate (5.85% at 12/31/04)	861,950	80,750	781,200
Dated 02/13/01, variable rate (5.85% at 12/31/04)	1,011,829	94,791	917,038
Dated 07/27/01, variable rate (5.85% at 12/31/04)	2,845,311	408,121	2,437,190
Line of credit, variable rate (6.40% at 12/31/04)	3,300,000	--	3,300,000
	\$10,727,984	\$ 847,380	\$ 9,880,604

## NOTES TO FINANCIAL STATEMENTS

### Note 4. Long-Term Debt (Continued)

	December 31, 2003		
	Balance	Current	Long-Term
Notes payable, RTFC:			
Dated 11/13/97, variable rate (4.40% at 12/31/03)	\$ 240,199	\$ 20,054	\$ 220,145
Dated 11/13/97, variable rate (4.40% at 12/31/03)	1,093,351	95,994	997,357
Dated 11/13/97, fixed rate (7.20% at 12/31/03)	893,978	73,946	820,032
Dated 12/31/98, fixed rate (7.25% at 12/31/03)	733,212	52,230	680,982
Dated 02/13/01, variable rate (4.20% at 12/31/03)	932,054	76,974	855,080
Dated 02/13/01, variable rate (4.20% at 12/31/03)	1,094,112	90,358	1,003,754
Dated 07/27/01, variable rate (4.20% at 12/31/03)	3,220,078	388,499	2,831,579
	\$ 8,206,984	\$ 798,055	\$ 7,408,929

The notes payable to Rural Telephone Finance Cooperative (RTFC) are secured by mortgage and security agreements that include substantially all of the assets of the Company. In addition, the Company is required to purchase equity certificates in RTFC equal to 5% of the total amounts borrowed. The notes are payable in quarterly installments over 15 years with interest at variable or fixed rates set by RTFC.

The line of credit agreement with RTFC provides for borrowings up to \$5,000,000. The agreement carries an interest rate at prime, plus one and one-half percent, is unsecured and was renewed June 28, 2004 for 24 months. Accordingly, the note is presented in the financial statements as long-term debt at December 31, 2004 (see Note 3).

Approximate maturities or payments required on principal under note payable agreements for each of the succeeding five years are as follows:

#### Year ending December 31:

2005	\$ 847,380
2006	4,200,418
2007	956,799
2008	1,016,735
2009	1,080,451

## NOTES TO FINANCIAL STATEMENTS

### Note 5. Retirement Plans

The Company has a 401(k) plan for qualifying employees who have reached twenty-one years of age. Eligible employees are allowed to invest up to 15% of their compensation and the Company has agreed to match 100% of the first 3% of the employees' contribution and 50% of the employees' contribution between 3% and 5%. The Company contributed \$58,929 and \$59,472 matching funds for its 401(k) plan during the years ended December 31, 2004 and 2003, respectively.

The Company also offers an employer sponsored retirement savings plan for qualified employees who have reached twenty-one years of age. The Company has agreed to contribute 9% of the eligible employee's compensation, plus an additional 5% of the original contribution. The Company contributed \$214,464 and \$205,832 to its retirement savings plan during the years ended December 31, 2004 and 2003, respectively.

### Note 6. Related Party Transactions

The Company shares personnel with one of its members. The Company paid \$111,438 and \$126,331 for shared personnel during the years ended December 31, 2004 and 2003 respectively. The Company also leased offices and warehouse space from two members. The leases are for an unspecified length of time. The monthly lease payments total approximately \$7,000. In addition, the Company incurred interconnection charges from its members aggregating \$812,794 and \$765,004 for the years ended December 31, 2004 and 2003, respectively.

The Company leases two cellular tower sites from the officers and majority shareholders of a member for \$100 per month for each site. The leases are for an unspecified length of time. In addition, the Company leases two other sites from a company owned by this member for \$600 each on a month to month basis.

The Company leases cellular tower sites from the parent company of one of its other members for \$1,039 per month. The leases are for five years with options to renew.

### Note 7. Operating Leases

The Company has entered into operating leases with its members and other customers to provide fiber optic transmission capacity and ancillary services. The terms of these leases are for 15 years.

Total rental income earned from these operating lease commitments included in the statements of income were \$1,442,016 and \$1,157,527 for the years ended December 31, 2004 and 2003, respectively. Rental income earned from the Company's members from these leases was \$1,132,545 and \$858,714 for the years ended December 31, 2004 and 2003, respectively.

## NOTES TO FINANCIAL STATEMENTS

### Note 7. Operating Leases (Continued)

Investments in operating leases are as follows at December 31:

	2004	2003
Fiber ring	4,484,626	3,987,697
Accumulated depreciation	(563,677)	(355,090)
	\$ 3,920,949	\$ 3,632,607

The future minimum rental payments expected to be received under these lease agreements for each of the succeeding five years are approximately \$700,000 each year based upon new contracts negotiated during 2005.

The Company has also entered into lease agreements with its members to obtain fiber optic transmission and digital microwave transmission services. The terms of these leases are for 15 years.

Rental expenses incurred under these operating lease commitments included in the statements of income were \$54,420 and \$247,095 for the years ended December 31, 2004 and 2003, respectively.

The future minimum lease payments required under these lease agreements for each of the succeeding five years are \$115,734 each year.



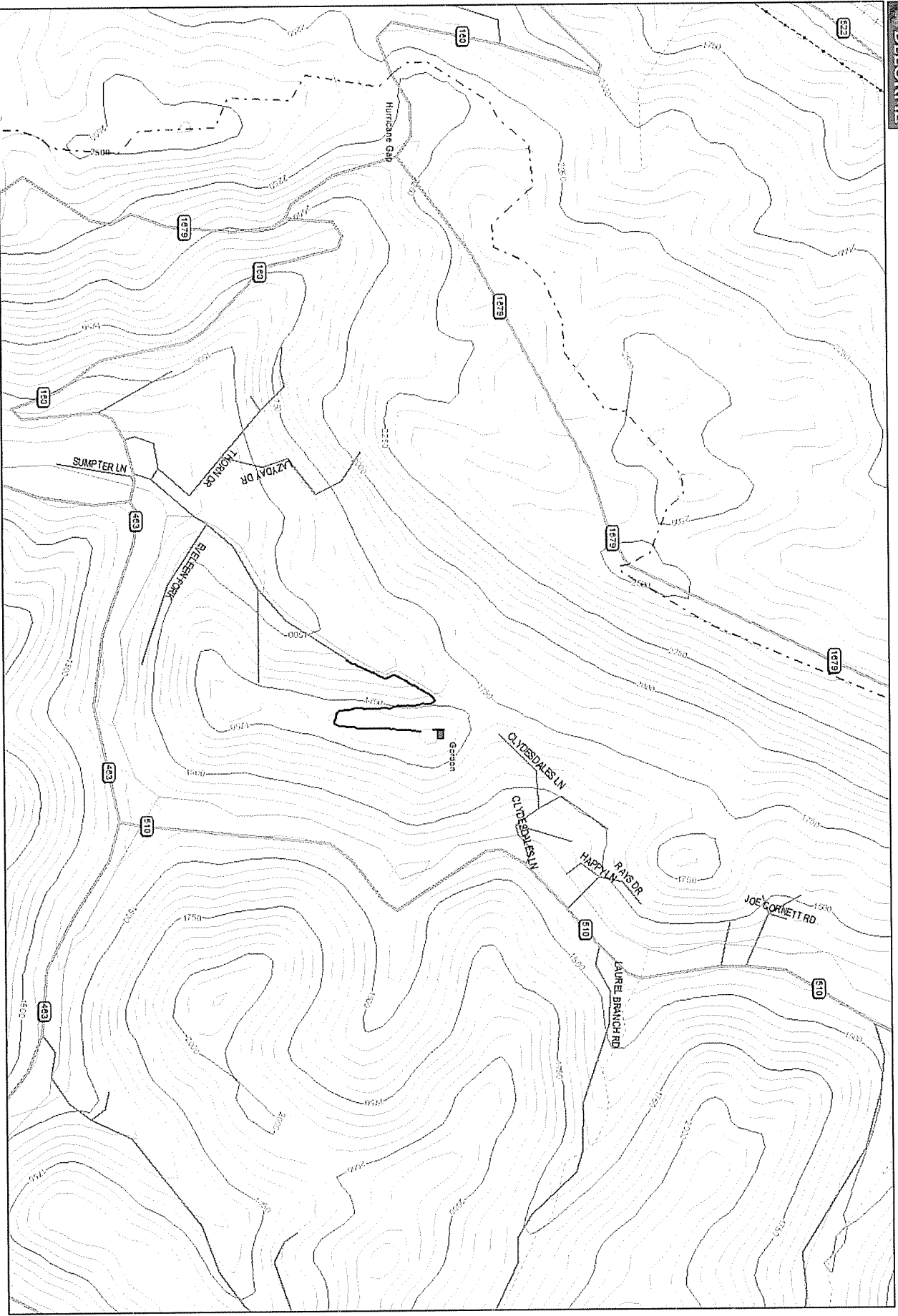
## **Directions to Gordon Site**

**From the court house in Whitesburg Ky. Inter North Webb St. and go .1 miles. Turn right onto Bentley Avenue and go 1 mile. Turn North onto Rt. 15 . Go .4 Miles and turn onto Hwy. 931 South . Take Hwy 931 for 10.3 miles to Route 160. At route 160 Turn left (South) for 7.8 miles to Valley Branch Road. Turn Right onto Valley Br. Road and go 1.1 mile to the Gordon Tower Site.**

**Directions were written by**

**Marty Thacker  
Appalachian Wireless  
606-634-9505 Cell Phone  
606-853-9505 Pager  
[m.thacker@tgtel.com](mailto:m.thacker@tgtel.com) E mail**

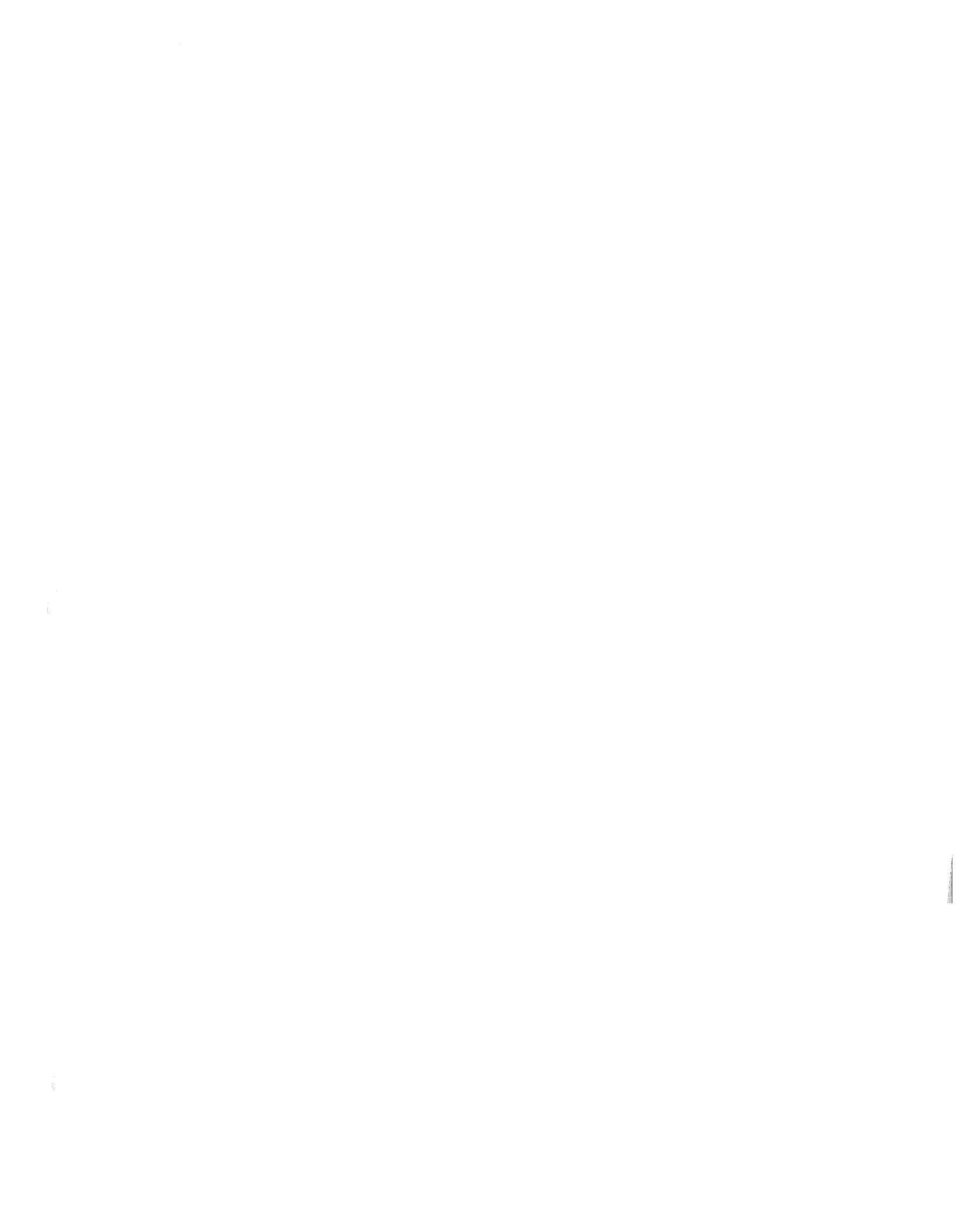




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 www.delorme.com



Data Zoom 13-7



# COPY

## DEED OF CONVEYANCE

THIS DEED OF CONVEYANCE, entered into this 23<sup>rd</sup> day of April, 2004, between **Edgar Darrell Cornett and Sandi Cornett, his wife**, of 2900 Fairgrounds Road, Brandenburg, Kentucky 40108, GRANTORS, and **East Kentucky Network, LLC**, d/b/a **Appalachian Cellular**, P.O. Box 405, Prestonsburg, Kentucky, GRANTEE.

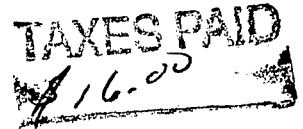
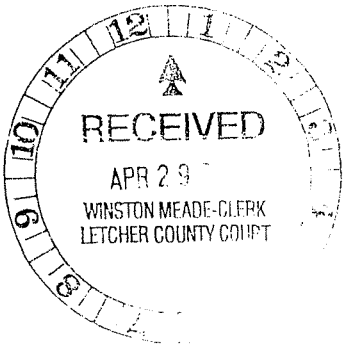
### WITNESSETH:

That said Grantors for and in consideration of the sum of Sixteen Thousand Dollars (\$16,000.00), cash in hand paid, the receipt and sufficiency of which is hereby acknowledged, do hereby grant, sell and convey to the Grantee, its successors and assigns, the following described property, to-wit:

BEING a part of the same property conveyed from Kermit Cornett, single, Marvis June Miniard, single, Ruby Jean Roark and Ray Roark, her husband, to Edgar Darrell Cornett and Carolyn Cornett, his wife, dated July 19, 1974, of record in Deed Book 205, Page 179; by Affidavit of Descent of Susie Cornett dated July 19, 1974 of record in Deed Book 205, Page 178, Letcher County Clerk's Office; and evidenced by the Last Will & Testament of Carolyn Sue Cornett dated July 26, 1983, recorded in Will Book J, Page 694, Meade County Clerk's Office.

BEING the same property described by metes and bounds in the description attached hereto and made a part hereof as Exhibit "A", and as shown on the plat dated day of 4-19, 2004, prepared by Richard G. Brown, PLS, Licensed Land Surveyor, and attached hereto and made a part hereof as Exhibit "B."

Grantors grant and convey unto Grantee, its successors or assigns, a permanent easement and right of way for a roadway of sufficient width for ingress and egress with men, vehicles, equipment and machinery over and across Grantor's retained surface property to the tract or parcel of land granted and conveyed herein to Grantee, its successors and assigns together with the right to reconstruct or use any existing roadways over Grantors'



retained surface for such purposes. Any roadway thus constructed shall follow the route of the existing road into the gap near the above described property.

Grantors grant and convey unto Grantee, its successors or assigns, an easement and right of way to construct and maintain any and all power lines, telephone lines, co-axial lines or any other utilities or related facilities needed and/or necessary for use by Grantee, its successors or assigns, over and across Grantors' retained surface property to the tract or parcel of land granted and conveyed herein to Grantee, its successor and assigns.

Grantors further grant and convey unto Grantee, its successors and assigns, the right to remove any trees, tree limbs, undergrowth or obstructions upon Grantors' retained surface property that might interfere with or damage any towers or structures that Grantee, its successors or assigns, may place upon the above described tract of land, or with the easements and rights of way granted herein. Any trees cut hereunder that are marketable timber quality will be saved for Grantors.

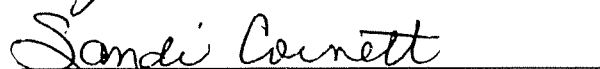
TO HAVE AND TO HOLD the same with all appurtenances thereunto belonging unto the Grantee, its successors and assigns forever, with covenant of General Warranty.

We, the undersigned, do hereby certify and swear pursuant to KRS Chapter 382, that the full and complete consideration paid for the transfer of the hereinabove described property was Sixteen Thousand Dollars (\$16,000.00).

IN TESTIMONY WHEREOF, the Grantor has hereunto subscribed its name by and through its duly authorized officers, the day and year aforesaid.

**GRANTORS:**

  
Edgar Darrell Cornett

  
Sandi Cornett

**GRANTEE:**

**EAST KENTUCKY NETWORK, LLC  
d/b/a APPALACHIAN CELLULAR**

BY: Laura Phipps  
ITS: General Manager

**STATE OF KENTUCKY**

**COUNTY OF** Floyd Meade

I, Dennis Shepherd, a Notary Public in and for the County and State aforesaid, do hereby certify that the foregoing Deed of Conveyance and Consideration Certificate was this day produced, acknowledged, subscribed and sworn before me in the said County and State and signed by **Edgar, Darrell Cornett and Sandi Cornett, his wife, Grantors**, this 23<sup>rd</sup> day of April, 2004.

Dennis Shepherd  
**NOTARY PUBLIC**  
Commission Expires: Oct. 22-2005

**STATE OF KENTUCKY**

**COUNTY OF** Floyd

I, Dennis Shepherd, a Notary Public in and for the county and state aforesaid, do hereby certify that the foregoing Deed of Conveyance and Consideration Certificate was this day produced, acknowledged, subscribe and sworn to before me in said County and State and signed by **East Kentucky Network, LLC, d/b/a Appalachian Cellular**, by Laura Phipps, its General Manager, this 23<sup>rd</sup> day of April, 2004.

Dennis Shepherd  
**NOTARY PUBLIC**  
Commission Expires: Oct. 22-2005

This is to certify that this instrument was prepared by:

William S. Kendrick  
WILLIAM S. KENDRICK, ATTORNEY  
FRANCIS, KENDRICK & FRANCIS  
P.O. Box 268  
Prestonsburg, Kentucky 41653  
606/886-2812

EXHIBIT "A"

PROPERTY DESCRIPTION  
EDGAR DARRELL CORNETT

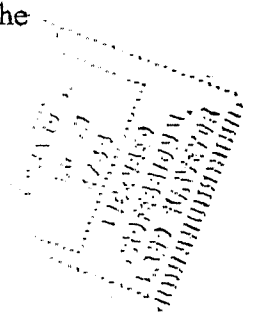
Situated on the head of Valley Branch of Line Fork Creek, near Gordon, Letcher County, Kentucky and beginning at a one-half inch iron rebar with plastic cap stamped PLS 2734 set on the center of the ridge dividing the properties of Edgar Darrell Cornett and Irene Cornett; thence leaving said ridge and down the hill toward Valley Branch S 46°44' 11" E 76.97 feet to a one-half inch iron rebar with plastic cap stamped PLS 2734 witnessed by a marked 8" maple; thence running along the hillside S 57°25' 17" W 138.52 feet to a one-half inch iron rebar with plastic cap stamped PLS 2734 witnessed by a marked 8" maple on the center of a small spur, also being 9 feet below a large rock; thence continuing along the hillside N 22°37' 20" W 117.02 feet to a one-half inch iron rebar with plastic cap stamped PLS 2734, being a corner to Irene Cornett as recorded in Deed Book 256, Page 516, witnessed by a marked double chestnut oak on center of a small spur, also being 14 feet below the base of a cliff; thence with the lines of said Irene Cornett up the spur S 85°38' 51" E 82.63 feet to a one-half inch iron rebar with plastic cap stamped PLS 2734 witnessed by a marked 5" maple on the center of the ridge that divides Valley Branch and Line Fork Creek; thence N 42°17' 45" E 34.60 feet to the point of beginning and containing approximately 0.234 acre, as surveyed by Richard G. Brown, PLS, of R. R. Crawford Engineering, Whitesburg, Kentucky. Said survey completed April 19, 2004.

The above described tract is a part of lands conveyed by Kermit Cornett et al to Edgar Darrell Cornett and Carolyn Cornett, his wife, by deed dated July 19, 1974, and recorded in Deed Book 205, Page 179, records of the Letcher County Court Clerk's Office.

This description was prepared on April 22, 2004, based on surveying conducted on the ground under my supervision. Right of ways or easements could exist on, under or through this property and not be referenced in this description.

Richard G. Brown, PLS  
Kentucky LS 2734

*Richard G. Brown*



STATE OF KENTUCKY  
COUNTY OF LETCHER

Clerk's Certificate of  
Lodgment and Record

I, Winston Meade, Clerk of the County for the County and State aforesaid, certify that the foregoing Deed was on the 29 day of April, 2004 lodged for record, whereupon the same, with the foregoing and this certificate have been duly recorded in my office. Deed Book 371 Page 597

WITNESS my hand, this 30 day of April, 2004.

Winston Meade Clerk

By Carle Smith D.C.

COPY

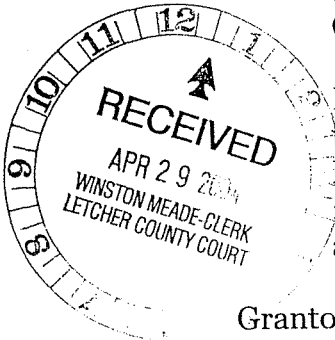
DEED OF CONVEYANCE

THIS DEED OF CONVEYANCE, entered into this 29<sup>th</sup> day of April, 2004, between **Irene Cornett, unmarried**, of 95 Clydesdale Drive, Gordon, Kentucky 41819 GRANTOR, and **East Kentucky Network, LLC, d/b/a Appalachian Cellular**, P.O. Box 405, Prestonsburg, Kentucky, GRANTEE.

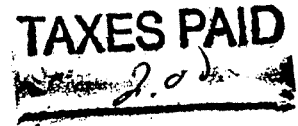
WITNESSETH:

That said Grantor for and in consideration of the sum of Two Thousand Dollars (\$2,000.00), cash in hand paid, the receipt and sufficiency of which is hereby acknowledged, does hereby grant, sell and convey to the Grantee, its successors and assigns, the following described property, to-wit:

BEING a part of the same property conveyed from Larry Wayne Cornett and Sue Cornett, his wife, to Irene Cornett dated April 1, 1983, recorded in Deed Book 256, Page 516, Letcher County Clerk's Office.



BEING the same property described by metes and bounds in the description attached hereto and made a part hereof as Exhibit "A", and as shown on the plat dated 19<sup>th</sup> day of April, 2004, prepared by Richard G. Brown, Licensed Land Surveyor, and attached hereto and made a part hereof as Exhibit "B."



Grantor grants and conveys unto Grantee, its successors or assigns, a permanent easement and right of way for a roadway of sufficient width for ingress and egress with men, vehicles, equipment and machinery over and across Grantor's retained surface property but only on the Valley Branch Ridge if reasonably necessary to access the tract or parcel of land granted and conveyed herein to Grantee, its successors and assigns together with the right to reconstruct or use any existing roadways over Grantor's retained surface for such purposes.

Grantor grants and conveys unto Grantee, its successors or assigns, an easement and



right of way to construct and maintain any and all power lines, telephone lines, co-axial lines or any other utilities or related facilities needed and/or necessary for use by Grantee, its successors or assigns, over and across Grantor's retained surface property to the tract or parcel of land granted and conveyed herein to Grantee, its successor and assigns.

Grantor further grants and conveys unto Grantee, its successors and assigns, the right to remove any trees, tree limbs, undergrowth or obstructions upon Grantors' retained surface property that might interfere with or damage any towers or structures that Grantee, its successors or assigns, may place upon the above described tract of land, or with the easements and rights of way granted herein. Any trees of value that are removed shall be saved for the Grantor.

TO HAVE AND TO HOLD the same with all appurtenances thereunto belonging unto the Grantee, its successors and assigns forever, with covenant of General Warranty.

We, the undersigned, do hereby certify and swear pursuant to KRS Chapter 382, that the full and complete consideration paid for the transfer of the hereinabove described property was Two Thousand Dollars (\$2,000.00).

IN TESTIMONY WHEREOF, the Grantor and Grantee have hereunto subscribed their name the day and date aforesaid.

**GRANTOR:**

Irene Cornett  
**Irene Cornett**

**GRANTEE:**

**EAST KENTUCKY NETWORK, LLC  
d/b/a APPALACHIAN CELLULAR**

BY: Laura Phyllis  
ITS: Denise Mandell

STATE OF KENTUCKY

COUNTY OF Letcher

I, Dennis Shepherd, a Notary Public in and for the County and State aforesaid, do hereby certify that the foregoing Deed of Conveyance and Consideration Certificate was this day produced, acknowledged, subscribed and sworn before me in the said County and State and signed by **Irene Cornett, unmarried, Grantor**, this 29<sup>th</sup> day of April, 2004.

Dennis Shepherd  
NOTARY PUBLIC  
Commission Expires: Oct: 22-2005

STATE OF KENTUCKY

COUNTY OF Floyd

I, Dennis Shepherd, a Notary Public in and for the county and state aforesaid, do hereby certify that the foregoing Deed of Conveyance and Consideration Certificate was this day produced, acknowledged, subscribe and sworn to before me in said County and State and signed by **East Kentucky Network, LLC, d/b/a Appalachian Cellular**, by Laura Phipps, its General Manager, this 23<sup>rd</sup> day of April, 2004.

Dennis Shepherd  
NOTARY PUBLIC  
Commission Expires: oct: 22-2005

This is to certify that this instrument was prepared by:

William S. Kendrick

WILLIAM S. KENDRICK, ATTORNEY  
FRANCIS, KENDRICK & FRANCIS  
P.O. Box 268  
Prestonsburg, Kentucky 41653  
606/886-2812

STATE OF KENTUCKY

EXHIBIT "A"  
PROPERTY DESCRIPTION  
IRENE CORNETT

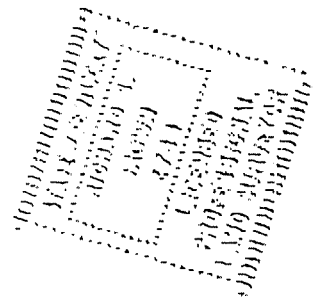
Situated on the head of Valley Branch of Line Fork Creek, near Gordon, Letcher County, Kentucky and beginning at a one-half inch iron rebar with plastic cap stamped PLS 2734 set on the center of the ridge dividing the properties of Irene Cornett and Edgar Darrell Cornett; thence leaving said ridge and down the hill toward Line Fork Creek N 30°26' 20" W 77.71 feet to a one-half inch iron rebar with plastic cap stamped PLS 2734 witnessed by a marked 22" black oak; thence running along the hillside S 37°31' 45" W 108.85 feet to a one-half inch iron rebar with plastic cap stamped PLS 2734, being a corner to Edgar Darrell Cornett as recorded in Deed Book 205, Page 179, witnessed by a marked double chestnut oak on center of a small spur, also being 14 feet below the base of a cliff; thence with the lines of said Edgar Darrell Cornett up the spur S 85°38' 51" E 82.63 feet to a one-half inch iron rebar with plastic cap stamped PLS 2734 witnessed by a marked 5" maple on the center of the ridge that divides Valley Branch and Line Fork Creek; thence N 42°17' 45" E 34.60 feet to the point of beginning and containing approximately 0.116 acre, as surveyed by Richard G. Brown, PLS, of R. R. Crawford Engineering, Whitesburg, Kentucky. Said survey completed April 19, 2004.

The above described tract is a part of lands conveyed by Larry Wayne Cornett et al to Irene Cornett, by deed dated April 1, 1981, and recorded in Deed Book 256, Page 516, records of the Letcher County Court Clerk's Office.

This description was prepared on April 22, 2004, based on surveying conducted on the ground under my supervision. Right of ways or easements could exist on, under or through this property and not be referenced in this description.

Richard G. Brown, PLS  
Kentucky LS 2734

*Richard G. Brown*



COUNTY OF LETCHER

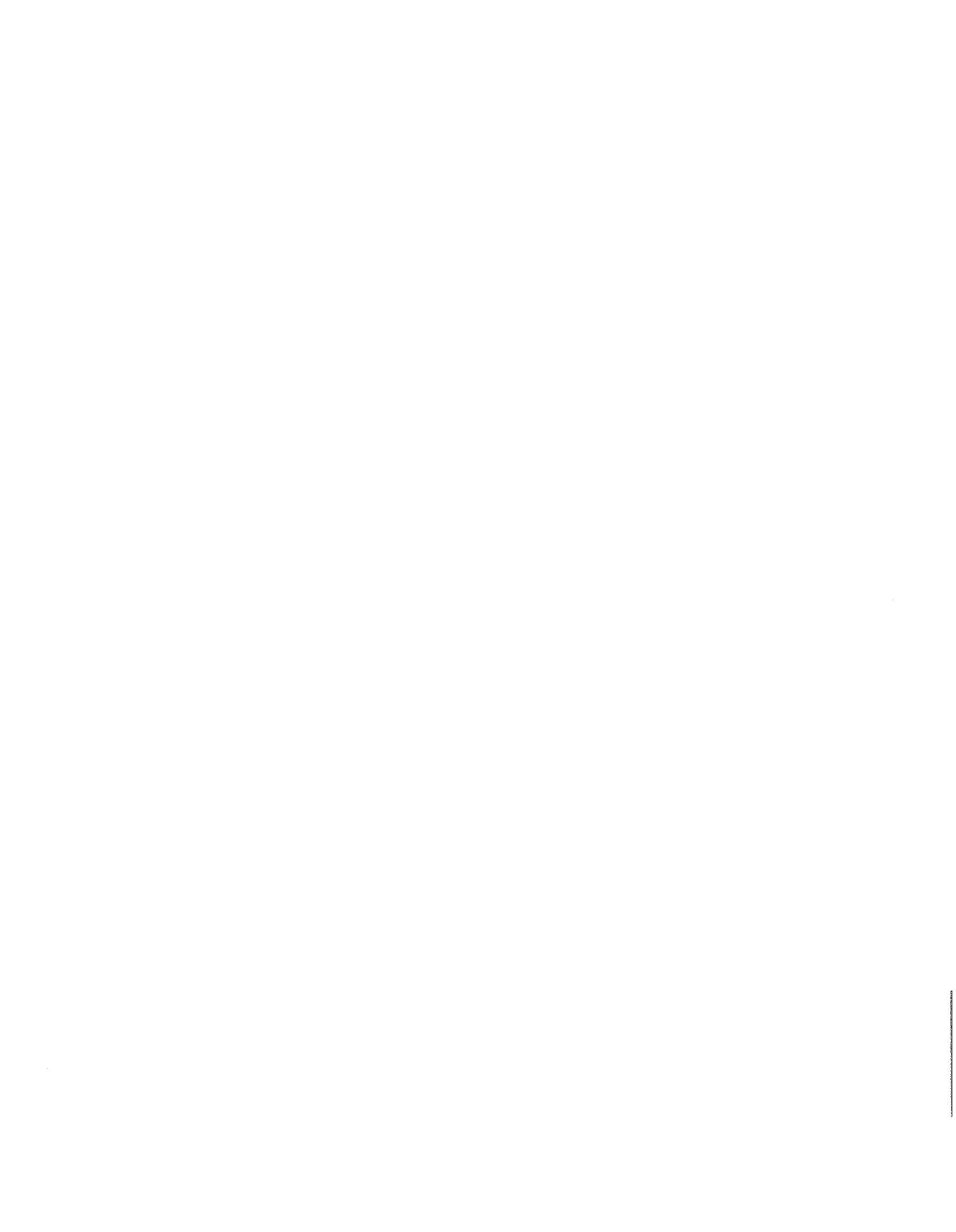
Clerk's Certificate of  
Lodgment and Record

I, Winston Meade, Clerk of the County for the County and State aforesaid, certify that the foregoing Deed was on the 29 day of April, 2004 lodged for record, whereupon the same, with the foregoing and this certificate have been duly recorded in my office. Deed Book 311 Page 602

WITNESS my hand, this 30 day of April, 2004.

Winston Meade Clerk

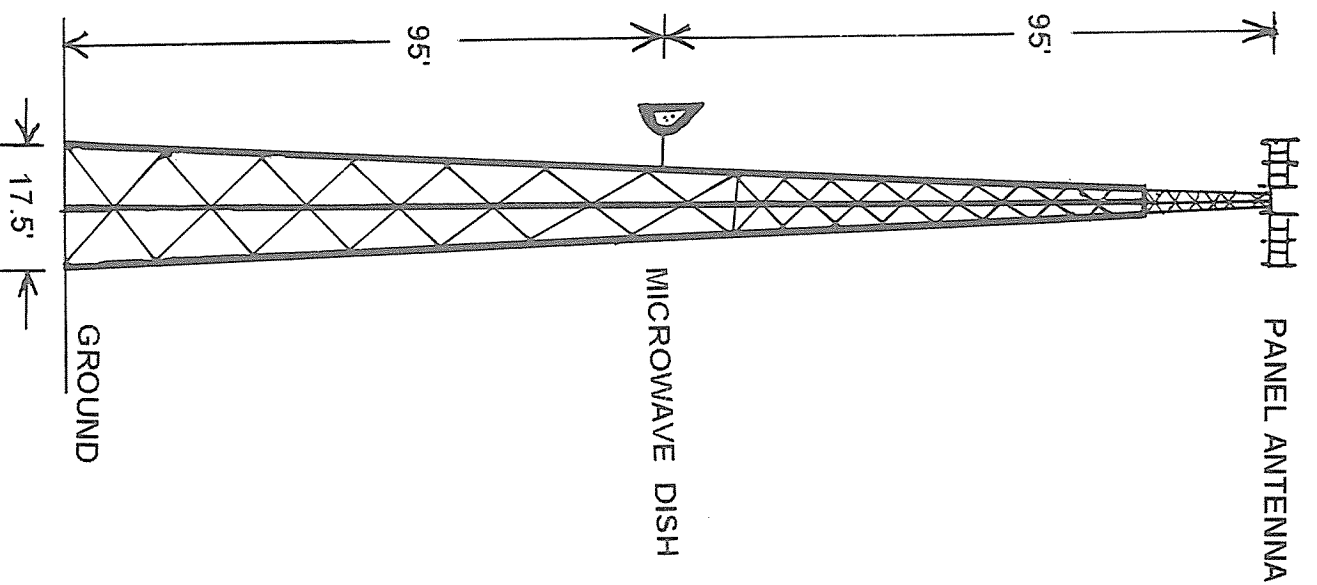
By Carla Smith D.C.



# APPLACHIAN WIRELESS

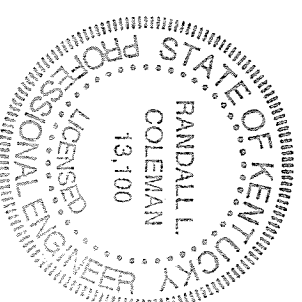
## VERTICAL PROFILE SKETCH

### GORDON TOWER



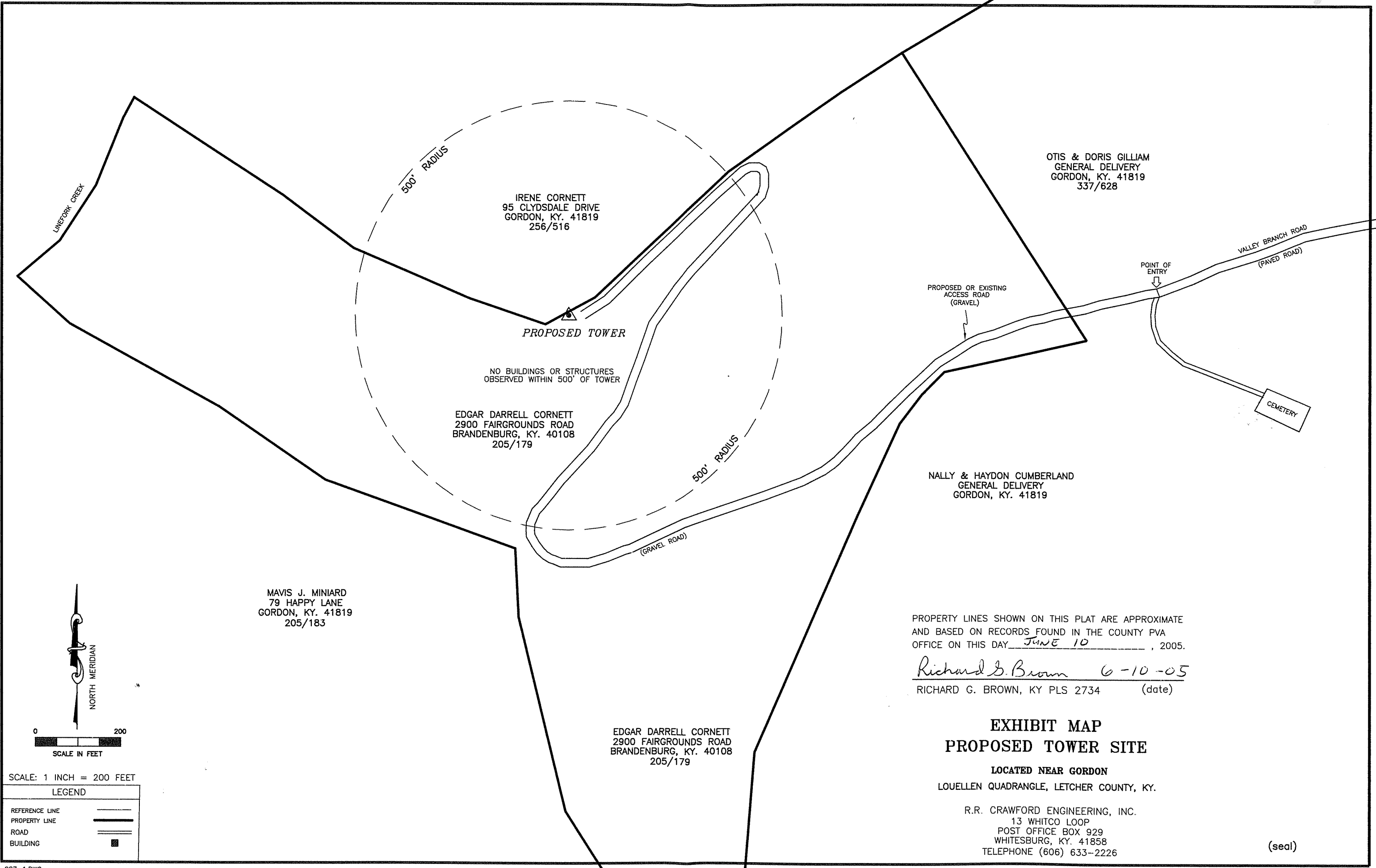
SCALE: 1" = 30'

NOTE: This is a vertical sketch indicating the proposed tower height above ground, along with relative antenna and dish elevations. No structural tower design criteria was considered in the preparation of this drawing.



*Randall L. Coleman*

2/19/06



IRENE CORNETT  
95 CLYDSDALE DRIVE  
GORDON, KY. 41819  
256/516

OTIS & DORIS GILLIAM  
GENERAL DELIVERY  
GORDON, KY. 41819  
337/628

PROPOSED TOWER

NO BUILDINGS OR STRUCTURES  
OBSERVED WITHIN 500' OF TOWER

EDGAR DARRELL CORNETT  
2900 FAIRGROUNDS ROAD  
BRANDENBURG, KY. 40108  
205/179

PROPOSED OR EXISTING  
ACCESS ROAD  
(GRAVEL)

POINT OF ENTRY

VALLEY BRANCH ROAD  
(PAVED ROAD)

CEMETERY

NALLY & HAYDON CUMBERLAND  
GENERAL DELIVERY  
GORDON, KY. 41819

MAVIS J. MINIARD  
79 HAPPY LANE  
GORDON, KY. 41819  
205/183

EDGAR DARRELL CORNETT  
2900 FAIRGROUNDS ROAD  
BRANDENBURG, KY. 40108  
205/179

PROPERTY LINES SHOWN ON THIS PLAT ARE APPROXIMATE  
AND BASED ON RECORDS FOUND IN THE COUNTY PVA  
OFFICE ON THIS DAY JUNE 10, 2005.

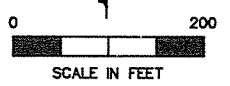
*Richard B. Brown* 6-10-05  
RICHARD G. BROWN, KY PLS 2734 (date)

**EXHIBIT MAP  
PROPOSED TOWER SITE**

LOCATED NEAR GORDON  
LOUELLEN QUADRANGLE, LETCHER COUNTY, KY.

R.R. CRAWFORD ENGINEERING, INC.  
13 WHITCO LOOP  
POST OFFICE BOX 929  
WHITESBURG, KY. 41858  
TELEPHONE (606) 633-2226

(seal)



SCALE: 1 INCH = 200 FEET

LEGEND	
REFERENCE LINE	— — — — —
PROPERTY LINE	—————
ROAD	===== ===== =====
BUILDING	■