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PUBLIC SERVICE

COMMISSION

COMMONWEALTH OF KENTUCKY

BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

7007-

CASE NO.-2005-00042

APPLICATION OF BLUEGRASS WIRELESS LLC FOR ISSUANCE OF A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO CONSTRUCT A CELL SITE (SILER) IN RURAL SERVICE AREA #11 (KNOX) OF THE COMMONWEALTH OF KENTUCKY

APPLICATION FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY (SILER)

Bluegrass Wireless LLC ("Bluegrass Wireless"), through counsel, pursuant to KRS 278.020 and 278.040, hereby submits this application for a certificate of public convenience and necessity to construct a cell site to be known as the Siler cell site in and for rural service area ("RSA") #11 of the Commonwealth of Kentucky, namely the counties of Bell, Clay, Harlan, Knox, Leslie and Whitley, Kentucky.

1. As required by 807 KAR 5:001 Sections 8(1) and (3), and 807 KAR 5:063, Bluegrass Wireless states that it is a Kentucky limited liability company whose full name and post office address are: Bluegrass Wireless LLC, 2902 Ring Road, Elizabethtown, Kentucky, 42701.

2. Pursuant to 807 KAR § 1 (1)(b), a copy of the applicant's applications to the Federal Aviation Administration and Kentucky Airport Zoning Commission are Exhibit "A". Written authorizations from these agencies will be supplied to the Commission upon their approval.

3. Pursuant to 807 KAR 5:063 §1(1)(d), a geotechnical investigation report, signed and sealed by a professional engineer registered in Kentucky, that includes boring logs,

foundation design recommendations, and a finding as to the proximity of the proposed site to flood hazard areas is attached as Exhibit "B".

4. Pursuant to 807 KAR 5:063 §1(1)(e), clear directions from the county seat to the proposed site, including highway numbers and street names, if applicable, with the telephone number of the person who prepared the directions are attached as Exhibit "C".

5. Pursuant to 807 KAR 5:063 §1(1)(f), a copy of the lease (or sale agreement) for the property on which the tower is proposed to be located is attached as Exhibit "D".

6. Pursuant to 807 KAR §1(1)(g), experienced personnel will manage and operate the Siler cell site. The President of Bluegrass Cellular Inc., Mr. Ron Smith, is ultimately responsible for all construction and operations of the cellular system of Bluegrass Wireless, of which system the Siler cell site will be a part. Bluegrass Cellular Inc. provides management services to Bluegrass Wireless under a management contract, just as it does with three (3) other wireless carriers in the Commonwealth. And, Bluegrass Cellular Inc. has been providing these management services to these other wireless carriers for well over a decade. This extensive management experience with Bluegrass Cellular demonstrates that Bluegrass Cellular Inc.'s management and technical ability to supervise the operations of a wireless carrier.

 Pursuant to 807 KAR §1(1)(g), Tower Innovations is responsible for the design specifications of the proposed tower (identified in Exhibit "B").

8. Pursuant to 807 KAR 5:063 §1(1)(h), a site development plan or survey, signed and sealed by a professional engineer registered in Kentucky, that shows the proposed location of the tower and all easements and existing structures within 500 feet of the proposed site on the property on which the tower will be located, and all easements and existing structures within 200

2

feet of the access drive, including the intersection with the public street system, is attached as Exhibit "B".

9. Pursuant to 807 KAR 5:063 §1(1)(i), a vertical profile sketch of the tower, signed and sealed by a professional engineer registered in Kentucky, indicating the height of the tower and the placement of all antennas is attached as Exhibit "B".

10. Pursuant to 807 KAR 5:063 §1(1)(j), the tower and foundation design plans and a description of the standard according to which the tower was designed, signed and sealed by a professional engineer registered in Kentucky is attached as Exhibit "B".

11. Pursuant to 807 KAR 5:063 § 1 (1)(k), a map, drawn to a scale no less than one
(1) inch equals 200 feet, that identifies every structure and every owner of real estate within 500 feet of the proposed tower is attached as Exhibit "E".

12. Pursuant to 807 KAR 5:063 § 1 (1)(1), applicant's legal counsel hereby affirms that every person who owns property within 500 feet of the proposed tower has been: (i) notified by certified mail, return receipt requested, of the proposed construction; (ii) given the commission docket number under which the application will be processed; and (iii) informed of his or her right to request intervention.

Pursuant to KRS 278.665(2), applicant's legal counsel hereby affirms that every person who, according to the records of the property valuation administrator, owns property contiguous to the property where the proposed cellular antenna tower will be located has been:
 (i) notified by certified mail, return receipt requested, of the proposed construction; (ii) given the commission docket number under which the application will be processed; and (iii) informed of his or her right to request intervention.

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14. Pursuant to 807 KAR 5:063 §1(1)(m), a list of the property owners who received the notice together with copies of the certified letters sent to listed property owners is attached as Exhibit "F".

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15. Pursuant to 807 KAR 5:063 § 1 (1)(n), applicant's legal counsel hereby affirms that the office of the Knox County Judge Executive has been: (i) notified by certified mail, return receipt requested, of the proposed construction; (ii) given the commission docket number under which the application will be processed; and (iii) informed of its right to request intervention.

16. Pursuant to 807 KAR 5:063 §1(1)(o), a copy of the notice sent to the office of the Knox County Judge Executive is attached as Exhibit "G".

17. Pursuant to 807 KAR 5:063 § 1 (1)(p), applicant's legal counsel hereby affirms that (i) two written notices meeting subsection two (2) of this section have been posted, one in a visible location on the proposed site and one on the nearest public road; and (ii) the notices shall remain posted for at least two weeks after the application has been filed.

18. Pursuant to 807 KAR 5:063 § 1 (2)(a), applicant's legal counsel affirms that:

(a) A written notice, of durable material at least two (2) feet by four (4) feet in size, stating that "*Bluegrass Wireless LLC proposes to construct a telecommunications tower on this site,*" including the addresses and telephone numbers of the applicant and the Kentucky Public Service Commission, has been posted and shall remain in a visible location on the proposed site until final disposition of the application; and

(b) A written notice, of durable material at least two (2) feet by four (4) feet in size, stating that "*Bluegrass Wireless LLC proposes to construct a telecommunications tower near this site,*" including the addresses and telephone numbers of the applicant and the Kentucky Public Service Commission, has been posted on the public road nearest the site.

A copy of each sign is attached as Exhibit "H".

19. Pursuant to 807 KAR 5:063 § 1 (1)(q), a statement that notice of the location of the proposed construction has been published in a newspaper of general circulation in the county in which the construction is proposed is attached as Exhibit "I".

20. Pursuant to 807 KAR 5:063 § 1(1)(r), the cell site which has been selected is in a relatively undeveloped area in Corbin, Kentucky.

21. Pursuant to 807 KAR 5:063 §1(1)(s), Bluegrass Wireless has considered the likely effects of the installation on nearby land uses and values and has concluded that there is no more suitable location reasonably available from which adequate service to the area can be provided, and that there is no reasonably available opportunity to co-locate. Bluegrass Wireless has attempted to co-locate on towers designed to host multiple wireless service providers' facilities or existing structures, such as a telecommunications tower, or another suitable structure capable of supporting the utility's facilities.

22. Pursuant to 807 KAR 5:063 § 1(1)(t), a map of the area in which the tower is proposed to be located, that is drawn to scale and that clearly depicts the search area in which a site should, pursuant to radio frequency requirements, be located is attached Exhibit "J".

23. Pursuant to KAR 100.987(2)(a), a grid map, that is drawn to scale, that shows the location of all existing cellular antenna towers and that indicates the general position of proposed construction sites for new cellular antenna towers is attached as Exhibit "K".

24. No reasonably available telecommunications tower, or other suitable structure capable of supporting the cellular facilities of Bluegrass Wireless and which would provide adequate service to the area exists.

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25. Correspondence and communication with regard to this application should be

1.

addressed to:

John E. Selent Jane W. Prizant **DINSMORE & SHOHL LLP** 1400 PNC Plaza 500 West Jefferson Street Louisville, KY 40202 (502) 540-2300 (502) 585-2207 (facsimile) *john.selent@dinslaw.com jane.prizant@dinslaw.com*

WHEREFORE, Bluegrass Wireless requests the Commission to enter an order:

1. Granting a certificate of public convenience and necessity to construct the Siler

cell site; and

2. Granting all other relief as appropriate.

Respectfully submitted,

John E/Selent Jane W. Prizant **DINSMORE & SHOHL LLP** 1400 PNC Plaza 500 West Jefferson Street Louisville, KY 40202 (502) 540-2300 (502) 585-2207 (facsimile) *john.selent@dinslaw.com jane.prizant@dinslaw.com*

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LUKAS, NACE, GUTIERREZ & SACHS

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*

ALI KUZEHKANANI LEILA REZANAVAZ OF COUNSEL JOHN J. MCAVOY* J.K. HAGE III* LEONARD S. KOLSKY*

CONSULTING ENGINEERS

LEONARD S. KOLSKY* HON, GERALD S. MCGOWAN* TAMARA DAVIS-BROWN*

*NOT ADMITTED IN VA

January 26, 2007

Telephone (703) 584-8668

Via Federal Express

Mr. John Houlihan Kentucky Airport Zoning Commission 200 Mero Street Frankfort, Kentucky 40622

Dear Mr. Houlihan:

Enclosed please find two completed TC 56-50 forms, Application for Permit to Construct or Alter a Structure, for a new tower (Siler) near Corbin, Kentucky. The Structure, including topmounted PCS antennas will have an overall height of 255 feet Above Ground Level.

Enclosed Form TC 56-50 and the attached exhibit include all the pertinent information for this existing tower structure. Also enclosed are copies of the completed FAA Form 7460-1 for the proposed site and a non-reduced 7-1/2' U.S. Geological Survey map indicating the exact location of the site.

Please do not hesitate to contact the undersigned if there are questions regarding this matter.

Sincerely. Leila Rezanavaz **Consulting Engineer**

Enclosures

CC: Doug Updegraff

- INSTRUCTIONS ON REVERSE SIDE OF FORM -	TC 56-50 (Rev. 08/00) PAGE 1 OF 2
Kentucky Transportation Cabinet, Kentucky Airport Zoning Commission, 125 Ho APPLICATION FOR PERMIT TO CONSTRUCT OR A	
1. APPLICANT - Name, Address, Telephone, Fax, etc. Scott McCloud Bluegrass Wireless 2902 Ring Road Elizabethtown, KY 42702 Tel: 270-769-0339 Fax: 270-737-0580 2. Representative of Applicant - Name, Address, Telephone, Fax Leila Rezanavaz Lukas, Nace, Gutierrez & Sachs, Chartered 1650 Tysons Blvd., Suite 1500 McLean, VA 22102 T: 703-584-8668 3. Application for: A New Construction Alteration Existing 4. Duration: Permanent Temporary (Months) 5. Work Schedule: Stat <u>3/20/07</u> End <u>3/25/07</u> 6. Type: Antenna Tower Crane Building Power Line 7. Marking/Painting and/or Lighting Preferred: Red Lights and Paint Dual - Red & Medium Intensity White	9. Latitude: 36 56 24 5 10. Longitude: 84 3 8 3 * 11. Datum: XI NAD 83 NAD 27 Other
White-High Intensity Other	Corbin, KY 40701
21. Description of Proposal: Structure: A tower with top-mounted antenna Max. ERP: 250 Watts Frequencies: PCS Block C	s for overall Height of 255' AGL.
 Has a "NOTICE OF CONSTRUCTION OR ALTERATION" (FAA Form 746 been filed with the Federal Aviation Administration? 	X Yes, When <u>1/26/07</u>
CERTIFICATION: I hereby certify that all the above statements made by me are t	Ela Rezances 1/26/07 Date 861 through 183,990) and Kentucky Administrative Regulations (602 KAR 050:
Commission Action: Chairman, KAZ	2C Administrator, KAZC

.

Tim Thompson Professional Engineer · Land Surveyor

BLUEGRASS CELLULAR

Siler Site

1-A CERTIFICATION

January 25, 2007

Owner:

Edwin R. Moore, Timothy Nelson Moore and Margaret June Goodin

155 Barbourville Road Address: Corbin, KY 40701

Corbin, KY 'USGS Quad:

To the best of my knowledge and belief, I certify that the following information is correct to within +/- 20 feet horizontally and +/- 3 feet vertically:

Latitude	36°	56'	24.5"
Longitude	84°		08.3"
Ground Elevation	1135		

The horizontal datum is based on NAD 83

The vertical datum is based on NAVD 88.

Sincerely,

Tim Thompson, LS 1304

232 Henton Ct. Versailles, KY 40383

T: (859) 873-5252 F: (859) 873-5252 M: (859) 221-5252 E: TIMT2S@aol.com



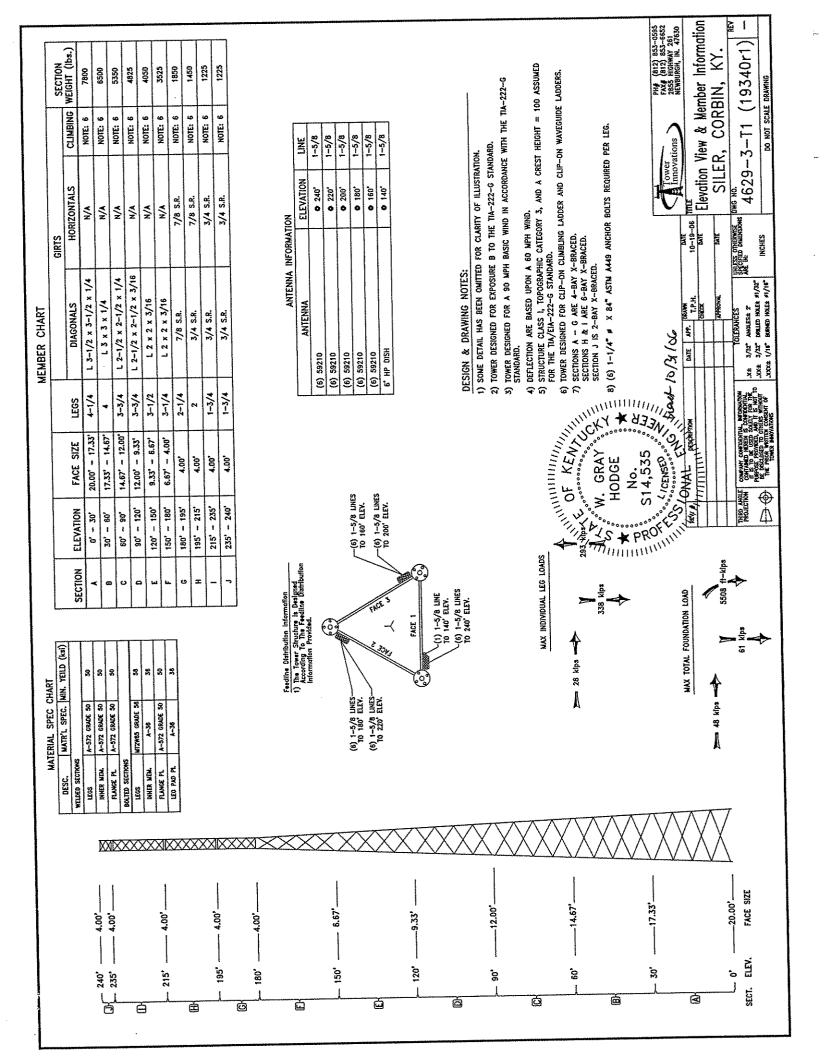
232 HENTON COURT · VERSAILLES, KENTUCKY 40383 O: 859-873-5252 · F: 859-873-2525 · M: 859-221-5252 · E: timt2s@aol.com

Project Name: BLUEG-00	005842 3-07 ************************************	Sponsor: Bluegrass	Wireless,		₩₽₩₩₩ ₩₩₩₩₩₩₩₩₩₩	ጋን የሥላላዊ ያንውንቅ ለታይገን የፊን ግም ለይጊ
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ASN: 2007-ASO-384-C	E	Date Accept	ed: 01	/26/2007		
Status: Accepted		Date Determ	nined:			
		Letters:	No	ne		
Construction / Alterat	ion Information	Structure S	5ummary			
Notice Of:	Construction	Structure Na	ame: Sile	r		
Duration:	Permanent	Structure Ty	rpe: Ant	enna Tower		
if Temporary :	Months: Days:	Ot	her :			
Work Schedule - Start:	03/20/2007	FCC Number	r:			
Work Schedule - End:	03/25/2007	Prior ASN:				
State Filing:	Filed with State					
Structure Details		Common F	requency	Bands		
Latitude:	36° 56' 24.5" N	Low Freq 1850	High Freq 1910		ERP 1640	ERP Un W
Longitude:	84° 3' 8.3" W	1930	1990		1640	W
Horizontal Datum:	NAD83	Encoific Er	oquancia	~		
Site Elevation (SE):	1135 (nearest foot)	Specific Fr	equencie	3		
Structure Height (AGL):	255 (nearest foot)					
Marking/Lighting:	Dual-red and medium intensity					
Other :						
Nearest City:	Corbin					
Nearest State:	Kentucky					
Traverseway:	No Traverseway					
Description of Location:	Site is located at: 155 Barbourville Road Corbin, KY 40701					
Description of Proposal:	Proposed tower with top- mounted antennas for an overall height of 255'.					

Notice of Proposed Construction or Alteration (7460-1)

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VERTICAL REBAR EQUALLY SPACED SEE REBAR CHART FOR VERTICAL REBAR REQUIRED.		5° 5″ (HOLD)		$\frac{1}{2} = \frac{1}{2} = \frac{1}$		28'-6" 28'	- #4 TIES @ 12" C-C		ENGTH	3 16" 4 22" 5 27"	33" 33" 55"		NOTES:	SPLICES. T IS BASED ON 3000 P R ONLY WHEN NECESSA

GEOTECHNICAL ENGINEERING REPORT

SILER TELECOMMUNICATION TOWER OLD BARBOURVILLE ROAD CORBIN, KENTUCKY

TERRACON PROJECT NO. 57067400G September 29, 2006

Prepared For:

BLUEGRASS CELLULAR Elizabethtown, Kentucky

Prepared by:



Louisville, Kentucky

<u>][erraco</u>

September 29, 2006

Bluegrass Cellular 2902 Ring Road Elizabethtown, Kentucky 42702

Attention: Mr. Doug Updegraff

Re: Geotechnical Engineering Report Siler Telecommunication Tower Old Barbourville Road Corbin, Kentucky Terracon Project No. 57067400G

Dear Mr. Updegraff:

The results of our subsurface exploration are attached. The purpose of this exploration was to obtain information on subsurface conditions at the proposed project site and, based on this information, to provide recommendations regarding the design and construction of the foundations for the proposed tower.

The design parameters and recommendations within this report apply to the existing planned tower height and adjustments up to 20% increase or decrease in tower height, as long as the type of tower does not change. If changes in the height of the tower dictate a change in tower type (i.e. – monopole to a self-support, self-support to a guyed tower), Terracon should be contacted to evaluate our recommendations with respect to these changes.

We appreciate the opportunity to be of service to you on this project. If you have any questions concerning this report, or if we may be of further service to you in any way, please feel free to contact us.

Sincerely, Terracon

Timothy M. Hitchcock, E.I.T. Staff Engineer

Timothy G. LaGrov, P.E Regional Manager

Attachments: Geotechnical Engineering Report

Copies: (4) Addressee

Erich J. Hoehle Kentucky No. 2

4545 Bishop Lane, Suite 101 Louisville, Kentucky 40218 Phone 502.456.1256 Fax 502.456.1278 www.terracon.com

Consulting Engineers & Scientists

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5.0	 ENGINEERING RECOMMENDATIONS 5.1 Tower Foundation 5.2 Equipment Building Foundations 5.3 Parking and Drive Areas 5.4 Site Preparation 5.5 Resistivity Analysis 	5 7 7 7
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APPENDIX

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Boring Location Plan
Boring Log
Soil Resistivity Test Results Sheet
General Notes
General Notes – Description of Rock Properties
Unified Soil Classification System

GEOTECHNICAL ENGINEERING REPORT

SILER TELECOMMUNICATION TOWER OLD BARBOURVILLE ROAD CORBIN, KENTUCKY TERRACON PROJECT NO. 57067400G September 29, 2006

1.0 INTRODUCTION

The purpose of this report is to describe the subsurface conditions encountered in the boring, analyze and evaluate the test data, and provide recommendations regarding the design and construction of the foundations and earthwork for the proposed tower. One boring extending to a depth of about 30 feet below the existing ground surface was drilled at the site. An individual boring log and a boring location plan are included with this report.

2.0 PROJECT DESCRIPTION

Terracon understands the proposed project will consist of the construction of a 240-foot self supporting lattice tower. Exact tower loads are not available, but based on our past experience are anticipated to be as follows:

Vertical Load:	600 kips
Horizontal Shear:	80 kips
Uplift:	500 kips

A small, lightly loaded equipment building will also be constructed. Wall and floor loads for this building are not anticipated to exceed 1 kip per linear foot and 100 pounds per square foot, respectively. The subject site consists of an approximate 100- by 100-foot parcel of pastureland located on the northeast side of Old Barbourville Road. A farm road currently provides access to the proposed lease area. At the time of the site visit, the property was a grass covered hillside with approximately 10 to 15 feet of elevational relief within the tower compound. The ground surface elevation at the center of tower is reportedly about 1,130 feet. We have assumed that up to 8 feet of cut and/or fill may be required to reach the planned site grades.

3.0 EXPLORATION PROCEDURES

3.1 Field Exploration

The subsurface exploration consisted of drilling and sampling one boring at the site to a depth of about 30 feet below existing grade. The boring was advanced at the center of the tower, staked by the project surveyor. The ground surface elevation at the boring location was obtained from the client's provided drawings. The location and elevation of the boring

Terracon

should be considered accurate only to the degree implied by the means and methods used to define them.

The boring was drilled with an ATV-mounted rotary drill rig using hollow stem augers to advance the borehole. Representative soil samples were obtained by the split-barrel sampling procedure in general accordance with the appropriate standard. In the split-barrel sampling procedure, the number of blows required to advance a standard 2-inch O.D. split-barrel sampler the last 12 inches of the typical total 18-inch penetration by means of a 140-pound hammer with a free fall of 30 inches, is the standard penetration resistance (SPT) value (N-Value). This value is used to estimate the in-situ relative density of cohesionless soils and the consistency of cohesive soils. The sampling depths, penetration distance, and SPT N-Values are shown on the boring log. The samples were sealed and delivered to the laboratory for testing and classification.

Auger refusal was encountered at a depth of about 20 feet below the existing ground surface. The boring was extended into the refusal materials using a diamond bit attached to the outer barrel of a double core barrel. The inner barrel collected the cored material as the outer barrel was rotated at high speeds to cut the rock. The barrel was retrieved to the surface upon completion of each drill run. Once the core samples were retrieved, they were placed in a box and logged. The rock was later classified by an engineer and the "percent recovery" and rock quality designation (RQD) were determined.

The "percent recovery" is the ratio of the sample length retrieved to the drilled length, expressed as a percent. An indication of the actual in-situ rock quality is provided by calculating the sample's RQD. The RQD is the percentage of the length of broken cores retrieved which have core segments at least 4 inches in length compared to each drilled length. The RQD is related to rock soundness and quality as illustrated below:

Relation of RQD ar	nd In-situ Rock Quality
RQD (%)	Rock Quality
90 - 100	Excellent
75 - 90	Good
50 - 75	Fair
25 - 50	Poor
0 -25	Very Poor

Table 1 – Rock Quality Designation (RQD)

A field log of the boring was prepared by a subcontract driller. This log included visual classifications of the materials encountered during drilling as well as the driller's interpretation of the subsurface conditions between samples. The final boring log included

with this report represents an interpretation of the driller's field log and a visual classification of the soil samples made by the Geotechnical Engineer.

3.2 Laboratory Testing

The samples were classified in the laboratory based on visual observation, texture and plasticity. The descriptions of the soils indicated on the boring log are in accordance with the enclosed General Notes and the Unified Soil Classification System. Estimated group symbols according to the Unified Soil Classification System are given on the boring log. A brief description of this classification system is attached to this report.

The laboratory testing program consisted of performing water content tests and an Atterberg Limits test on representative soil samples. Information from these tests was used in conjunction with field penetration test data to evaluate soil strength in-situ, volume change potential, and soil classification. Results of these tests are provided on the boring log. An unconfined compressive strength test was also performed on a sample of the refusal material.

Classification and descriptions of rock core samples are in accordance with the enclosed General Notes, and are based on visual and tactile observations. Petrographic analysis of thin sections may indicate other rock types. Percent recovery and rock quality designation (RQD) were calculated for these samples and are noted at their depths of occurrence on the boring log.

4.0 EXPLORATORY FINDINGS

4.1 Subsurface Conditions

Conditions encountered at the boring location are indicated on the boring log. Stratification boundaries on the boring log represent the approximate location of changes in soil types and the transition between materials may be gradual. Water levels shown on the boring log represent the conditions only at the time of our exploration. Based on the results of the boring, subsurface conditions on the project site can be generalized as follows.

Underlying approximately 3 inches of topsoil, our boring encountered lean clay (CL) to a depth of about 13½ feet below existing grade. Weathered shale fragments were present in the clay below a depth of about 6 feet. The lean clay exhibited a stiff to hard consistency based on SPT N-values ranging from 14 to 31 blows per foot (bpf). Weathered shale was encountered below the lean clay to an auger refusal depth of about 20 feet below existing grade.

Below a depth of about 20 feet, rock coring techniques were used to advance the borehole. The core samples recovered consisted of very slight to slightly weathered, closely jointed,

Terracon

Siler Telecommunication Tower Corbin, Kentucky Terracon Project No.: 57067400G September 29, 2006

grayish black to gray and hard shale with interbedded limestone. The bedrock at the site appears to be continuous based on a core recovery of 100 percent. The quality of the rock is rated at fair based on a RQD value of 60 percent. Considering the height of the tower and the quality of the bedrock, coring operations were terminated at a depth of 30 feet below grade.

4.2 Site Geology

A review of the Geologic Map of Corbin Quadrangle published by the United States Geological Survey (USGS) indicates that the site is underlain by the Breathitt Formation of the Quaternary age. This formation consists of shale, siltstone, sandstone, clay, and the Blue Gem Coal Bed. The shale and siltstone are gray to dark gray, weather brown to buff, and are locally carbonaceous near the coal beds. The sandstone is yellowish gray to buff, weathers brown to buff and is fine to medium grained. The clay is gray and weathers light gray to white. The clay is interbedded with shale under the coal beds. The Breathitt Formation ranges from 270 – 320 feet thick and is underlain by the Lee Formation.

The Blue Gem coal bed is approximately 45 - 85 feet below the Jellico coal bed in the south part of the quadrangle and ranges from 20 - 29 inches in thickness.

4.3 Groundwater Conditions

No groundwater was encountered during the auger drilling portion of the borehole. Water was used to advance the borehole during rock coring operations. The introduction of water into the borehole precluded obtaining accurate groundwater level readings at the time of drilling operations. Long term observation of the groundwater level in monitoring wells, sealed from the influence of surface water, would be required to obtain accurate groundwater levels on the site.

It should be recognized that fluctuations of the groundwater table may occur due to seasonal variations in the amount of rainfall, runoff and other factors not evident at the time the boring was performed. Therefore, groundwater levels during construction or at other times in the life of the structure may be higher or lower than the levels indicated on the boring log. The possibility of groundwater level fluctuations should be considered when developing the design and construction plans for the project.

5.0 ENGINEERING RECOMMENDATIONS

Based on the encountered subsurface conditions, the tower can be constructed on drilled piers or a mat foundation. The lightly loaded equipment building can be supported on shallow spread footings. Shallow foundation and drilled pier recommendations are presented in the following paragraphs.

5.1 Tower Foundation

Drilled Pier Alternative: Based on the results of the boring, the following tower foundation design parameters have been developed:

Depth * (feet)	Description **	Allowable Skin Friction (psf)	Allowable End Bearing Pressure (psf)	Allowable Passive Pressure (psf)	Internal Angle of Friction (Degree)	Cohesion (psf)	Lateral Subgrade Modulus (pci)	Strain, & ₅₀ (in/in)	
0 - 3	Topsoil and Lean Clay	Ignore	Ignore	Ignore	-	-	Ignore	Ignore	
3-131/2	Lean Clay	450	4,000	1,750	0	1,750	140	0.006	
131⁄2 - 20	Weathered Shale	800	8,000	6,000	0	6,000	400	0.004	
20 - 30	Shale with Interbedded Limestone	4,000***	40,000	8,000	0	80,000***	3,000	0.00001	

Table 2 - Drilled Pier Foundation Design Parameters

* Pier inspection is recommended to adjust pier length if variable soil/rock conditions are encountered.

** A total unit weight of 120 and 140 pcf can be estimated for the lean clay and shale, respectively.

*** The pier should be embedded a minimum of 3 feet into shale to mobilize these higher rock strength parameters. Furthermore, it is assumed the rock socket will be extended using coring techniques rather than blasting/shooting.

The above indicated cohesion, friction angle, lateral subgrade modulus and strain values have no factors of safety, and the allowable skin friction and the passive resistances have factors of safety of 2. The cohesion, internal friction angle, lateral subgrade modulus and strain values given in the above table are based on the boring, published correlation values and Terracon's past experience with similar material types. These values should, therefore, be considered approximate. To mobilize the higher rock strength parameters, the pier should be socketed at least 3 feet into bedrock. Furthermore, it is assumed that the rock socket is developed using coring rather than blasting techniques. The allowable end bearing pressure provided in the table has an approximate factor of safety of at least 3. Total settlement of drilled piers founded on limestone designed using the above parameters is not anticipated to exceed 1 inch.

The upper 3 feet of topsoil and lean clay should be ignored due to the potential affects of frost action and construction disturbance. To avoid a reduction in uplift and lateral resistance caused by variable bedrock depths and bedrock quality, it is recommended that a minimum pier length and minimum rock socket length be stated on the drawings. Competent rock was encountered in our boring below a depth of about 20 feet, but could vary between tower legs, or if the tower is moved from the location of our boring. If the tower center is moved from the planned location, Terracon should be notified to review the recommendations and determine whether an additional boring is required. To facilitate pier length adjustments that may be

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necessary because of variable rock conditions, it is recommended that a Terracon representative observe the drilled pier installation.

Although the boring was able to penetrate the weathered shale, it is likely that larger diameter drilled pier equipment will refuse on this material at higher elevations than shown in our boring. The contractor should recognize the hardness of the material and be prepared to use rock teeth or other means to extend through these layers.

A drilled pier foundation should be designed with a minimum shaft diameter of 30 inches to facilitate clean out and possible dewatering of the pier excavation. Temporary casing may be required during the pier excavation in order to control possible groundwater seepage and support the sides of the excavation in weak soil zones. Care should be taken so that the sides and bottom of the excavations are not disturbed during construction. The bottom of the shaft should be free of loose soil or debris prior to reinforcing steel and concrete placement.

A concrete slump of at least 6 inches is recommended to facilitate temporary casing removal. It should be possible to remove the casing from a pier excavation during concrete placement provided that the concrete inside the casing is maintained at a sufficient level to resist any earth and hydrostatic pressures outside the casing during the entire casing removal procedure.

The mat foundation can be designed using the following natural soil/engineered fill parameters. Higher bearing pressures are available if the mat rests entirely on bedrock, however the proposed loading usually does not warrant higher values. These parameters are based on the findings of the boring, a review of published correlation values and Terracon's experience with similar soil conditions. These design parameters also assume that the base of the mat foundation will rest on natural soils or well-graded crushed stone that is compacted and tested on a full time basis.

Depth (feet)	Description	Allowable Contact Bearing Pressure (psf)	Allowable Passive Pressure (psf)	Coefficient of Friction, Tan δ	Vertical Modulus of Subgrade Reaction (pci)			
0 - 3	Topsoil and Lean Clays	Ignore	Ignore					
≥ 3	Lean Clay	3,000	Ignore	0.35	150			

Table 3 - Mat Foundation Design Parameters

To assure that soft soils are not left under the mat foundation, it is recommended that a geotechnical engineer observe the foundation subgrade prior to concrete placement. Provided the above recommendations are followed, total mat foundation settlements are not anticipated to exceed about 1 inch. Differential settlement should not exceed 50 percent of the total settlement. Differential settlements could reach 75 percent or more of the total settlement value, depending on the finished grades, any fill placement, and varying bedrock elevations.

5.2 Equipment Building Foundations

The proposed equipment shed may be supported on shallow footings bearing on stiff natural soils. The equipment building foundations should be dimensioned using a net allowable soil bearing pressure of 2,500 pounds per square foot (psf). In using net allowable soil pressures for footing dimensioning, the weight of the footings and backfill over the footings need not be considered. Furthermore, the footings should be at least 12 inches wide and a minimum of 2 feet square.

The geotechnical engineer or a qualified representative should observe the foundation excavations to verify that the bearing materials are suitable for support of the proposed loads. If, at the time of such observation, any soft soils are encountered at the design foundation elevation, the excavations should be extended downward so that the footings rest on stiff soils. If it is inconvenient to lower the footings, the proposed footing elevations may be re-established by backfilling after the undesirable material has been removed.

The recommended soil bearing value should be considered an upper limit, and any value less than that listed above would be acceptable for the foundation system. Using the value given, total settlement would be about 1 inch or less with differential settlements being less than 75 percent of total settlement. Footings should be placed at a depth of 2 feet, or greater, below finished exterior grade for protection against frost damage.

5.3 Parking and Drive Areas

The drive that accesses the site will be surfaced with crushed stone. Parking and drive areas that are surfaced with crushed stone should have a minimum thickness of 6 inches and be properly placed and compacted as outlined herein. The crushed stone should meet Kentucky Transportation Cabinet specifications and applicable local codes.

A paved section consisting only of crushed graded aggregate base course should be considered a high maintenance section. Regular care and maintenance is considered essential to the longevity and use of the section. Site grades should be maintained in such a manner as to allow for adequate surface runoff. Any potholes, depressions or excessive rutting that may develop should be repaired as soon as possible to reduce the possibility of degrading the soil subgrade.

5.4 Site Preparation

Site preparation should begin with the removal of any topsoil, loose, soft or otherwise unsuitable materials from the construction area. The geotechnical engineer should evaluate the actual stripping depth, along with any soft soils that require undercutting at the time of construction.

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Any fill and backfill placed on the site should consist of approved materials that are free of organic matter and debris. Suitable fill materials should consist of well graded crushed stone below the tower foundation and well graded crushed stone or low plasticity cohesive soil elsewhere. Low-plasticity cohesive soil should have a liquid limit of less than 45 percent and a plasticity index of less than 25 percent. The on site soils are considered suitable for re-use as fill. However, due to the silty nature of the on-site lean clays stringent moisture control and testing measures will be required to adequately compact the soil. It is recommended that during construction these soils be further tested and evaluated prior to use as fill. Fill should not contain frozen material and it should not be placed on a frozen subgrade.

The fill should be placed and compacted in lifts of 9 inches or less in loose thickness. Fill placed below structures or used to provide lateral resistance should be compacted to at least 98 percent of the material's maximum standard Proctor dry density (ASTM D-698). Fill should be placed, compacted, and maintained at moisture contents within minus 2 to plus 2 percent of the optimum value determined by the standard Proctor test.

The geotechnical engineer should be retained to monitor fill placement on the project and to perform field density tests as each lift of fill is placed in order to evaluate compliance with the design requirements. Standard Proctor and Atterberg limits tests should be performed on the representative samples of fill materials before their use on the site.

5.5 Resistivity Analysis

Resistivity of the subsurface soils was measured at the site using a Nilsson Model 400 soil resistivity meter. The Wenner Vertical Profiling Method was used. With this array, potential electrodes are centered on a traverse line between the current electrodes and an equal "A" spacing between electrodes is maintained. Resistivity measurements were taken along 3 traverses located along the perimeter of the staked tower compound. Individual resistivity values at 5, 10, 15, 20, 30 and 40 foot spacings are presented on the soil resistivity test sheet in the Appendix.

6.0 GENERAL COMMENTS

Terracon should be retained to review the final design plans and specifications so comments can be made regarding interpretation and implementation of our geotechnical recommendations in the design and specifications. Terracon also should be retained to provide testing and observation during excavation, grading, foundation and construction phases of the project.

The analysis and recommendations presented in this report are based upon the data obtained from the boring performed at the indicated location and from other information discussed in this report. This report does not reflect variations that may occur across the site, between tower legs or due to the modifying effects of weather. The nature and extent

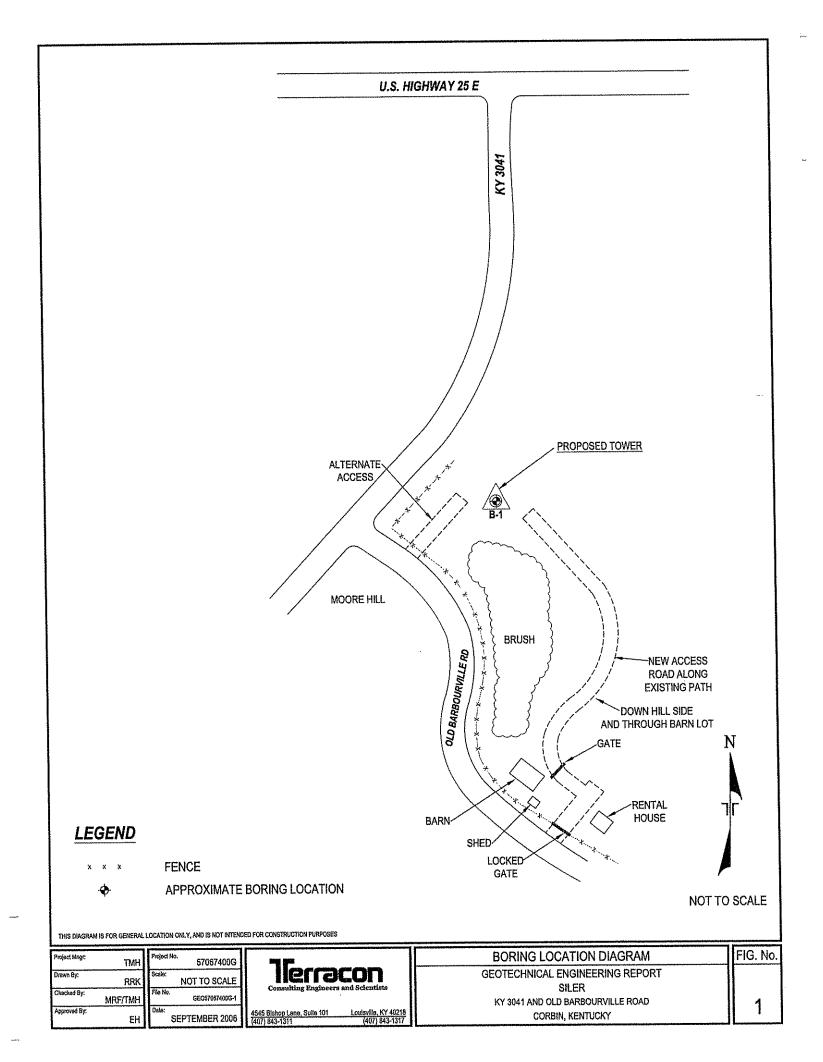
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of such variations may not become evident until during or after construction. If variations appear, we should be immediately notified so that further evaluation and supplemental recommendations can be provided.

The scope of services for this project does not include either specifically or by implication any environmental or biological (e.g., mold, fungi, bacteria) assessment of the site or identification or prevention of pollutants, hazardous materials or conditions. If the owner is concerned about the potential for such contamination or pollution, other studies should be undertaken.

This report has been prepared for the exclusive use of our client for specific application to the project discussed and has been prepared in accordance with generally accepted geotechnical engineering practices. No warranties, either express or implied, are intended or made. Site safety, excavation support, and dewatering requirements are the responsibility of others. In the event that changes in the nature, design, or location of the project as outlined in this report are planned, the conclusions and recommendations contained in this report shall not be considered valid unless Terracon reviews the changes and either verifies or modifies the conclusions of this report in writing.

APPENDIX



	LOG OF BOR	ING	NO	. B	-1					Pag	ge 1 of 1	
CLI	ENT Bluegrass Cellular Partnership											
SITE Old Barbourville Road				PROJECT								
Corbin, Kentucky				Proposed Siler Telecommunication Tower SAMPLES TESTS								
GRAPHIC LOG	DESCRIPTION Approx. Surface Elev.: 1130 ft	DEPTH, ft.	USCS SYMBOL	NUMBER	TYPE	RECOVERY, in.	SPT - N BLOWS / ft.	WATER CONTENT, %	DRY UNIT WT pcf	UNCONFINED STRENGTH, psf	ATTERBERG LIMITS	
	7 T130					40	A	18		5500*		
	LEAN CLAY, light brown, stiff to hard		CL	1	SS SS	12 12	14 31	18		9000*	LL = 38 PL = 29 PI = 9	
	-with weathered shale below 6 feet			3	SS	16	17	20		9000*	11-5	
									<u> </u>			
			CL	4	SS	16	22	20		9000*		
	13.5	10 		5	SS	17	37	8		9000*		
		15-		6	SS	0	50/1					
DT 9/29/06	20 Auger Refusal at 20 feet, Began Coring 111 SHALE with interbedded limestone, very slight to slight weathering, closely jointed, grayish black to gray, hard	1.0		7	DB	100%	4 RQL 60%			2800 psi		
57067400G LOGS.GPJ TERRACON.GDT	30 Boring Terminated at 30 feet	<u>)0</u> 30-									-	
US T	he stratification lines represent the approximate boundary lines etween soil and rock types: in-situ, the transition may be gradual.								*Calibr	ated Hand	Penetrometer	
067401 A	ATER LEVEL OBSERVATIONS, ft					во	RING	STAR	TED		9-18-06	
g V							RING				9-18-06	
SOREHOLE SOREHOLE		J		U		RIC				FOREM		
N BOR	L Dry Upon Auger Completion					AP	PROV	ED	ТМН	JOB#	57067400G	



Siler Telecommunication Tower 57067400G J. Guest-Cougar / J. Case

At-Grade Measurements (equal rod spacing)

	Depth of	Electrode S	pacing from	Resistanc	e (ohms)	
	Interest		r (feet)	Dial	Range	Resistivity
Location	(feet)	Inner	Outer	Reading	Switch	(ohm-cm)
	5	2.5	7.5	2.2	10.0	21065
	10	5	15	9.4	1.0	18001
A- A'	15	7.5	22.5	5.2	1.0	14937
A- A	20	10	30	4.2	1.0	16086
	30	15	45	2.7	1.0	15512
	40	20	60	1.6	1.0	12256
	5	2.5	7.5	2.0	10.0	19150
	10	5	15	10.1	1.0	19342
A-B'	15	7.5	22.5	6.4	1.0	
M-D	20	10	30	4.2	1.0	and the second se
	30	15	45	2.4	1.0	
	40	20	60	1.6	1.0	12256
	5	2.5	7.5	3.6	10.0	34470
	10	5	15	2.2	10.0	42130
A-C'	15	7.5	22.5	1.1	10.0	31598
A-C	20	10	30	9.4	1.0	36002
	30	15	45	5.2	1.0	29874
	40	20	60	3.0	1.0	22980

.

Resisitivity (ohm-cm) = $2*\pi*a*R*30.48$ R = resistivity (dial reading*range switch)

a = electrode spacing

Equipent Usage: Nilsson Soil Resistance Meter - Model 400

Additional Notes:

GENERAL NOTES

DRILLING & SAMPLING SYMBOLS:

SS:	Split Spoon - 1- ³ /8" I.D., 2" O.D., unless otherwise noted	HS:	Hollow Stem Auger
ST:	Thin-Walled Tube - 2" O.D., unless otherwise noted	PA:	Power Auger
RS:	Ring Sampler - 2.42" I.D., 3" O.D., unless otherwise noted	HA:	Hand Auger
DB:	Diamond Bit Coring - 4", N, B	RB:	Rock Bit
BS:	Bulk Sample or Auger Sample	WB:	Wash Boring or Mud Rotary

The number of blows required to advance a standard 2-inch O.D. split-spoon sampler (SS) the last 12 inches of the total 18-inch penetration with a 140-pound hammer falling 30 inches is considered the "Standard Penetration" or "N-value".

WATER LEVEL MEASUREMENT SYMBOLS:

WL:	Water Level	WS:	While Sampling	N/E:	Not Encountered
WCI:	Wet Cave in	WD:	While Drilling		
 DCI:	Dry Cave in	BCR:	Before Casing Removal		
AB:	After Boring	ACR:	After Casing Removal		

Water levels indicated on the boring logs are the levels measured in the borings at the times indicated. Groundwater levels at other times and other locations across the site could vary. In pervious soils, the indicated levels may reflect the location of groundwater. In low permeability soils, the accurate determination of groundwater levels may not be possible with only short-term observations.

DESCRIPTIVE SOIL CLASSIFICATION: Soil classification is based on the Unified Classification System. Coarse Grained Soils have more than 50% of their dry weight retained on a #200 sieve; their principal descriptors are: boulders, cobbles, gravel or sand. Fine Grained Soils have less than 50% of their dry weight retained on a #200 sieve; they are principally described as clays if they are plastic, and silts if they are slightly plastic or non-plastic. Major constituents may be added as modifiers and minor constituents may be added according to the relative proportions based on grain size. In addition to gradation, coarse-grained soils are defined on the basis of their in-place relative density and fine-grained soils on the basis of their consistency.

CONSISTENCY OF FINE-GRAINED SOILS

<u>Unconfined</u> <u>Compressive</u> <u>Strength, Qu, psf</u>	<u>Standard</u> <u>Penetration or</u> <u>N-value (SS)</u> <u>Blows/Ft.</u>	Consistency
< 500	<2	Very Soft
500 - 1,000	2-3	Soft
1,001 - 2,000	4-7	Medium Stiff
2,001 - 4,000	8-15	Stiff
4,001 - 8,000	16-30	Very Stiff
8,000+	30+	Hard

RELATIVE PROPORTIONS OF SAND AND GRAVEL

Trace

With

Modifiers

RELATIVE DENSITY OF COARSE-GRAINED SOILS

<u>Standard Penetration</u> or N-value (SS) <u>Blows/Ft.</u> 0 - 3 4 - 9 10 - 29 30 - 49 50+

Relative Density Very Loose

Loose Medium Dense Dense Very Dense

GRAIN SIZE TERMINOLOGY

<u>Descriptive Term(s) of other</u> <u>constituents</u>	Percent of Dry Weight	<u>Major Component</u> <u>of Sample</u>	Particle Size
Trace	< 15	Boulders	Over 12 in. (300mm)
With	15 – 29	Cobbles	12 in. to 3 in. (300mm to 75 mm)
Modifier	> 30	Gravel	3 in. to #4 sieve (75mm to 4.75 mm)
		Sand	#4 to #200 sieve (4.75mm to 0.075mm)
RELATIVE PROPORTIONS	OF FINES	Silt or Clay	Passing #200 Sieve (0.075mm)
Descriptive Term(s) of other	Percent of	PLAST	ICITY DESCRIPTION
<u>constituents</u>	Dry Weight	Term	Plasticity Index

< 5

5 - 12

> 12

Term	<u>Plasti</u>
Non-plastic	
Low	

Medium

High

0 1-10 11-30

30+



GENERAL NOTES

Description of Rock Properties

WEATHERING

Fresh	Rock fresh, crystals bright, few joints may show slight staining. Rock rings under hammer if crystalline.
Very slight	Rock generally fresh, joints stained, some joints may show thin clay coatings, crystals in broken face show bright. Rock rings under hammer if crystalline.
Slight	Rock generally fresh, joints stained, and discoloration extends into rock up to 1 in. Joints may contain clay. In granitoid rocks some occasional feldspar crystals are dull and discolored. Crystalline rocks ring under hammer.
Moderate	Significant portions of rock show discoloration and weathering effects. In granitoid rocks, most feldspars are

dull and discolored; some show clayey. Rock has dull sound under hammer and shows significant loss of strength as compared with fresh rock.

Moderately severe All rock except quartz discolored or stained. In granitoid rocks, all feldspars dull and discolored and majority show kaolinization. Rock shows severe loss of strength and can be excavated with geologist's pick.

- Severe All rock except quartz discolored or stained. Rock "fabric" clear and evident, but reduced in strength to strong soil. In granitoid rocks, all feldspars kaolinized to some extent. Some fragments of strong rock usually left.
- Very severe All rock except quartz discolored or stained. Rock "fabric" discernible, but mass effectively reduced to "soil" with only fragments of strong rock remaining.
- Complete Rock reduced to "soil". Rock "fabric" not discernible or discernible only in small, scattered locations. Quartz may be present as dikes or stringers.

HARDNESS (for engineering description of rock - not to be confused with Moh's scale for minerals)

- Very hard Cannot be scratched with knife or sharp pick. Breaking of hand specimens requires several hard blows of geologist's pick.
- Hard Can be scratched with knife or pick only with difficulty. Hard blow of hammer required to detach hand specimen.
- Moderately hard Can be scratched with knife or pick. Gouges or grooves to ¼ in. deep can be excavated by hard blow of point of a geologist's pick. Hand specimens can be detached by moderate blow.
- Medium Can be grooved or gouged 1/16 in. deep by firm pressure on knife or pick point. Can be excavated in small chips to pieces about 1-in. maximum size by hard blows of the point of a geologist's pick.
- Soft Can be gouged or grooved readily with knife or pick point. Can be excavated in chips to pieces several inches in size by moderate blows of a pick point. Small thin pieces can be broken by finger pressure.
- Very soft Can be carved with knife. Can be excavated readily with point of pick. Pieces 1-in. or more in thickness can be broken with finger pressure. Can be scratched readily by fingernail.

Joint, Bedding and Foliation Spacing in Rock^a

Spacing		Jo	ints	Bedding/Foliation				
Less than 2 in.		Very o	Very close					
2 in 1 ft.		Close		Thin				
1 ft. – 3 ft.		Mode	rately close	Medium				
3 ft. – 10 ft.		Wide	•	Thick				
More than 10 ft.		Very v	vide	Very thick				
Rock Quality D	esignator (I	RQD) ^b	Joint Openness De scriptors					
RQD, as a percentage	Diagno	ostic description	Openness	Descriptor				
Exceeding 90	Exceller	nt	No Visible Separation	Tight				
90 – 75	Good		Less than 1/32 in.	Slightly Open				
75 – 50	Fair		1/32 to 1/8 in.	Moderately Open				
50 – 25	Poor		1/8 to 3/8 in.	Open				
Less than 25	Very po	or	3/8 in. to 0.1 ft.	Moderately Wide				
	1		Greater than 0.1 ft.	Wide				

a. Spacing refers to the distance normal to the planes, of the described feature, which are parallel to each other or nearly so.

b. RQD (given as a percentage) = length of core in pieces 4 in. and longer/length of run.

References: American Society of Civil Engineers. Manuals and Reports on Engineering Practice - No. 56. <u>Subsurface Investigation for Design</u> and <u>Construction of Foundations of Buildings</u>. New York: American Society of Civil Engineers, 1976. U.S. Department of the Interior, Bureau of Reclamation, <u>Engineering Geology Field Manual</u>.

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UNIFIED SOIL CLASSIFICATION SYSTEM

Criteria fo	r Assigning Group Symbo	ols and Group Names Us		Soil Classification	
			Group Symbol	Group Name ^e	
Coarse Grained Soils	Gravels	Clean Gravels	$Cu \ge 4$ and $1 \le Cc \le 3^{\epsilon}$	GW	Well-graded gravel ^F
More than 50% retained	More than 50% of coarse fraction retained on	Less than 5% fines ^c	Cu < 4 and/or 1 > Cc > 3 ^E	GP	Poorly graded gravel ^F
on No. 200 sieve	No. 4 sieve	Gravels with Fines	Fines classify as ML or MH	GM	Silty gravel ^{F,G,H}
		More than 12% fines ^c	Fines classify as CL or CH	GC	Clayey gravel ^{F,G,H}
	Sands	Clean Sands	$Cu \ge 6$ and $1 \le Cc \le 3^{\epsilon}$	SW	Well-graded sand
	50% or more of coarse fraction passes	Less than 5% fines ^₀	Cu < 6 and/or 1 > Cc > 3 [€]	SP	Poorly graded sand
	No. 4 sieve	Sands with Fines	Fines classify as ML or MH	SM	Silty sand ^{ollu}
		More than 12% fines ^o	Fines Classify as CL or CH	SC	Clayey sand ^{o,H,I}
Fine-Grained Soils	Silts and Clays	inorganic	PI > 7 and plots on or above "A" lin	ə ^y CL	Lean clay ^{KLM}
50% or more passes the No. 200 sieve	Liquid limit less than 50		PI < 4 or plots below "A" line'	SM Silty sand ^{6,1} SC Clayey san e ^J CL Lean clay ^{KL} ML Silt ^{KLM} 5 OI Organic cla	Sitt ^{K,L,M}
110. 200 3/070		organic	Liquid limit - oven dried < 0.7	5 01	Organic clay ^{KLMN}
			Liquid limit - not dried		Organic silt ^{K,LM,O}
	Silts and Clays	inorganic	PI plots on or above "A" line	СН	Fat clay ^ĸ
	Liquid limit 50 or more		Pl plots below "A" line	MH	Elastic Silt ^{K.L.M}
		organic	Liquid limit - oven dried < 0.7	5 OH	Organic clay ^{K,L,M,P}
			Liquid limit - not dried	0 011	Organic silt ^{K,L,M,Q}
Highly organic soils	Primar	ily organic matter, dark in	color, and organic odor	PT	Peat

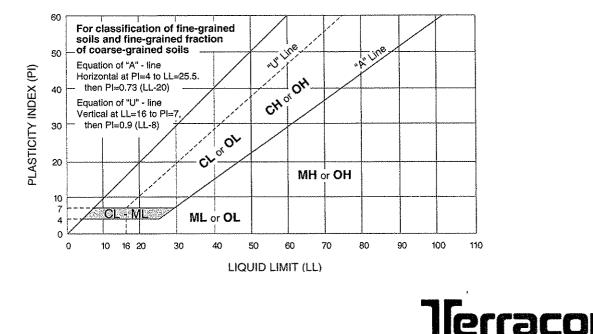
^ABased on the material passing the 3-in. (75-mm) sieve

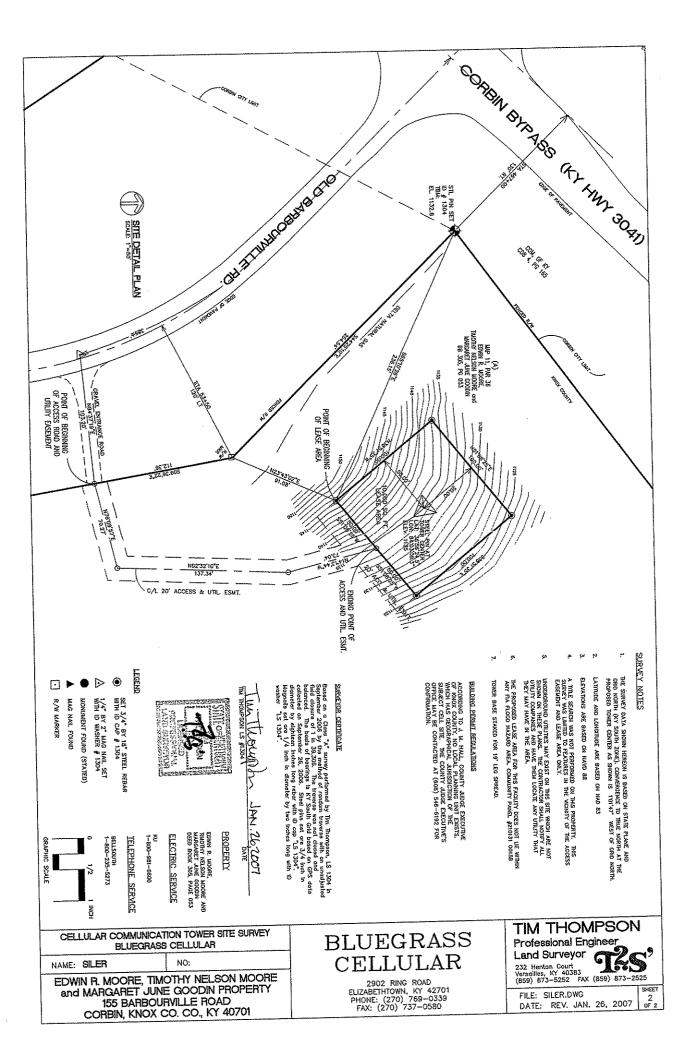
- ^B If field sample contained cobbles or boulders, or both, add "with cobbles or boulders, or both" to group name.
- ^CGravels with 5 to 12% fines require dual symbols: GW-GM well-graded gravel with silt, GW-GC well-graded gravel with clay, GP-GM poorly graded gravel with silt, GP-GC poorly graded gravel with clay.
- ^DSands with 5 to 12% fines require dual symbols: SW-SM well-graded sand with silt, SW-SC well-graded sand with clay, SP-SM poorly graded sand with silt, SP-SC poorly graded sand with clay

^ECu = D₆₀/D₁₀ Cc =
$$\frac{(D_{30})^2}{D_{10} \times D_{60}}$$

^F If soil contains \ge 15% sand, add "with sand" to group name. ^G If fines classify as CL-ML, use dual symbol GC-GM, or SC-SM. ^HIf fines are organic, add "with organic fines" to group name.

- ¹ If soil contains \geq 15% gravel, add "with gravel" to group name.
- ^J If Atterberg limits plot in shaded area, soil is a CL-ML, silty clay.
- ^K If soil contains 15 to 29% plus No. 200, add "with sand" or "with gravel," whichever is predominant.
- ^L If soil contains \geq 30% plus No. 200 predominantly sand, add "sandy" to group name.
- ^M If soil contains ≥ 30% plus No. 200, predominantly gravel, add "gravelly" to group name.
- ^NPI \geq 4 and plots on or above "A" line.
- PI < 4 or plots below "A" line.
- ^PPI plots on or above "A" line.
- Q PI plots below "A" line.







	TOWER OWNER/OWNERS;
COUNTY:	
L J.	PROPERTY OWNER/OWNERS:
	DATE:
±	
911 ADDRESS.	CITY REPRESENTATIVE:
ATT ANNECC.	DAIE:
	CONSTRUCTION SUPERVISOR:
SITE NAME:	
	APPROVAL SIGNATURES

E NAME:
SILER

155 OLD BARBOURVILLE RD. CORBIN, KY. 40701

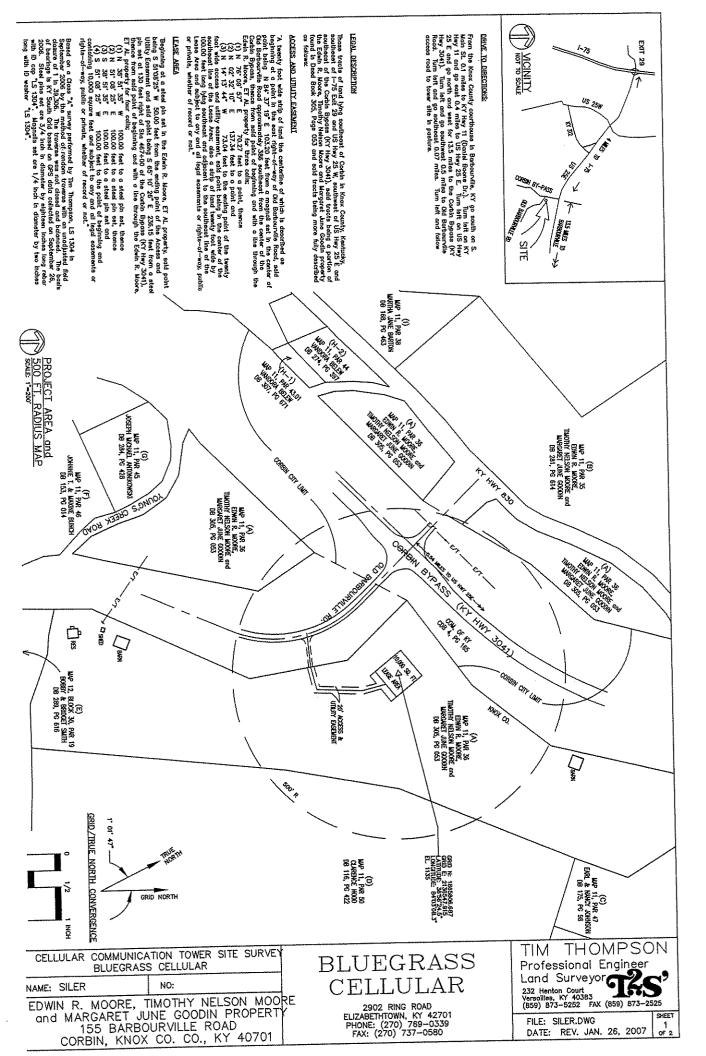
KNOX

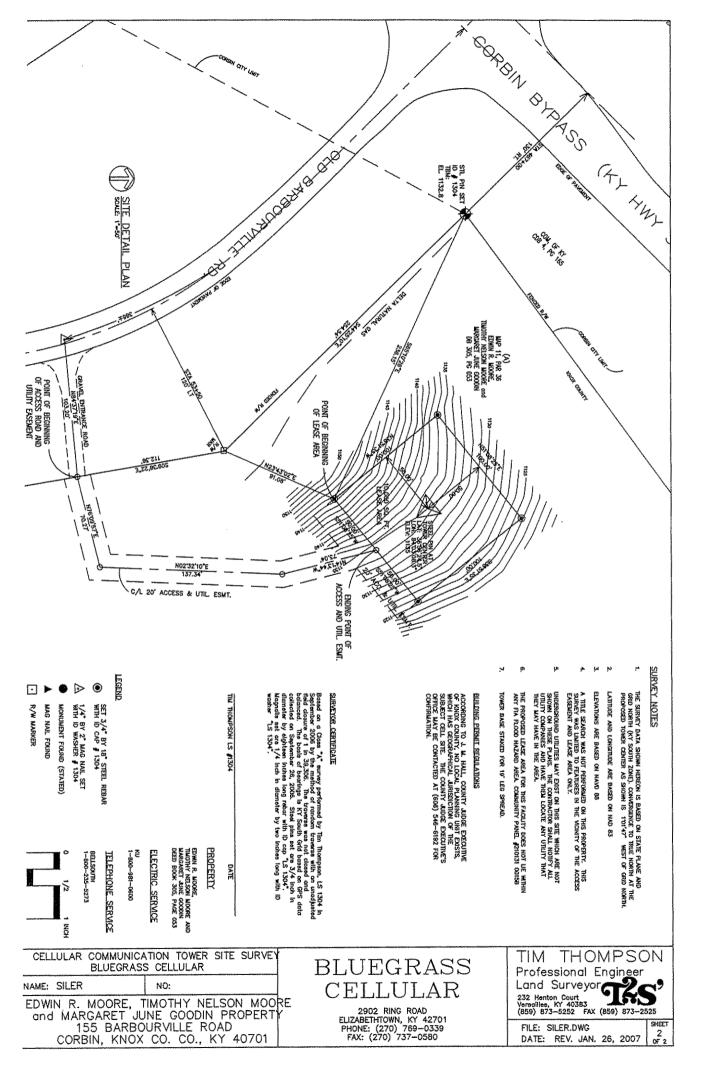
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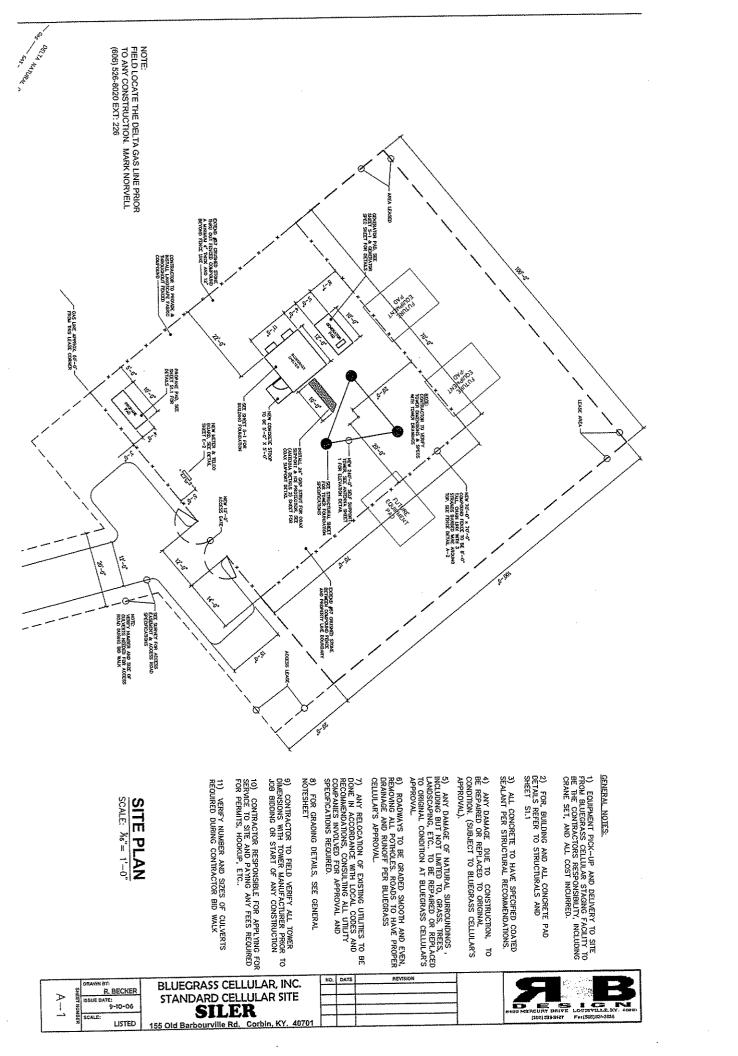
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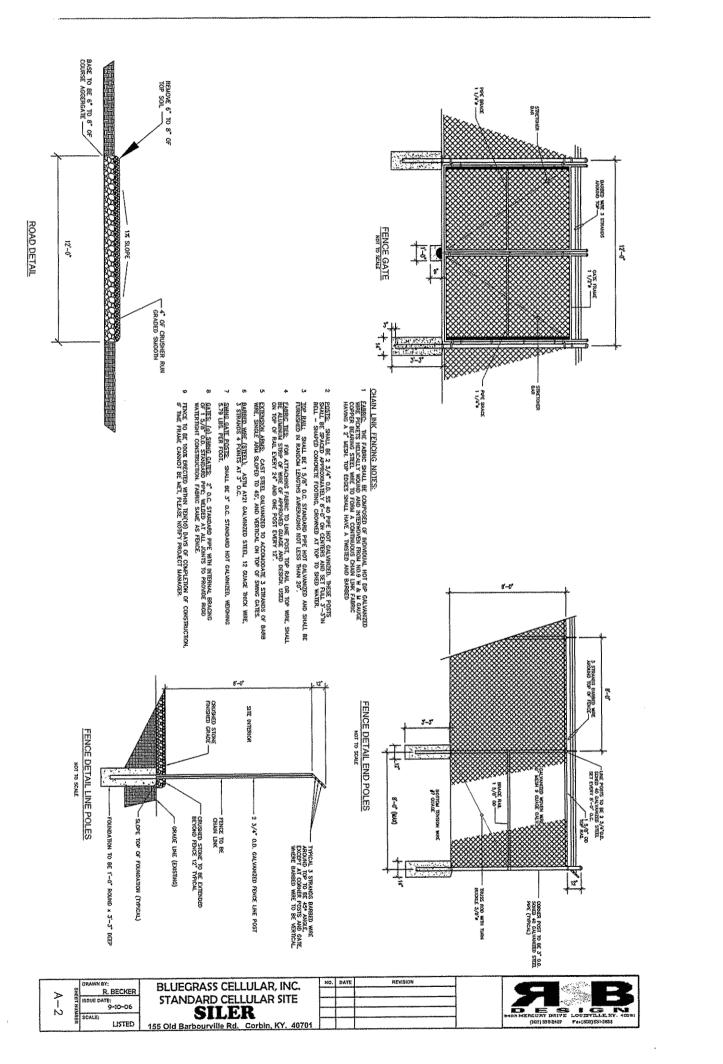
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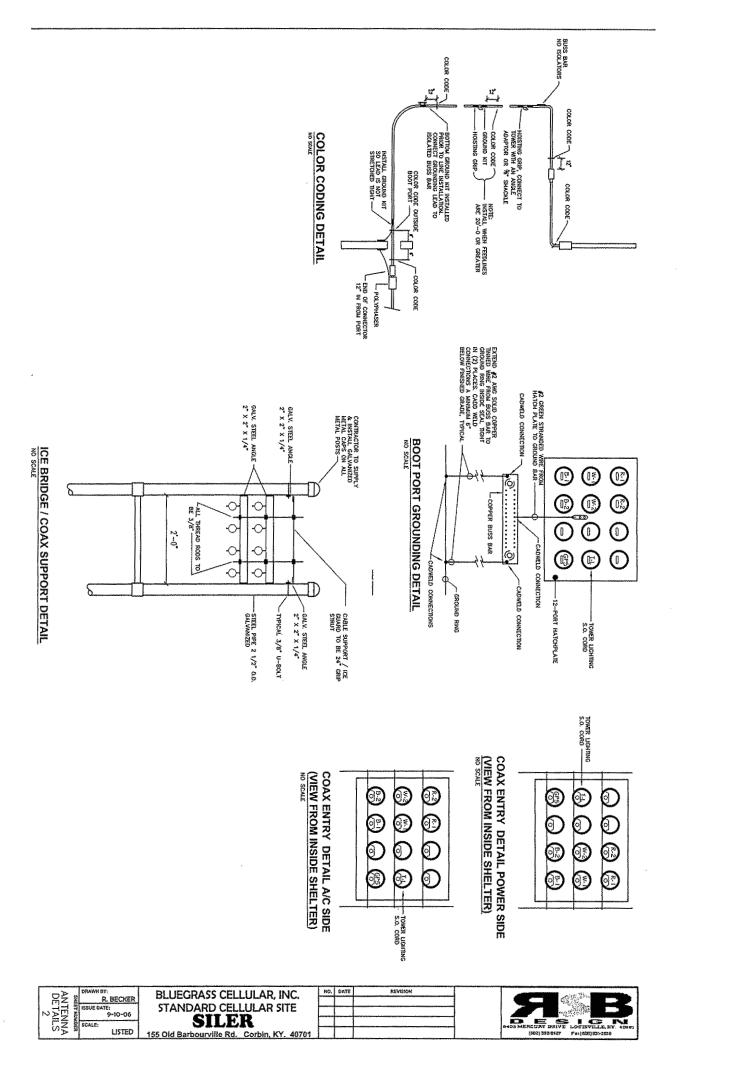




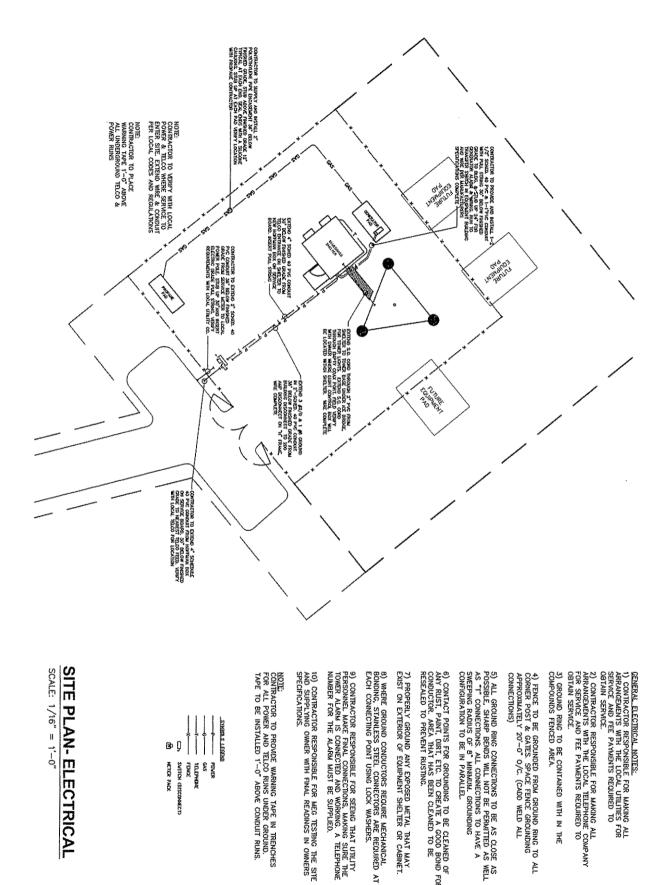




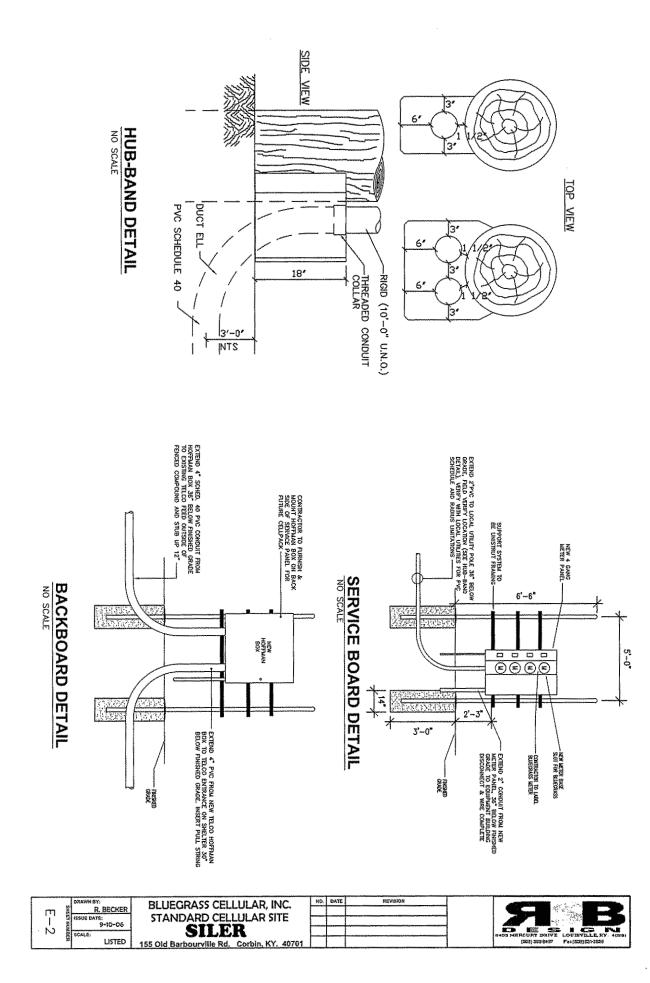
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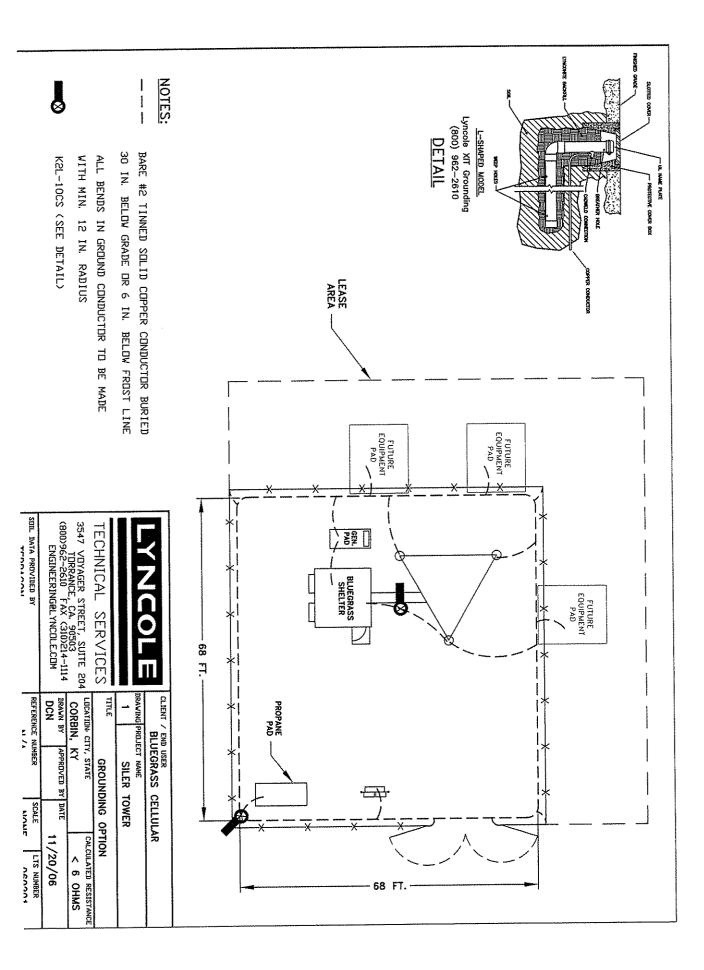


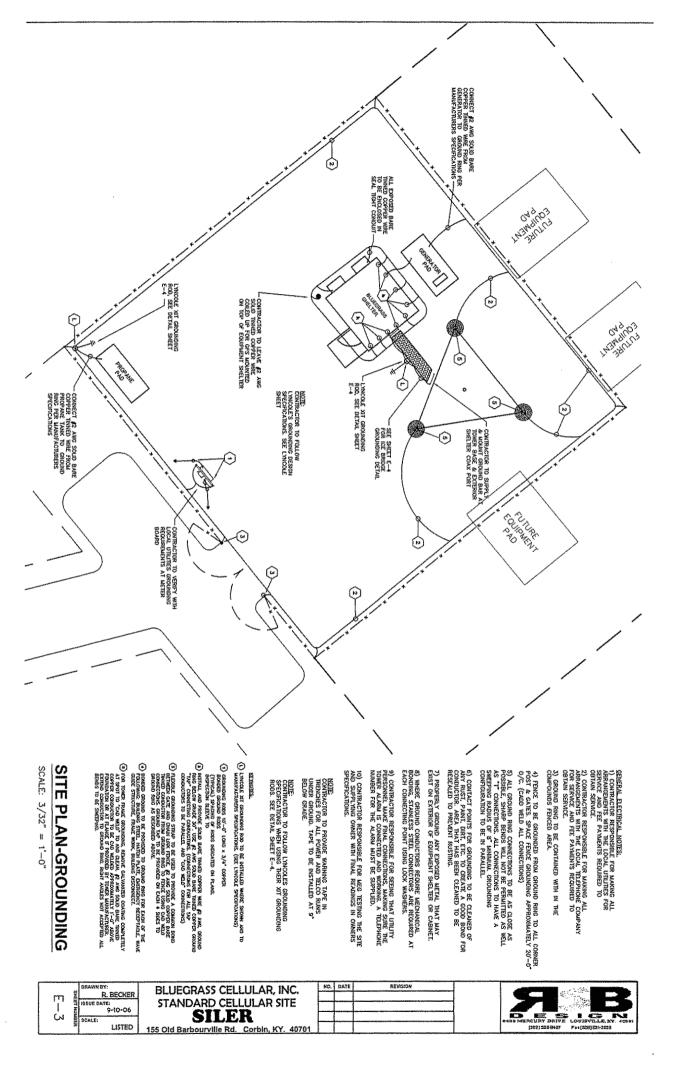
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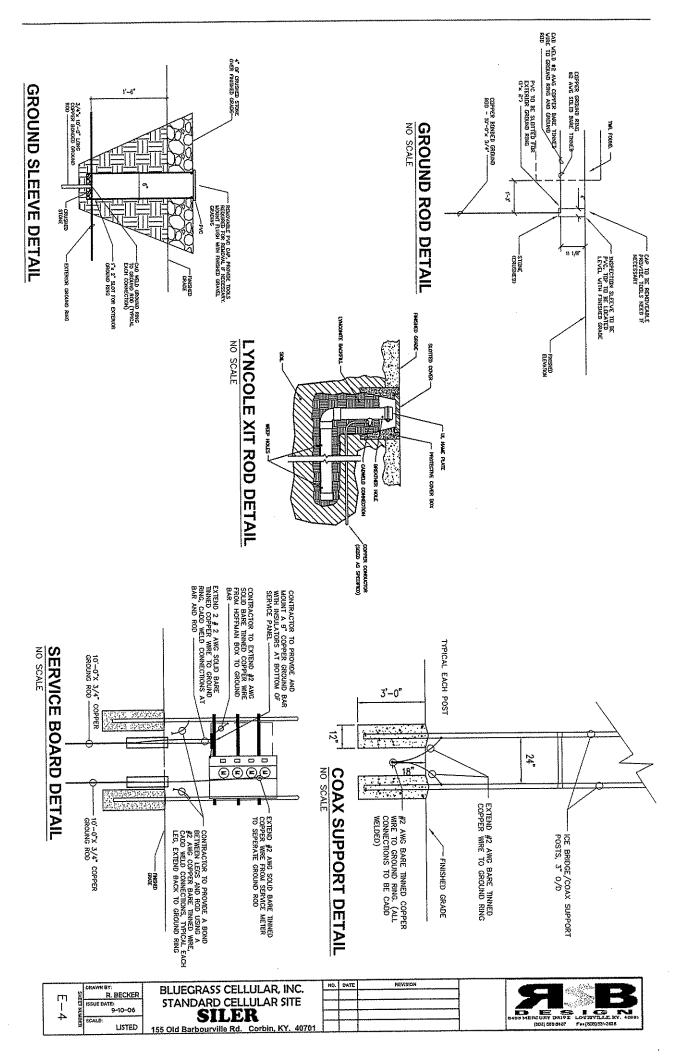


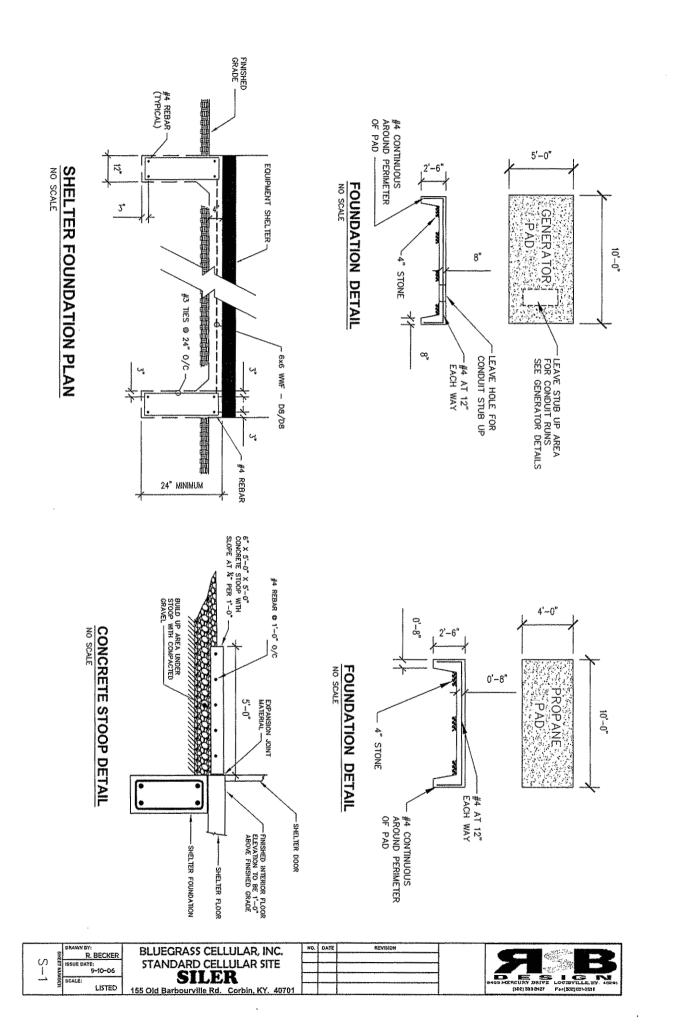
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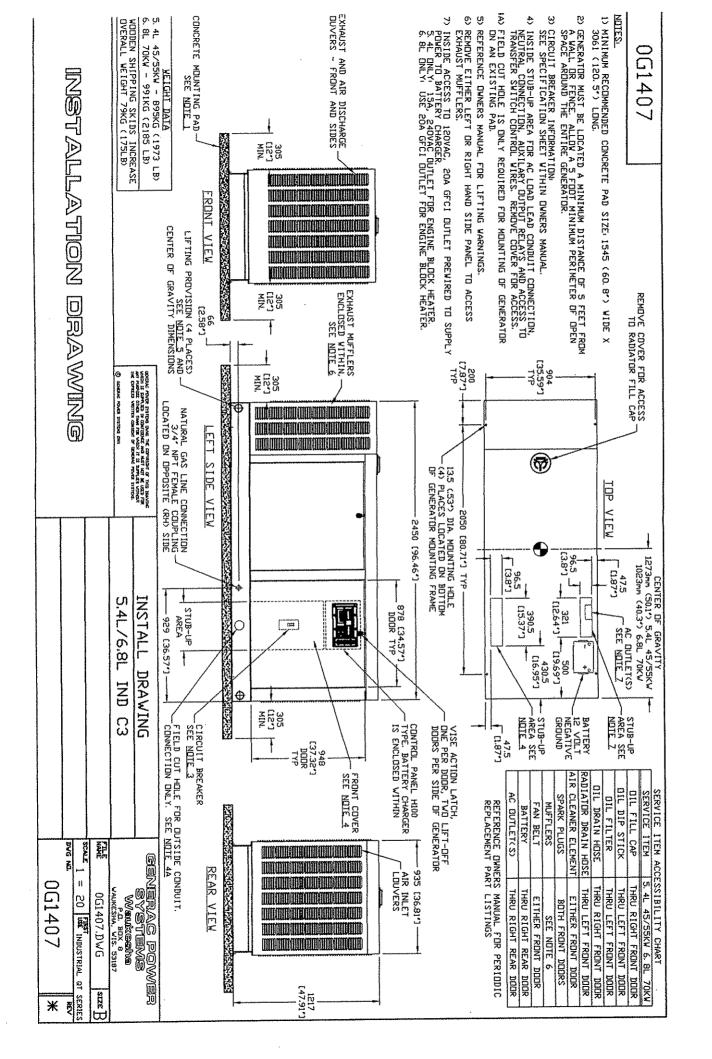












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Tim Thompson Professional Engineer · Land Surveyor

BLUEGRASS CELLULAR

Siler Site

1.57

Drive to directions:

November 16, 2006

Owner: Edwin R. Moore, Timothy Nelson Moore and Margaret June Goodin

Address: 155 Barbourville Road Corbin, KY 40701

From the Knox County courthouse in Barbourville, KY go south on S. Main St. 0.1 miles to KY Hwy 11 (Daniel Boone Dr.). Turn left on KY Hwy 11 and go east 0.4 miles to US Hwy 25 E. Turn left on US Hwy 25 E and go north and west for 13.5 miles to the Corbin Bypass (KY Hwy 3041). Turn left and go southwest 0.5 miles to Old Barbourville Road. Turn left and go southeast 0.07 miles. Turn left and follow access road to tower site in pasture.

Tim Thompson, LS 1304

232 Henton Ct. Versailles, KY 40383

T: (859) 873-5252 F: (859) 873-5252 M: (859) 221-5252 E: <u>TIMT2S@aol.com</u>





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Site Name: Siler

OPTION TO LEASE AND LEASE AGREEMENT

I.

OPTION TO LEASE REAL PROPERTY

THIS OPTION TO LEASE REAL PROPERTY (the "Option Agreement") is made and entered into this /2 day of June____, 2006, by and between Edwin R. Moore, Timothy Moore and Margaret Goodin, whose address is 7601 KY Hwy. 1232, Corbin, KY 40701 (the "Optionor (s)" and <u>Bluegrass Wireless LLC, a Kentucky limited liability company</u> with principal office and place of business at 2902 Ring Road, Elizabethtown, KY 42701 (the "Optionee").

$\underline{WITNESSETH}$:

WHEREAS, the Optionor(s) is the owner of certain real property located in <u>Knox</u> County, Kentucky as more particularly described on Exhibit A attached hereto and incorporated herein by reference (the "Property"); and

WHEREAS, the Optionor(s) wishes to grant to the Optionee, and the Optionee wishes to obtain from the Optionor(s), an option to lease the Property upon the terms and conditions set forth herein;

NOW, THEREFORE, in consideration of the foregoing premises and for other good and valuable consideration, the mutuality, receipt and sufficiency of which are hereby acknowledged, the parties hereto do agree as follows.

- In consideration of One Thousand Eight Hundred Dollars and Zero Cents (\$1,800.00) paid by the Optionee to the Optionor(s) (the "Option Consideration"), the receipt of which is hereby acknowledged by the Optionor(s), the Optionor(s) hereby grants to the Optionee an exclusive and irrevocable option to lease the Property (the "Option"), upon the terms and conditions hereinafter set forth, upon the exercise of the Option at any time before 4:00 p.m. prevailing time on <u>12-12-07</u>, (the "Option Period") as set forth in Paragraph 5 thereof.
- 2. The parties hereto anticipate that the Property comprises approximately a One Hundred Foot by One Hundred Foot area, and that a right of way will be given by the Optionor(s) for the purposes of ingress and egress throughout the term of the lease. The Optionee shall obtain an accurate survey of the Property by a registered land surveyor licensed in the Commonwealth of Kentucky at the sole expense of the Optionee. A copy of the survey shall be provided to the Optionor(s). The description of the Property shall include the number of acres determined by the surveyor. The Optionee shall obtain said survey within a reasonable time following the date of the Option Agreement.
- 3. During the term of the Option, the Optionee may enter onto the Property at its own risk to obtain soil samples and to bore soil for the purposes of determining the suitability of the Property for a communications tower.
- 4. Upon the Optionee's proper exercise of the Option in accordance with Paragraph 5 hereof, the Optionor(s) shall be deemed to have immediately executed, acknowledged and delivered to the Optionee the Lease Agreement contained in Section II hereof. The description of the Property shall be that determined by the registered land surveyor in accordance with Paragraph 2 hereof.

- 5. If the Optionee elects to exercise the Option in accordance with the terms hereof, notice of such election shall be deemed sufficient if personally delivered or sent by registered or certified mail, return receipt requested, to the address of the Optionor(s) set forth in Paragraph 14 hereof.
- 6. The Optionor(s) agrees not to sell, lease or offer for sale or lease the Property during the term of this Option or any renewal or extension of the Option.
- 7. In the event the Optionee fails to exercise the Option as set forth herein (unless such failure is due to the discovery of a defect in the Property or other matter unsatisfactory to the Optionee), the Optionor(s) shall have the right to retain the Option Consideration.
- 8. The Optionee may assign this Option with written consent of the Optionor(s), which consent shall not be unreasonably withheld, and upon any assignment such assignee shall have all the rights, remedies and obligations as if it were the original Optionee hereunder. From and after any such assignment, the term "Optionee" shall refer to such assignee.
- 9. Each party hereto shall bear any and all of its own expenses in connection with the negotiation, execution or settlement of this Option.
- 10. Risk of loss with respect to the Property during the term of this Option and during the term of the lease shall be upon the Optionor(s). If, during the term of the Option, any portion of the Property shall be acquired by public authority under the right or threat of eminent domain, the Optionee may, at its sole option, either (i) exercise the

Option, and in such event, all sums received from the public authority by the Optionor(s) by reason of the taking of a portion of the Property shall reduce the rent due under the lease, or (ii) terminate this Option and thereupon the Optionor(s) shall be obligated to return to the Optionee the full amount of the Option Consideration previously paid to the Optionor(s) in "good and collected funds."

- 11. The parties hereto represent to each other that neither has engaged any broker to represent their interests in connection with the transactions contemplated hereby, and each agrees to indemnify the other against any and all claims made by any brokers engaged or purported to be engaged by the other for brokerage commissions or fees in connection with the transactions contemplated hereby.
- 12. The Optionor(s) represents, warrants and covenants to the Optionee that the Optionor(s) has not caused or permitted, and shall not cause or permit, and to the best of Optionor(s)' knowledge no other person has caused or permitted any hazardous material (as defined by any applicable federal, state or local law, rule or regulation) to be brought upon, placed, held, located or disposed of at the Property. In the event any such contamination occurs for which the Optionee becomes legally liable, the Optionor(s) shall indemnify the Optionee against all claims, damages, judgments, penalties and costs and expenses, including reasonable attorneys' fees, which Optionee may incur.
- 13. This Option Agreement and the rights and obligations of the parties hereto shall be construed in accordance with the laws of the Commonwealth of Kentucky.

- 14. For the purposes of giving notice as permitted or required herein, the address of the Optionor(s)shall be: <u>7601 KY Hwy. 1232, Corbin, KY 40701</u>; the Optionee's address shall be: 2902 Ring Road, Elizabethtown, KY 42701.
- 15. The Optionee shall have the right, in its sole discretion, to record this Option in the Office of the Clerk of the County Court of **Knox** County, **Kentucky**.

II.

LEASE AGREEMENT

- 16. In the event the Optionee elects to exercise the Option to lease the Property, the terms of the Lease Agreement ("Lease Agreement" or "Lease") shall become immediately effective upon such exercise and shall be as follows.
 - 1. The term of the Lease shall commence on the date that the Optionor(s) receives proper notice that the Optionee has exercised the Option, pursuant to Paragraph 5 therein. The initial term shall expire five (5) year(s) from the commencement date of the Lease Agreement and shall include three (3) additional five (5)-year terms per the Lease Agreement. Optionee may, by providing written notice at least sixty (60) days prior to the expiration of the original or any renewal Lease term, elect to unilaterally terminate this Lease at the end of any original or renewal Lease term. Such notice must be personally delivered or sent via registered or certified mail, return receipt requested, to the address of the Optioner(s) set forth in Paragraph 14 hereof. The Lease amount shall be adjusted at the end of each term by an increase of

12%.

Site Name: Siler

2. The Optionee shall pay to the Optionor(s) rent for the Property in the sum of Seven Thousand Two Hundred Dollars and Zero Cents (\$7,200.00) yearly, to be paid in advance. All rent payments shall be personally delivered or mailed to the Optionor(s) at the address set forth in Paragraph 14 hereof. Any check payment of the rent due under the Lease shall be payable to the order of Optionor(s).

- 3. The Optionee shall be entitled to use and occupy the Property for the purpose of erecting, maintaining and operating a communications tower and communications facilities thereon and for all such other uses as Optionee may, in its sole discretion, deem necessary in connection therewith.
- 4. The Optionor(s) shall be responsible for the payment of all real estate taxes which shall be assessed against the Property during the term of the lease. The Optionee shall pay all charges for heat, water, gas, electricity, sewer use charges and any other utility used or consumed on the Property. The Optionee shall, at its own cost and expense, maintain and keep in full force and effect during the term of the lease public liability insurance with coverage in the amount of at least one million dollars (\$1,000,000.00) per person for bodily injury, disease, or death and shall maintain property insurance on any property the Optionee located on the Property.
- 5. The Optionee may assign the lease. The Optionee may sublet all or part of the space on the tower or ground space.

- 6. The Optionor(s) covenants that upon the Optionee's payment of the rent agreed upon herein, as well as Optionee's observing and performing all of the covenants and conditions contained in the Lease, the Optionee may peacefully and quietly enjoy the Property subject to the terms and conditions set forth in the Lease.
- 7. The Optionee agrees to maintain an access road in a passable manner for the term of the lease.
- 8. Licensee's Payment of Taxes, Fees and Assessments. Optionee shall pay directly to the applicable federal, state or local governmental unit or agency ("Governmental Entity") or to Optionor if Optionor is invoiced by such Governmental Entity, all taxes, fees, assessments or other charges assessed by any Governmental Entity directly against Optionee's Equipment and/or Optionee's use of the Facility. Optionee shall also pay to Optionor Optionee's Pro Rata Share of all taxes, fees, assessments or charges including, but not limited to, personal property taxes attributable to Optionee's equipment and antenna(s), municipal franchise fees, use fees, municipal application fees, installation fees and increases thereof. "Pro Rata Share" shall mean the fraction of decimal equivalent of dividing one (1) by the total number of then existing users occupying a tower on the last day of the applicable calendar year.
- 17. This Option and Lease Agreement contains the entire agreement between the parties hereto and no modification or amendment shall be binding upon any party unless made in writing and signed by each of the parties hereto.

- 18. Upon the termination or other end of this Lease Agreement, Optionee shall have the right to remove any and all of its property (real or personal) from the Property regardless of whether or not such property may be considered a fixture thereto.
- 19. Upon abandonment of the property, Optionee shall have thirty (30) days to dismantle and remove the cellular antenna tower and any/all equipment located on Optionor's property.

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EXECUTION OF AGREEMENT(S)

IN WITNESS WHEREOF, the parties hereto have set their hands and affixed their

respective seals.	$\sim \sim \sim$
Cowin R. Macle	- Capa
Date:6/12/06	Date: 6-26-06
This Is Morre	
Date: 6/13/06	
Margaret Book	
Date: (13/86	
("Optionor(s)")	("Optionee")
By: Edwin R Moore, Timothy Moore	By: Ron Smith
and Margaret Goodin Property Owner(s)	Authorized Representative
r toperty Owner(s)	
STATE OF KENTUCKU	
COUNTY OF WHITLES	
	ledged before me this $\underline{12}$ day of $\underline{3406}$, 2006,
by EDWIN R. MOORE	to be his/her free act and deed.
\sim	Shure Bogg
	NOTARY PUBLIC STATE AT LARGE
	Starte Bogg

	· · · · · · · · · · · · · · · · · · ·	Site Name:	Siler
STATE OF KENTUCKY			
COUNTY OF WHITLEY			
The foregoing instrument was ackr	nowledged before me this 12 d	ay of <u>JUNE</u> ,	2006,

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by <u>TIMOTHY MOORE</u> to be his/her free act and deed.	
NOTARY PUBLIC STATE AT LARGE My commission expires:	

STATE OF Kenticky
COUNTY OF Whitey
The foregoing instrument was acknowledged before me this 3 day of 50 ne, 2006,
by <u>Margaret Goodin</u> to be histher tree act and deed.
Lynn a Treptin
NOTARY PUBLIC STATE AT LARGE
My commission expires: $6 - 4 - 09$

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STATE OF KENTUCKY
COUNTY OF HARDIN
The foregoing instrument was acknowledged before me this 2/2 day of June, 2006, by Ron Smith , to be his free act and deed.
My commission expires: $1-21.09$

This instrument prepared by:

lant w? John E. Selent

DINSMORE & SHOHL LLP 1400 PNC Plaza 500 West Jefferson Street Louisville, KY 40202 (502) 540-2300

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COMMONWEALTH OF KENTUCKY

BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF CUMBERLAND CELLULAR PARTNERSHIP FOR ISSUANCE OF A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO CONSTRUCT A CELL SITE (SILER) IN RURAL SERVICE AREA #11 (KNOX) OF THE COMMONWEALTH OF KENTUCKY

CASE NO. 2007-00042

AFFIDAVIT OF JOHN E. SELENT

I, John E. Selent, being duly sworn, depose and state as follows:

My name is John E. Selent and I am a member of the Kentucky Bar Association.
 I am legal counsel to Bluegrass Wireless LLC and am submitting this affidavit in conjunction with the above referenced matter.

2. In order to demonstrate compliance with 807 KAR 5:063 §1(1)(1), Exhibit 1

identifies, with the exception of the individual identified in paragraph 4, the names of the residents/tenants and property owners within 500 feet of the proposed tower who have been: (i) notified by written notice of the proposed construction, sufficient postage prepaid, by United States <u>Certified Mail</u>, return receipt requested; (ii) given the Commission docket number under which the application will be processed; and (iii) informed of the right to request intervention.

3. Attached as Exhibit 2 is a copy of the United States <u>Certified Mail</u> return receipts that demonstrate proof of service of the written notice of the proposed construction upon (all of whom have street addresses): (1) Edwin Moore, Timothy Moore and Margaret Goodin; (2) Clarence Hood; (3) Bobby and Bridget Smith; (4) Johnnie and Maxine Bunch; (5) Joseph and Arbutis Antonikowski; (6) Vandora Belew; and (7) Martha Barton. (See Exhibit 1.)

4. Attached as Exhibit 3 is a copy of the United States <u>Express Mail</u> return receipt that demonstrates proof of service of the written notice of the proposed construction upon (who

have a P.O. Box address, and not a street address): (1) Earl and Nancy Johnson. The address for Earl and Nancy Johnson is a P.O. Box and therefore cannot be served by United States <u>Certified</u> <u>Mail in compliance with 807 KAR 5:063 § 1(1) and (m). (See Exhibit 1.)</u>

Further Affiant saith not.

John E))SS:)

i.

COMMONWEALTH OF KENTUCKY

COUNTY OF JEFFERSON

SUBSCRIBED AND SWORN to before me this day of the day o

11 20 My commission expires: Ó

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BLUEGRASS CELLULAR SILER SITE 155 BARBOURVILLE ROAD CORBIN, KNOX COUNTY, KY 40701

PROPERTY OWNERS ADJACENT TO THE SUBJECT PROPERTY AND/OR WITHIN 500 FOOT RADIUS OF PROPOSED TOWER AND/OR WITHIN 200 FOOT OF ACCESS ROAD EASEMENT:

<u>ID</u>	<u>Map - Par</u> .	Owner/Address	Deed Reference		
(A)	11 - Par 36	Edwin R. Moore, Timothy Nelson Moore and Margaret June Goodin 7601 KY 1232 Corbin, KY 40701	DB 305, PG 053	Subject Property	
(B)	11 - Par 35	Edwin R. Moore, Timothy Nelson Moore and Margaret June Goodin 7601 KY 1232 Corbin, KY 40701	DB 281, PG 614	Lessor Property	
(C)	11 - Par 47	Earl and Nancy Johnson PO Box 710 Corbin, KY 40702	DB 175, PG 098		
(D)	11 - Par 50	Clarence Hood 10 Sunflower Lane Corbin, KY 40701	DB 116, PG 422		
(E)	12 - Blk 30 Par 19	Bobby and Bridget Smith 499 KY 3436 Gray, KY 40734	DB 289, PG 616		
(F)	11 - Par 46	Johnnie T. and Maxine Bunch 238 Old Barbourville Road Corbin, KY 40701	DB 153, PG 014		8 - 1 - e., 7
(G)	11 - Par 45	Joseph Michael and Arbutis Faye Antonikowski 192 OLD Barbourville Road Corbin, KY 40701	DB 284, PG 428		
(H-1)	11 – Par 43.01	Vandora Belew 391 Right Fork E Creek Rd. Corbin, KY 40701	DB 307, PG 671		
(H-2)	11 – Par 44	Vandora Belew 391 Right Fork E Creek Rd. Corbin, KY 40701	DB 274, PG 397		
(I)	11 - Par 38	Martha Jane Barton 630 E. Fork Rd. Corbin, KY 40701	DB 168, PG 463		
	STATEOSUMIAN				



Edwin R. Moore Timothy Nelson Moore Margaret June Goodin 7601 KY 1232 Corbin, KY 40701

Public Notice

Bluegrass Wireless LLC is a Kentucky limited liability Company that markets its services as Bluegrass Cellular. Bluegrass Cellular has been serving Central Kentucky with wireless communications services for over 15 years.

Bluegrass Cellular is applying to the Public Service Commission of the Commonwealth of Kentucky (the "Commission") for a Certificate of Public Convenience and Necessity to construct and a new cell facility to provide cellular telephone service. This facility will include a 240 foot tower to be located at 155 Old Barbourville Road, Corbin, Knox County, Kentucky, 40701. A map showing the location is attached.

The Commission invites your comments regarding this proposed construction. Also, the Commission wants you to be aware of your right to intervene in this matter. Your comments and request for intervention should be addressed to:

Executive Director's Office Public Service Commission of Kentucky P.O. Box 615 Frankfort, Kentucky, 40602.

Please refer to case number 2007-00042 in your correspondence.

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
 Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 	A. Sighture A. Sighture B. Barewer by (Printed Name) D. Is delivery address different from Item 1? Yes 2/10 /
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Timothy Nelson Moore	이 같은 것은 것이 같은 것은 것은 것이 같은 것이 같은 것을 같을 것이다. 이 같은 것은 것은 것이 같은 것이 것이 같은 것 같이 같을 것이 같이
Margaret June Goodin	
7601 KY 1232	3. Service Type
Corbin, KY 40701	☐ Certified Mail □ Express Mail □ Registered □ Return Receipt for Merchandise □ Insured Mail □ C.O.D.
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2. Article Number (Transfer from service label) 7006 21	LSD 0005 6274 8656
PS Form 3811, February 2004 Domestic Retu	um Receipt

Clarence Hood 10 Sunflower Lane Corbin, KY 40701

Public Notice

Bluegrass Wireless LLC is a Kentucky limited liability Company that markets its services as Bluegrass Cellular. Bluegrass Cellular has been serving Central Kentucky with wireless communications services for over 15 years.

Bluegrass Cellular is applying to the Public Service Commission of the Commonwealth of Kentucky (the "Commission") for a Certificate of Public Convenience and Necessity to construct and a new cell facility to provide cellular telephone service. This facility will include a 240 foot tower to be located at 155 Old Barbourville Road, Corbin, Knox County, Kentucky, 40701. A map showing the location is attached.

The Commission invites your comments regarding this proposed construction. Also, the Commission wants you to be aware of your right to intervene in this matter. Your comments and request for intervention should be addressed to:

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Please refer to case number 2007-00042 in your correspondence.

Bluegrass Cellular welcomes the opportunity to serve and provide wireless service in your community! (For more information, please check us out online at www.myblueworks.com)

Application of the second secon

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
 Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailplece, or on the front if space permits. 	A. Signature X. Carcent Agent B. Received by (Printed Mame) C. Date of Delivery
 Article Addressed to: Clarence Hood 10 Sunflower Lane Corbin, KY 40701 	D. Is delivery address different from item 1? □ Yes If YES, enter delivery address below: □ No
	3. Service Type □ Certified Mail □ Express Mail □ Registered □ Return Receipt for Merchandise □ Insured Mail □ C.O.D.
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(Transfer from service label) 7006 PS Form 3811, February 2004 Domestic Retu	2150 0005 6274 8663
	m Heceipt 102595-02-M-1540

Bobby and Bridget Smith 499 KY 3436 Gray, KY 40734

Public Notice

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 Article Addressed to: Bobby and Bridget Smith 499 KY 3436 	 D. Is delivery address different from item 1? ☐ Yes If YES, enter delivery address below: ☐ No
Gray, KY 40734	Service Type G Certified Mail Express Mail Registered Return Receipt for Merchandise Insured Mail C.O.D.
	4. Restricted Delivery? (Extra Fee)
2. Anticle Number (Transfer from service label)	2150 0005 6274 8670

PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540

Johnnie T. and Maxine Bunch 238 Old Barbourville Road Corbin, KY 40701

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Johnnie T. and Maxine Bunch	
238 Old Barbourville Road	
Corbin, KY 40701	3. Service Type
	Registered Return Receipt for Merchandise Insured Mali C.O.D.
	4. Restricted Delivery? (Extra Fee)
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Joseph Michael and Arbutis Faye Antonikowski 192 OLD Barbourville Raod Corbin, KY 40701

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Corbin, KY 40701	3. Service Type ☐ Certified Mail ☐ Express Mail ☐ Registered ☐ Return Receipt for Merchandise ☐ Insured Mail ☐ C.O.D.
2. Article Number (Transfer from service label)	4. Restricted Delivery? (Extra Fee)

Vandora Belew 391 Right Fork E Creek Rd. Corbin, KY 40701

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Vandora Belew	
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	4. Restricted Delivery? (Extra Fee)
2. Article Number (Transfer from service label) 700L	2150 0005 6274 8700

Martha Jane Barton 630 E. Fork Rd. Corbin, KY 40701

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1. Article Addressed to:	If YES, enter delivery address below:
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630 E. Fork Rd.	(M DIN) WY GOTOT
Corbin, KY 40701	3. Service Type
	□ Registered □ Return Receipt for Merchandise □ Insured Mail □ C.O.D.
	4. Restricted Delivery? (Extra Fee)
2. Article Number 7006 2. (Transfer from service label)	L50 0005 6274 8717
PS Form 3811, February 2004 Domestic R	eturn Receipt 102595-02-M-1540

Earl and Nancy Johnson P.O. Box 710 Corbin, KY 40702

Public Notice

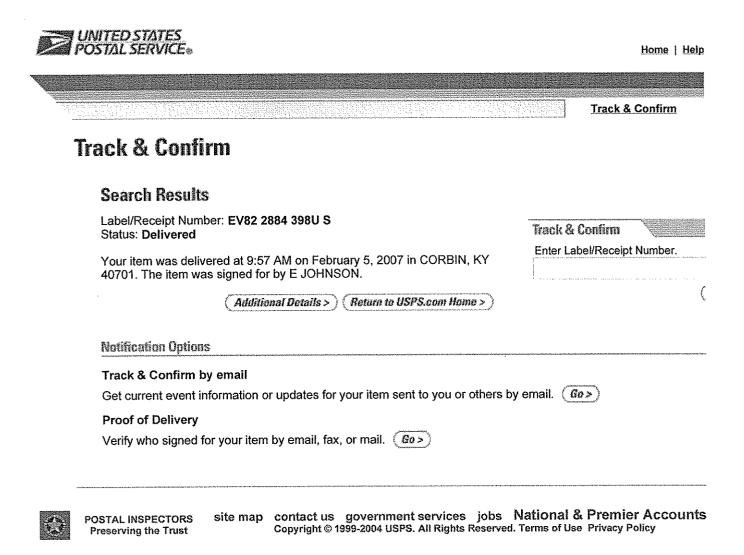
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Executive Director's Office Public Service Commission of Kentucky P.O. Box 615 Frankfort, Kentucky, 40602.

Please refer to case number 2007-00042 in your correspondence.



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Dinsmore&Shohlup

ATTORNEarrie Justice 513-977-8457 carric.justice@dinslaw.com

February 2, 2007

Via Certified Mail 7006 2150 0005 6274 8212 Honorable J. M. Hall Knox County Judge Executive Courthouse Court Square P.O. Box 173 Barbourville, Kentucky 40906

RE: Public Notice - Public Service Commission of Kentucky Case No. 2007-00042

Bluegrass Wireless is applying to the Public Service Commission of Kentucky (the Commission") for a Certificate of Public Convenience and Necessity to propose construction and operation for a new facility to provide cellular radio telecommunications service in rural service area (RSA) #11 in Knox County. The facility will include a 240 foot tower and an equipment shelter to be located at 155 Old Barbourville Road, Corbin, Knox County, Kentucky, 40701. A map showing the location of the proposed new facility is enclosed.

The Commission invites your comments regarding the proposed construction. You also have the right to intervene in this matter.

Your comments and request for intervention should be addressed to: Executive Director's Office, Public Service Commission, P.O. Box 615, Frankfort, Kentucky 40602. Please refer to case number 2007-00042 in your correspondence.

Very truly yours,

NSMORE & SHOHL LLP

Carrie Justice Paralegal

Daylon Lexington

enclosure

cdj

255 East Fifth Street, Suite 1900 Cincinnati, OH 45202 513.977.8200 513.977.8141 fax www.dinslaw.com

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Cincinnati

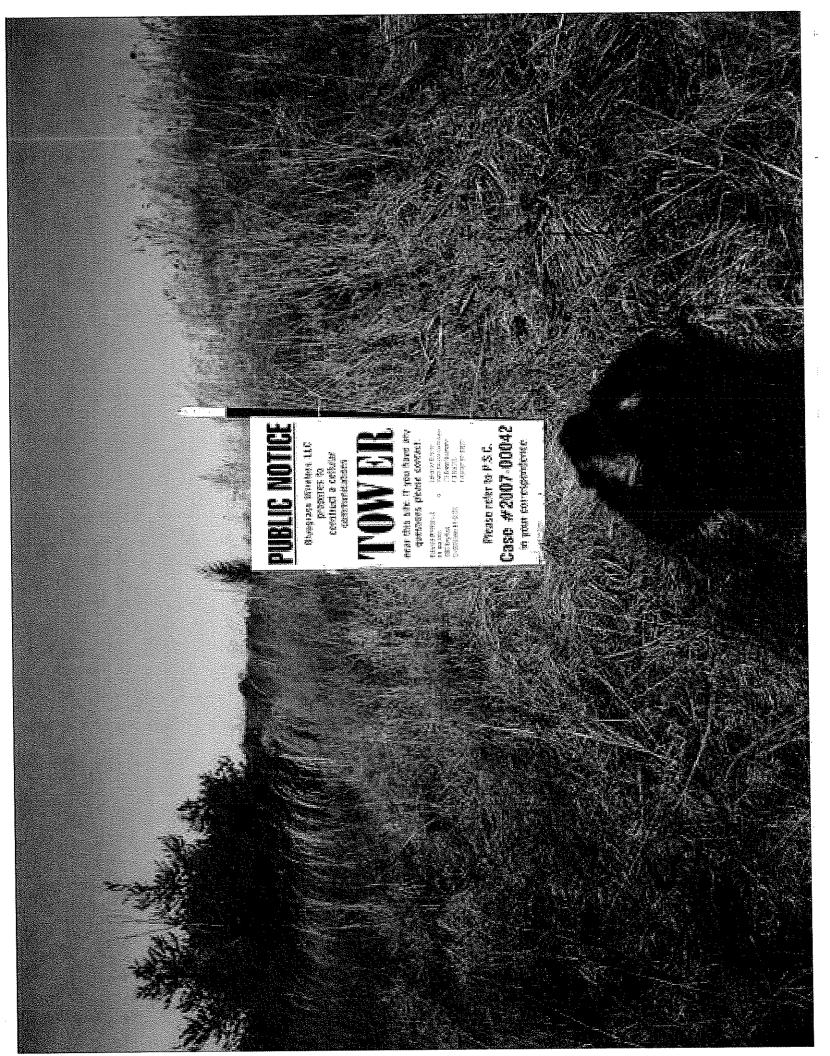
Charleston

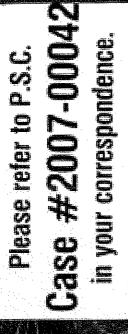
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 1. Article Addressed to: D. Is delivery address different from item 1? Yes If YES, enter delivery address below: No
Barbourville, Kentucky 40906
2. Article Number 4. Restricted Delivery? (Extra Fee) D Yes (Transfer from service label) 7006 2150 0005 6274 8212

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questions please contact:

construct a cellular communications proposes to

Bluegrass Wireless LLC

on this site. If you have any

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P.O. BOX 190 • 214 KNOX STREET • BARBOURVILLE, KY 40906 PHONE (606) 546.9225 • FAX (606) 546.3175

NEWSPAPER AFFIDAVIT

I, <u>WANDA</u> <u>Blevins</u> of The Barbourville Mountain Advocate newspaper, published at Barbourville, Kentucky, and having the largest general circulation of any newspaper in Knox County, Kentucky, do hereby certify that from my own knowledge and a check of the files of this newspaper that the advertisement of Notice <u>Certificate of Public Conven</u> rence <u>I Accessing</u> for <u>Bluegrass</u> <u>Wireless LLC</u> was inserted in The Barbourville Mountain Advocate on the following dates:

Date <u>Jeb. 8 - 07</u> Date Jeb. 15 - 07	Page <u>4B</u> Page <u>5B/4</u> B	Column <u>9</u> Column <u>9 / 1</u>
Date	Page/	Column
Date	Page	Column

Signature Manda Blevins

Subscribed and sworn to before me by Wanda B 16th day of Jeb this

Notary Public <u>Fiellie Caras</u> 11-16-09 My commission expires

Ν, IFF. INTON, DANTS. F SALE of the nd Order he Knox entered 8, 2007 e styled the sum I bring to principal Twentyind One Seventy-Dollars 8.00) with interest. I shall offer for ie courtir in the rbourville, County, the highat public n Friday, 16, 2007 r of 1:00 reabouts, r Ten perdown with days to lance, the described ocated 53 Dr. Jones Gray, KY ind more ularly to wit: ING at the corner of lor line and of Main ence with eet S 33 0' West 97 stake, also rrins line; th Warrins 9 degrees .5 feet to a ost and ience with line S 54 5' E 145.7 stake, also Bullock's enc eiwht line N 34 00' E 72 wild cherry, ster Phipp's ence with line N 52

which bond shall be the payable to er Mast Commissioner and shall bear interest at the rate of 12% per annum from the date thereof until paid. The bond shall have the full force and effect of the judgment, and should execution be issued thereon, no replevy shall be allowed. A lien shall exist and be retained by the M a s t e r Commissioner of the property sold under this judgment as security for the purchase money. purchaser The shall be required to assume and pay all taxes or assessments upon the property for the current tax year and all subsequent years. All taxes or assessments upon the property for prior years shall be paid from the sale proceeds if properly claimed in writing and filed of record by the purchaser prior to payment of the purchase price. If any property does not bring 2/3 of the appraised value then a one year right of redemption exists. PAUL BAKER MASTER COMMIS-SIONER Dated this the 29th day of January, 2007. 23(30 COMMONWEALTH **OF KENTUCKY 27TH JUDICIAL CIR-**CUIT **KNOX CIRCUIT** COURT **DIVISION I** CASE NO: 06-CI-514

PHH MORTGAGE

CORPORATION,

PLAINTIFF,

VS.

DIITH SKINNFR

to Iom walden's corner, the beginning containing ½ acre, more or less.

Also: Being Lot #8, #9, and #10 in Block "B" in Subdivision known as the Golden gate Division. Depth of lots 178', 186' 172, and width of lots 25 feet.

Being the same property conveyed to Ruth A. Skinner, no marital status given, Henrietta from Hendrickson, a single woman, by deed dated September 30, 2005 and recorded on October 10, 2005 in Deed Book 352, Page 557, Knox County Clerk's office.

This property will be sold for cash or Ten percent (10%) down with Sixty (60) days to pay balance at the option of the purchaser. Unless the purchaser so elects to pay cash, the purchaser of the property so sold shall give bond for the purchase price with good surety approved by the Master Commissioner in making the sale, which bond shall be the to payable Mast e r Commissioner and shall bear interest at the rate of 12% per annum from the date thereof until paid. The bond shall have the full force and effect of the judgment, and should execution be issued thereon, no replevy shall be allowed. A lien shall exist and be retained by the Master Commissioner of the property sold under this judgment as security for the pur-

Facilities Flait. His Forum will be held on Thursday, February 15, 2007 at the Board Room of the City Barbourville Schools Administrative offices at 12:00 noon local time. Immediately following this informal session, the Local Planning Committee will convene a meeting for the purpose of discussing items the concerning District Facilities Plan.

24t1c

ANNOUNCEMENT

The Knox County Board of Education will receive Proposals from quali f i e d Architect/Engineer firms for design services.

The intended pro-Girdler iect is: Elementary School and Renovation Addition Project. interested and qualified firms can receive a copy of the official Request for Proposals (RFP) by submitting a onepage letter of interest to: Walter T. Hulett, Superintendent.

The Owner will not retain the services of Construction a Manager for this prolect and if so will involve that entity in both the design and construction phases of the work. An authorized representative of the School Board will A/Ereceive Proposals

Until 4:00 P.M. on February 16, 2007 Proposals received after this date will not be accepted.

Proposals shall be submitted only on the form of proposal

Bluegrass Wireless LLC is applying 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 radio telecommunications service in rural service area #11 of the COmmonwealth of Kentucky (Siler Cell Site). The facility is a 240 foot tower and an equipment shelter to be located at 155 Old Barbourville Road, Corbin, Knox County, Kentucky 40701. Your comments and requests intervention for should be addressed Executive to: Office, Director's Service Public Commission, Post Office Box 615, 211 Boulevard, Sower Frankfort, Kentucky 40602. Please refer to Case No. 2007-00042 in your correspondence. 24t2p

PUBLIC (LEGAL) NOTICE ADVERTISE-MENT KNOX COUNTY EMERGENCY PLAN-NING COMMITTEE

Pursuant to Section 324, Title III of the Superfund Federal Amendments And Reauthorization Act (SARA) of 1986 (PL 99-499), the following Information is provided in compliance with the Community Right- to Know Requirements of the SARA Law, and the open meeting and open records Provision of Kentucky Revised Statutes. Members of the public may contact the Knox County Emergency Planning Committee, at P.O. Box 1539 Barbourville, Kentucky 40906, or by calling 606-546-9722. The Knox County Emergency Planning

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21000-9-70		sibsequent years.	T8d at 587	With good surety	Sesources
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Corbin, Ky 40701	hickory tree and the	rent tax year and all		shall give bond for	Department for
426 Buffalo Branch Rd	the letter B near a	property for the cur-	ance, the following		кроптией ептиску
Donald Taylor	concrete marker with	ents upon the	-led and yeq of even	이는 바람이 가는 사람이 있는 것이 가지 않는 것이 있는 것이 있다. 이 것이 있는 것이 있다. 이 것이 있는 것이 있는 것이 있는 것이 있다. 이 것이 있는 것이 있는 것이 있는 것이 있는 것이 있 같은 사람이 있는 것이 같은 것이 있는 것이 없는 것이 있는 것이 없는 것이 있는 것이 없는 것이 없이 없는 것이 없는 것이 없는 것이 없는 것이 없는 것이 있	public inspection at
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Corbin, Ky 40701 10611	Northeastward direc-		abouts, for cash or	os lasedoruq adt	
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Margaret Maloney 93 Oal	the line of Dexter	jəseyojnd əyT	1:00 p.m., or there-		-nerbeup stunin 2/1
A rinA 60000-9-70	driw eonet evice with	chase money.	2007 at the hour of	at the option of the	Frakes U.S.G.S. 7
Barbourville, Ky 40906	enil tienned biss ent	security for the pur-	Eriday, March 2,	eonaled yeq of even	ent no betecol
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Vergie Swafford	Bennett, thence with		te nebbid teadgin at	Ten percent (10%)	
20000-9-70	property of Gary	bloperty sold under		De sold for cash of	on Runyon Branch.
	being a corner to the	Commissioner of the	County, Kentucky to		Bob Bray Mountain
Barbourville, Ky 40906	the letter B and	Master	Barbourville, Knox	This property will	2.3 miles east of
PO Box 264	concrete marker with	be retained by the	to City ot	office.	pereor bue beor
Estil Swattord	マールビア ほうしん アー・ション・ション しょうかい しょうかい マイクマル	bne jeixe llene neil	ui joop asnoutinoo	County Clerk's	vith Golden Creek
1 10000-d-20	e uo oninnides	2 - 2 - 2 - 2 - 2 - 2 - 2 - 2 - 2 - 2 -	offer for sale at the	Page 604, Knox	아님, 그 것 같아요? 영상 것 같아요? 한 것 같아요? 소설한 것 같아.
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In compliance with Section	A cerrain tract or	the full force and		Va eznoa zillio nnvi	selim 8.0 betacol a
Participation of the state of the	:OSJA	even lishe brod ent	for ad-valorem taxes	요즘 수요 집에는 것 같은 것 같	The operation
SIRTRID JAISIQUL HTTS	place of BEGINNING.	thereof until paid.	faise the lien amount	land acquired by	ransfer,
		ateb ant mort munne	of what it will bring to	emes edt gried	iffected by the

o low income and/or first ints. A Masters Degree in i preferred. For, further is and other job postings ige please visit U/Admin/HR/Jobs.asp. jal Opportunity Employer, ire encouraged to apply.

Kentucky Farm Bureau Insurance seeks skilled sales professionals for independent agent opportunities in Knox County and other counties throughout Kentucky. We offer a competitive supplemental allowance program for newly contracted agents. Learn more and apply on-line today at www.kfbcareers.com Job #1053. days to pay the balance, the following described property located at 170 Corbin Circle, Corbin, Kentucky 40701, to wit:

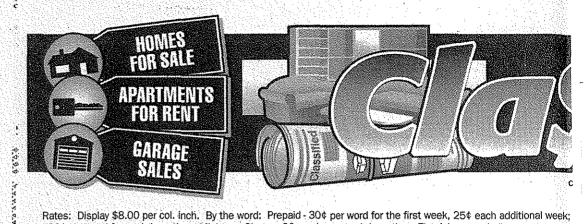
Beginning at Tom

SIONER PILUEGTASS Wireless LLC is

applying to the Public .

IVIIVID-5





Rates: Display \$8.00 per col. inch. By the word: Prepaid - 30¢ per word for the first week, 25¢ each additional week; - 60¢ per word for each insertion. Minimum Charge: 20 words per each insertion. The Advocate gladly accepts your c money order, cash or any major credit card! You may place any credit card order by phone today!

LEGAL NOTICES

LEGAL NOTICES

Service Commission of Kentucky for a Certificate of Public Convenience and *Necessity to construct and operate a Snew facility to provide cellular radio telecommunications service in rural service area #11 of the COmmonwealth of Kentucky (Siler Cell Site). The facility is a 240 foot tower and an equipment shelter to be located at 155 Old Barbourville Road, Corbin, Knox County, Kentucky .40701. Your comments and requests for intervention should be addressed to: Executive Office, Director's Public Service Commission, Post Office Box 615, 211 Sower Boulevard, Frankfort, Kentucky 40602. Please refer to Case No. 2007-00042 in your correspondence.

24t2p

NOTICE OF INTEN-TION TO MINE **PURSUANT TO APPLICATION #861-**0491 TRANSFER In accordance

with the provisions of

KNOX CIRCUIT COURT DIVISION II CASE NO: 06-CI-457 **CITY OF CORBIN,** KENTUCKY, PLAINTIFF. VS. JANET L. HENSLEY. **EXECUTRIX**

OF THE ESTATE OF LYNN C. BONZA, ET AL,

DEFENDANTS. NOTICE OF SALE By virtue of the

Judgment and Order of Sale of the Knox **Circuit Court entered** on December 4, 2006 in the above styled matter, for the sum of what it will bring to raise the lien amount for ad-valorem taxes in the amount of \$4,240.00 together with charges, interest, and costs, I shall proceed to offer for sale at the courthouse door in Ćíty the of Barbourville, Knox County, Kentucky to the highest bidder at public auction on Friday, March 2, 2007 at the hour of 1:00 p.m., or thereabouts, for cash or Ten percent (10%) down with Sixty (60)

LEGAL NOTICES this judgment as

security for the purchase money. The purchaser shall be required to assume and pay all taxes or assessments upon the property for the current tax year and all subsequent years. All taxes or assessments upon the property for prior years shall be paid from the sale proceeds if properly claimed in writing and filed of record by the purchaser prior to payment of the purchase price. If any property does not bring 2/3 of the appraised

value then a one year right of redemption exists.

PAUL BAKER MASTER COMMIS-SIONER

25t3p

COMMONWEALTH **OF KENTUCKY** 27TH JUDICIAL CIR-CUIT **KNOX CIRCUIT** COURT **DIVISION I** CASE NO: 06-CI-538 JPMORGAN CHASE LEGAL NOTICES

HEAL

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27TH JUD

74 North West 195.5 feet to an eight inch post at the Thomas comer; thence South 51-1/2 West 150 feet to a stake: thence South 30 East 160 feet more or less to the two foot poplar tree, the BEGINNING COR-NER.

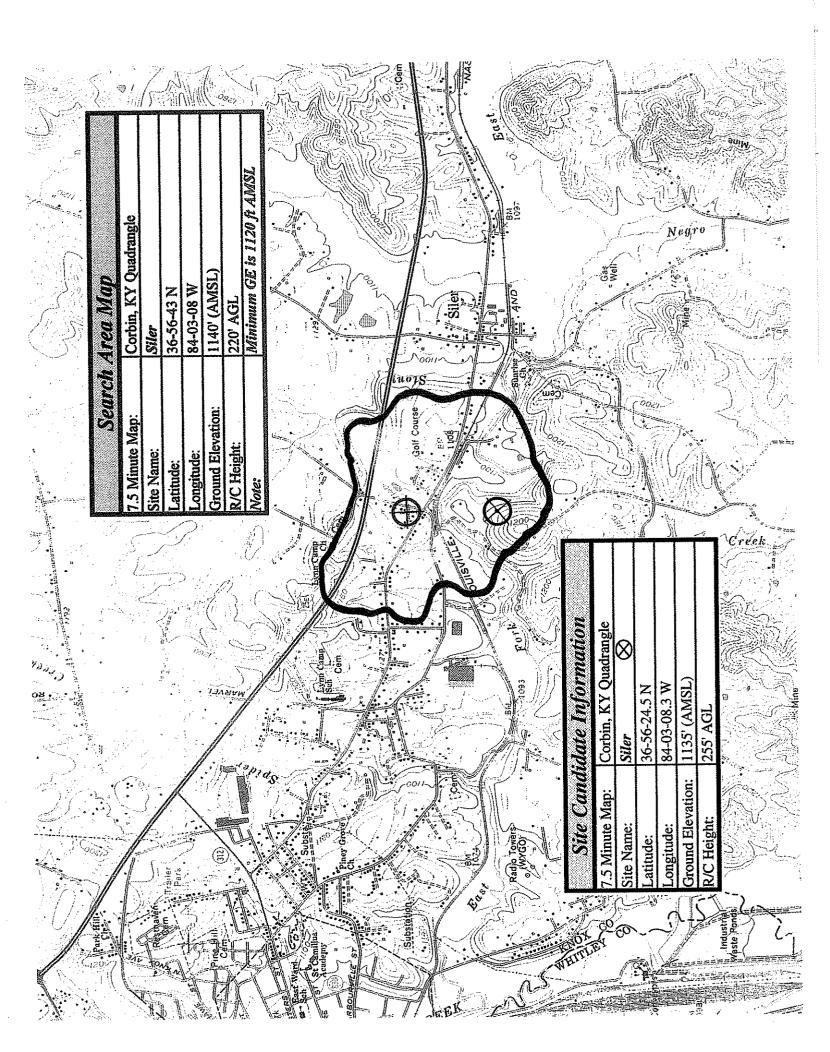
There is also conveved an easement for the purposes of ingress and egress over the remaining property of the first parties as found of record in Deed Book 211, Page 339, or lying adjacent to this property.

Subject to any and all easements, restriction, conditions, and legal highways of record and/or ir existence.

Beging the same property conveyed to Ronald Brooks and his wife, Teresa K. Brooks, by virtue of a deed dated 05/21/2001 and recorded on 05/22/2001 at Deed Book 320. page 240 of the Knox County, Kentucky real estate records. This property will

VS RUTH A. E AL DEFENC NOTICE (By virtu Judgment : of Sale of **Circuit Cou** on Janui 2006, in t styled matt sum of wh bring to i principal 45 together charges, and costs proceed to sale at th house doc City of Ba Knox Kentucky to est bidder auction o March 2, the hour p.m., or the for cash o cent (10%) Sixty (60) pay the ba

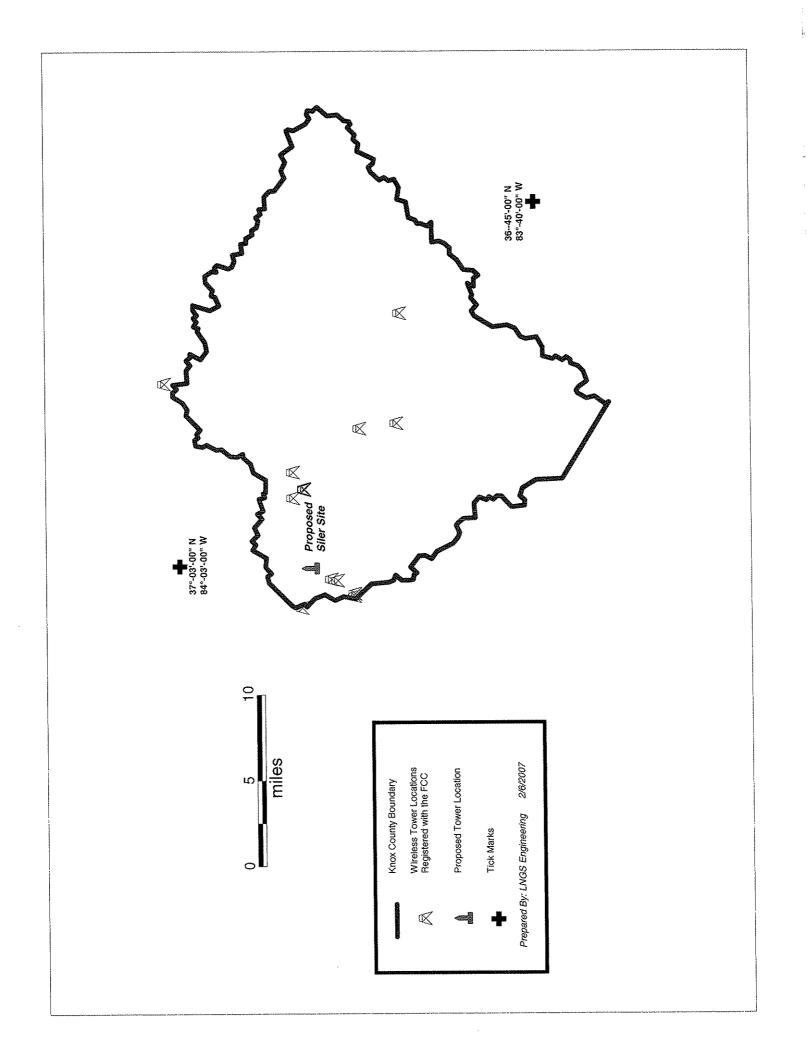
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Information on Constructed Towers Registered with the FCC in Knox County and 1/2 mile Area Outside of the County Boundary

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FCC Tower Reg.	North	West	City, State	Tower Owner
No.	Latitude	Longitude		
	and the subscription of the subscription			
1003734	36-56-49.5	84-5-38.9	Corbin, KY	American Towers, Inc.
	36-54-8	84-4-45	Woodbine, KY	Encore Communication
1043526	36-54-9	84-4-55	Woodbine, KY	Encore Communication DBA = FM
1043528	36-57-15	83-58-42	Gray, KY	Eubanks Realty CORP
1043634	36-53-51	83-54-19	Barbourville, KY	Litchfield County Cellular, INC. DBA = RAMCELL OF KEN I UCKY
1043805	36-51-58.8	83-53-58.9	Barbourville, KY	NEW CINGULAR WIRELESS PCS, LLC
1044808	36-56-42	83-58-7	Gray, KY	KENTUCKY, COMMONWEALTH OF DBA = KY EMERGENCY WAHNING SYSTEM KEWS
1052499	36-57-14.8	83-57-4.2	Gray, KY	NEW CINGULAR WIRELESS PCS, LLC
1201043	37-3-42.3	83-51-27.7	Manchester, KY	London Radio Service, Inc
1231917	36-56-40.6	83-58-8.7	Corbin, KY	C&C TOWER RENTAL
1244654	36-55-0.6	84-3-55.6	Corbin, KY	C&C Tower Rental,LLC
1246043	36-51-46.9	83-47-1.8	Flat Lick, KY	NEW CINGULAR WIRELESS PCS, ILC
1247122	36-55-19.4	84-3-50.4	Corbin, KY	NEW CINGULAR WIRELESS PCS, LLC
1256124	36-56-41.8	83-58-11	Gray, KY	American Towers, Inc.

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