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December 2, 2013

RECEIVED

DEC 03 2013

**PUBLIC SERVICE
COMMISSION**

VIA FEDEX

Kentucky Public Service Commission
211 Sower Blvd.
P.O. Box 615
Frankfort, KY 40602-0615

RE: Notice of Amendment
Case No. 2013-00396 (Coughtown)

Dear Sir or Madame:

I have enclosed an original and five (5) copies of a *Notice of Amendment to Application for Certificate of Public Convenience and Necessity for Construction of a Wireless Communications Facility* for the above-referenced case. Please file the Notices in the administrative case record for the subject Application.

Thank you for your assistance and do not hesitate to contact me if you have any comments or questions concerning this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "D. Pike", written over a horizontal line.

David A. Pike
Attorney for Attorney for New Cingular
Wireless PCS, LLC
d/b/a AT&T Mobility

Enclosures

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

RECEIVED

In the Matter of:

DEC 03 2013

THE APPLICATION OF)
NEW CINGULAR WIRELESS PCS, LLC)
FOR ISSUANCE OF A CERTIFICATE OF PUBLIC)
CONVENIENCE AND NECESSITY TO CONSTRUCT)
A WIRELESS COMMUNICATIONS FACILITY)
IN THE COMMONWEALTH OF KENTUCKY)
IN THE COUNTY OF PERRY)

PUBLIC SERVICE
COMMISSION

CASE NO.: 2013-00396

SITE NAME: COUCHTOWN

**NOTICE OF AMENDMENT TO APPLICATION FOR
CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY
FOR CONSTRUCTION OF A WIRELESS COMMUNICATIONS FACILITY**

(CORRECTED FAA DETERMINATION)

Comes New Cingular Wireless PCS, LLC, a Delaware limited liability company, d/b/a AT&T Mobility ("Applicant"), by counsel, and for this Notice of Amendment states as follows:

1. Applicant filed an Application for Certificate of Public Convenience and Necessity with the Commission on November 22, 2013 ("Application").
2. Said Application included at **Exhibit F** a copy of a Determination of No Hazard to Air Navigation dated November 14, 2013 issued by the Federal Aviation Administration ("FAA") approving the subject wireless communications facility.
3. The November 14, 2013 Determination of No Hazard to Air Navigation contained an apparent typographical error and incorrectly stated the proposed tower height as 65 feet above ground level.
4. Subsequent to the filing of the subject Application, the FAA issued a

corrected Determination of No Hazard to Air Navigation dated November 25, 2013 correcting the stated tower height to 265 feet above ground level

5. Applicant, by this Notice, seeks to correct the record for this case with the corrected FAA Determination of No Hazard to Air Navigation.

6. Accordingly, **Exhibit F** to the Application is hereby amended so as to replace the existing **Exhibit F** with the corrected Determination of No Hazard to Air Navigation attached hereto as "**Replacement Exhibit F**".

7. All other provisions of the remainder of the original Application shall remain unchanged.

WHEREFORE, Applicant, by counsel, respectfully requests that the Commission enter all necessary notations or Orders to give effect to this Notice of Amendment of Application.

Respectfully submitted,



David A. Pike
Pike Legal Group, PLLC
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Email: dpike@pikelegal.com
Attorney for New Cingular Wireless PCS, LLC
d/b/a AT&T Mobility

**REPLACEMENT EXHIBIT F
FAA**



Mail Processing Center
 Federal Aviation Administration
 Southwest Regional Office
 Obstruction Evaluation Group
 2601 Meacham Boulevard
 Fort Worth, TX 76137

Aeronautical Study No.
 2013-ASO-8015-OE

Issued Date: 11/25/2013

John Monday
 AT&T Mobility LLC
 2200 W. Greenville Ave.
 1W
 Richardson, TX 75082

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ** (CORRECTION)**

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure: Antenna Tower Couchtown
 Location: Busy, KY
 Latitude: 37-16-01.83N NAD 83
 Longitude: 83-15-58.95W
 Heights: 1401 feet site elevation (SE)
 265 feet above ground level (AGL)
 1666 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

As a condition to this Determination, the structure is marked/lighted in accordance with FAA Advisory circular 70/7460-1 K Change 2, Obstruction Marking and Lighting, a med-dual system - Chapters 4,8(M-Dual),&12.

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

- At least 10 days prior to start of construction (7460-2, Part I)
- Within 5 days after the construction reaches its greatest height (7460-2, Part II)

This determination expires on 05/25/2015 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.
- (c) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination is based, in part, on the foregoing description which includes specific coordinates , heights, frequency(ies) and power . Any changes in coordinates , heights, and frequencies or use of greater power will void this determination. Any future construction or alteration , including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (877) 487-6867 so a Notice to Airmen (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.

A copy of this determination will be forwarded to the Federal Communications Commission (FCC) because the structure is subject to their licensing authority.

If we can be of further assistance, please contact our office at (847) 294-8084. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2013-ASO-8015-OE.

Signature Control No: 197610751-202432733

(DNE)

Carole Bernacchi
Technician

Attachment(s)
Frequency Data

cc: FCC

Frequency Data for ASN 2013-ASO-8015-OE

LOW FREQUENCY	HIGH FREQUENCY	FREQUENCY UNIT	ERP	ERP UNIT
698	806	MHz	1000	W
806	824	MHz	500	W
824	849	MHz	500	W
851	866	MHz	500	W
869	894	MHz	500	W
896	901	MHz	500	W
901	902	MHz	7	W
930	931	MHz	3500	W
931	932	MHz	3500	W
932	932.5	MHz	17	dBW
935	940	MHz	1000	W
940	941	MHz	3500	W
1850	1910	MHz	1640	W
1930	1990	MHz	1640	W
2305	2310	MHz	2000	W
2345	2360	MHz	2000	W