

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

| | | |
|---|---|------------|
| THE APPLICATION OF EAST KENTUCKY |) | |
| NETWORK LIMITED LIABILITY COMPANY FOR |) | |
| THE ISSUANCE OF A CERTIFICATE OF PUBLIC |) | CASE NO. |
| CONVENIENCE AND NECESSITY TO CONSTRUCT |) | 2007-00459 |
| A TOWER IN ESTILL COUNTY, KENTUCKY |) | |

O R D E R

On October 30, 2007, East Kentucky Network, LLC, formerly Mountaineer Cellular Limited Liability Company ("Applicant") filed an application seeking a Certificate of Public Convenience and Necessity to construct and operate a wireless telecommunications facility. The proposed facility consists of a self-supporting antenna tower not to exceed 315 feet in height, with attached antenna, to be located on a knob near the Junction of KY 82 and KY 89, approximately one-half mile east of Hargett, Estill County, Kentucky. The coordinates for the proposed facility are North Latitude 37° 46' 54.6" by West Longitude 84° 0' 1.8".

The Applicant has provided information regarding the structure of the tower, safety measures, and antenna design criteria for the proposed facility. Based upon the application, the design of the tower and foundation conforms to applicable nationally recognized building standards, and a Licensed Professional Engineer has certified the plans.

Pursuant to 807 KAR 5:063, the Applicant has notified the County Judge/Executive of the proposed construction. The Applicant has filed applications with the Federal Aviation Administration ("FAA") and the Kentucky Airport Zoning