

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

RECEIVED  
APR 16 2015  
PUBLIC SERVICE  
COMMISSION

In the matter of:

THE APPLICATION OF EAST KENTUCKY NETWORK )  
LIMITED LIABILITY COMPANY FOR THE ISSUANCE )  
OF A CERTIFICATE OF PUBLIC CONVENIENCE AND ) CASE No 2015-00074  
NECESSITY TO CONSTRUCT A TOWER IN LETCHER )  
COUNTY, KENTUCKY).

East Kentucky Network, LLC, d/b/a Appalachian Wireless, was granted authorization to provide cellular service in the KY-10 Cellular Market Area (CMA452) by the Federal Communications Commission (FCC). FCC license is included as Exhibit 1. East Kentucky Network, LLC merger documents were filed with the Commission on February 2, 2001 in Case # 2001-022. East Kentucky Network, LLC is a Kentucky Limited Liability Company that was organized on June 16, 1998. East Kentucky Network, LLC is in good standing with the state of Kentucky.

In an effort to improve service in Letcher County, East Kentucky Network, LLC pursuant to KRS 278.020 Subsection 1 and 807 KAR 5:001 Section 9 is seeking the Commission's approval to construct a 300 foot self-supporting tower on a tract of land located one-tenth (1/10) of a mile on Knotty Pine Road, Partridge, Letcher County, Kentucky (37°00'21.0"N 82°53'47.9"W). A map and detailed directions to the site can be found in Exhibit 7.

Exhibit 2 is a list of all Property owners or residents according to the property valuation administrator's record who reside or own property within 500 feet of the proposed tower in accordance with the Public Valuation Administrator. No other properties are contiguous with East Kentucky Network's property.

Pursuant to 807 KAR 5:063 Section 1 (1)(L) and Section 1(1)(n)(1) all affected property owners according to the property valuation administrator's record who reside or own property

within 500 feet of the proposed Tower were notified by certified mail return receipt requested of East Kentucky Network, LLC's proposed construction and informed of their right to intervene. They were given the docket number under which this application is filed. Enclosed in Exhibit 2 is a copy of that notification.

Letcher County has no formal local planning unit. In absence of this unit the Letcher County Judge Executive's office was notified by certified mail, return receipt requested of East Kentucky Network Limited Liability Company's proposal and informed of their right to intervene. They were given the docket number under which this application is filed. Enclosed in Exhibit 3 is a copy of that notification.

Notice of the location of the proposed construction was published in the The Mountain Eagle, April 15, 2015, edition. Enclosed is a copy of that notice in Exhibit 3. The Mountain Eagle is the newspaper with the largest circulation in Letcher County.

A geologist was employed to determine soil and rock types and to ascertain the distance to solid bedrock. The geotechnical report is enclosed as Exhibit 4.

A copy of the tower design information is enclosed as Exhibit 5. The proposed tower has been designed by engineers at World Tower Company, Inc. and will be constructed under their supervision. Their qualifications are evidenced in Exhibit 5 by the seal and signature of the registered professional engineer responsible for this project.

The tower will be erected by S & S Tower Services of St. Albans, West Virginia. S & S Tower Services has vast experience in the erection of communications towers.

FAA and Kentucky Airport Zoning Commission applications are included as Exhibit 6.

No Federal Communications Commission approval is required prior to construction of this facility. Once service is established from this tower we must immediately notify the Federal Communications Commission of its operation. Prior approval is needed only if the proposed

facility increases the size of the cellular geographic service area. This cell site will not expand the cellular geographic service area.

East Kentucky Network, LLC will finance the subject Construction with earned surplus in its General Fund.

Estimated Cost of Construction	\$ 350,000.00
Annual Operation Expense of Tower	\$ 12,500.00

Two notice signs meeting the requirements prescribed by 807 KAR 5:063, Section 1(2), measuring at least two (2) feet in height and four (4) feet in width and containing all required language in letters of required height, have been posted, one at a visible location on the proposed site and one on the nearest public road. The two signs were posted on March 10, 2015, and will remain posted for at least two weeks after filing of this application as specified.

Enclosed in Exhibit 8 is a copy of East Kentucky Network LLC's lease agreement for the site location along with a lot description.

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

Due to the steep hillside surrounding the proposed site, the property in close proximity is unsuitable for any type of development. East Kentucky Network LLC's operation will not affect the use of nearby land nor its value. No more suitable site exists in the area. A copy of the search area map is enclosed in Exhibit 7. No other tower capable of supporting East Kentucky Network, LLC's load exists in the general area; therefore, there is no opportunity for co-location of our facilities with anyone else.

Enclosed, and filed as Exhibit 9 is a survey of the proposed tower site signed by a Kentucky registered professional engineer.

Exhibit 11 contains a vertical sketch of the tower supplied by James W. Caudill, Kentucky registered professional engineer.

**WHEREFORE**, Applicant respectfully requests that the PSC accept the foregoing Application for filing, and having met the requirements of KRS [278.020(1), 278.650, and 278.665] and all applicable rules and regulations of the PSC, grant a Certificate of Public Convenience and Necessity to construct and operate the proposed tower.

The foregoing document was prepared by Bethany Bowersock, Staff Attorney for East Kentucky Network, LLC d/b/a Appalachian Wireless. All related questions or correspondence concerning this filing should be mailed to East Kentucky Network, LLC d/b/a/ Appalachian Wireless, 101 Technology Trail, Ivel, KY 41642.

SUBMITTED BY: Lynn Haney DATE: 4/15/15  
Lynn Haney, Regulatory Compliance Director

APPROVED BY: W.A. Gillum DATE: 4/15/2015  
W.A. Gillum, General Manager

ATTORNEY: Bethany Bowersock DATE: 4-15-15  
Hon. Bethany Bowersock, Staff Attorney

**CONTACT INFORMATION:**

**W.A. Gillum, General Manager**  
**Phone: (606) 477-2355, Ext. 111**  
**Email: wagillum@ekn.com**

**Lynn Haney, Regulatory Compliance Director**  
**Phone: (606) 477-2355, Ext. 1007**  
**Email: lhaney@ekn.com**

**Bethany L. Bowersock, Attorney**  
**Phone: (606) 477-2355, Ext. 1006**  
**Email: bbowersock@ekn.com**



**Mailing Address:**

**East Kentucky Network, LLC  
d/b/a Appalachian Wireless  
101 Technology Trail  
Ivel, KY 41642**

1	FCC License
2	Copies of Cell Site Notices to Land Owners
3	Notification of County Judge Executive and Newspaper Advertisement
4	Universal Soil Bearing Analysis
5	Tower Design
6	FAA and KAZC Applications
7	Driving Directions from County Court House and Map to Suitable Scale
8	Lease Agreement for Proposed Site with Legal Description
9	Survey of Site Signed/Sealed by Professional Engineer Registered in State of Kentucky
10	Site Survey Map with Property Owners Identified in Accordance with PVA of County
11	Vertical Profile Sketch of Proposed Tower
12	

ULS License

**Cellular License - KNKN809 - East Kentucky Network, LLC d/b/a Appalachian Wireless**

Call Sign KNKN809 Radio Service CL - Cellular  
Status Active Auth Type Regular

**Market**

Market CMA452 - Kentucky 10 - Powell Channel Block B

Submarket 0 Phase 2

**Dates**

Grant 08/30/2011 Expiration 10/01/2021

Effective 08/30/2011 Cancellation

**Five Year Buildout Date**

10/17/1996

**Control Points**

1 US Route 23, FLOYD, Harold, KY  
P: (606)478-2355

**Licensee**

FRN 0001786607 Type Limited Liability Company

**Licensee**

East Kentucky Network, LLC d/b/a Appalachian Wireless  
101 Technology Trail P:(606)477-2355  
Ivel, KY 41642 F:(606)874-7551  
ATTN Gerald Robinette, Manager

**Contact**

Lukas, Nace, Gutierrez & Sachs, LLP P:(703)584-8665  
Pamela L Gist Esq F:(703)584-8695  
8300 Greensboro Drive E:pgist@fcclaw.com  
McLean, VA 22102

**Ownership and Qualifications**

Radio Service Mobile  
Type  
Regulatory Status Common Carrier Interconnected Yes

**Alien Ownership**

The Applicant answered "No" to each of the Alien Ownership questions.

**Basic Qualifications**

The Applicant answered "No" to each of the Basic Qualification questions.

**EXHIBIT II: LIST OF PROPERTY OWNERS:**

**Statement Pursuant to Section 1 (1) (I) 807 KAR 5:063**

**Section 1 (1)(I) 1.** The following is a list of every property owner who according to property valuation administrator's records, owns property within 500 feet of the proposed tower and each have been: notified by certified mail, return receipt requested, of the proposed construction,

**Section 1 (1)(I) 2.** Every person listed below who, according to the property valuation administrator's records, owns property within 500 feet of the proposed tower has been: Given the Commission docket number under which the application will be processed: and

**Section 1 (1)(I) 3.** Every person listed below who, according to property valuation administrator's records owns property within 500 feet of the proposed tower has been: Informed of his right to request intervention.

LIST OF PROPERTY OWNERS

Leonard Jenkins  
P.O. Box 61  
Dover-Foxcroft, ME 04426

Raymond and Marie Sturgill  
C/O Marie Redmon  
104 West Lake Est.  
Rogersville, TN 37857

Aster and Nellie Caudill  
C/O Tammy and Ricky Bullock  
HC 67 Box 801  
Partridge, KY 40862

Ronnie and Tammy Sturgill  
P.O. Box 35  
Partridge, KY 40862

Joyce Boggs  
P.O. Box 28  
Partridge, KY 40862

Michael and Suzan Burton  
65 Hwy 3403  
Partridge, KY 40862

Brandon and Wendy Burton  
70 White Water Drive  
Partridge, KY 40862

Commonwealth of KY  
Dept. of Highways  
200 Mero Street  
Frankfort, KY 40622

CSX Railroad  
500 Water Street  
Jacksonville, FL 32202

EAST KENTUCKY NETWORK  
101 TECHNOLOGY TRAIL  
IVEL, KY 41642  
PHONE: (606) 874-7550  
FAX: (606) 874-7551  
EMAIL: INFO@EKN.COM  
WEBSITE: WWW.EKN.COM

EAST KENTUCKY  
NETWORK



VIA: U.S. CERTIFIED MAIL

PUBLIC NOTICE

April 15, 2015

Leonard Jenkins  
P.O. Box 61  
Dover-Foxcroft, ME 04426

RE: Public Notice-Public Service Commission of Kentucky (Case No. 2015-00074)

East Kentucky Network, LLC d/b/a Appalachian Wireless has applied to the Public Service Commission of Kentucky for a Certificate of Public Convenience and Necessity to construct and operate a new facility to provide cellular telecommunications service in Letcher County. The facility will include a 300-foot self-supporting tower with attached antennas extending upwards, and an equipment shelter located on a tract of land 1/10 of a mile on Knotty Pine Road. A map showing the location of the proposed new facility is enclosed. This notice is being sent to you because you may own property or reside within a 500' radius of the proposed tower.

The Commission invites your comments regarding the proposed construction. You also have the right to intervene in this matter. The Commission must receive your initial communication within 20 days of the date of this letter as shown above.

Your comments and request for intervention should be addressed to: Executive Director's Office, Public Service Commission of Kentucky, P.O. Box 615, Frankfort, KY 40602. Please refer to Case No. 2015-00074 in your correspondence.

If you have any questions for East Kentucky Network, LLC, please direct them to my attention at the following address: East Kentucky Network, LLC, 101 Technology Trail, Ivel, KY 41642 or call me at 606-477-2355, Ext. 1007.

Sincerely,

Lynn Haney  
Regulatory Compliance Director  
Enclosure 1

EAST KENTUCKY NETWORK  
101 TECHNOLOGY TRAIL  
IVEL, KY 41642  
PHONE: (606) 874-7550  
FAX: (606) 874-7551  
EMAIL: INFO@EKN.COM  
WEBSITE: WWW.EKN.COM



VIA: U.S. CERTIFIED MAIL

PUBLIC NOTICE

April 15, 2015

Raymond and Marie Sturgill  
C/O Marie Redmon  
104 West Lake Est.  
Rogersville, TN 37857

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Sincerely,

A handwritten signature in cursive script that reads "Lynn Haney".

Lynn Haney  
Regulatory Compliance Director  
Enclosure 1



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EAST KENTUCKY  
NETWORK



VIA: U.S. CERTIFIED MAIL

PUBLIC NOTICE

April 15, 2015

Aster and Nellie Caudill  
C/O Tammy and Ricky Bullock  
HC 67 Box 801  
Partridge, KY 40862

RE: Public Notice-Public Service Commission of Kentucky (Case No. 2015-00074)

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Sincerely,

Lynn Haney  
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EAST KENTUCKY  
NETWORK



VIA: U.S. CERTIFIED MAIL

PUBLIC NOTICE

April 15, 2015

Ronnie and Tammy Sturgill  
P.O. Box 35  
Partridge, KY 40862

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EAST KENTUCKY  
NETWORK



VIA: U.S. CERTIFIED MAIL

PUBLIC NOTICE

April 15, 2015

Joyce Boggs  
P.O. Box 28  
Partridge, KY 40862

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Sincerely,

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PUBLIC NOTICE

April 15, 2015

Michael and Suzan Burton  
65 Hwy 3403  
Partridge, KY 40862

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Lynn Haney  
Regulatory Compliance Director  
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EAST KENTUCKY  
NETWORK



VIA: U.S. CERTIFIED MAIL

PUBLIC NOTICE

April 15, 2015

Brandon and Wendy Burton  
70 White Water Drive  
Partridge, KY 40862

RE: Public Notice-Public Service Commission of Kentucky (Case No. 2015-00074)

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Sincerely,

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Regulatory Compliance Director  
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101 TECHNOLOGY TRAIL  
IOWA, KY 41642  
PHONE: (606) 874-7550  
FAX: (606) 874-7551

EAST KENTUCKY  
NETWORK



VIA: U.S. CERTIFIED MAIL

PUBLIC NOTICE

April 15, 2015

Commonwealth of Kentucky  
Dept. of Highways  
200 Mero Street  
Frankfort, KY 40622

RE: Public Notice-Public Service Commission of Kentucky (Case No. 2015-00074)

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Sincerely,

Lynn Haney  
Regulatory Compliance Director  
Enclosure 1

EAST KENTUCKY NETWORK  
101 TECHNOLOGY TRAIL  
JACKSONVILLE, KY 41642  
PHONE: (606) 874-7550  
FAX: (606) 874-7551



VIA: U.S. CERTIFIED MAIL

PUBLIC NOTICE

April 15, 2015

CSX Railroad  
500 Water Street  
Jacksonville, KY 32202

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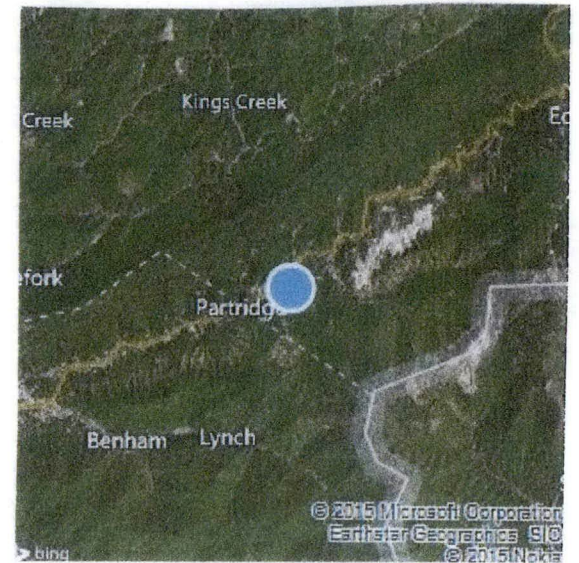
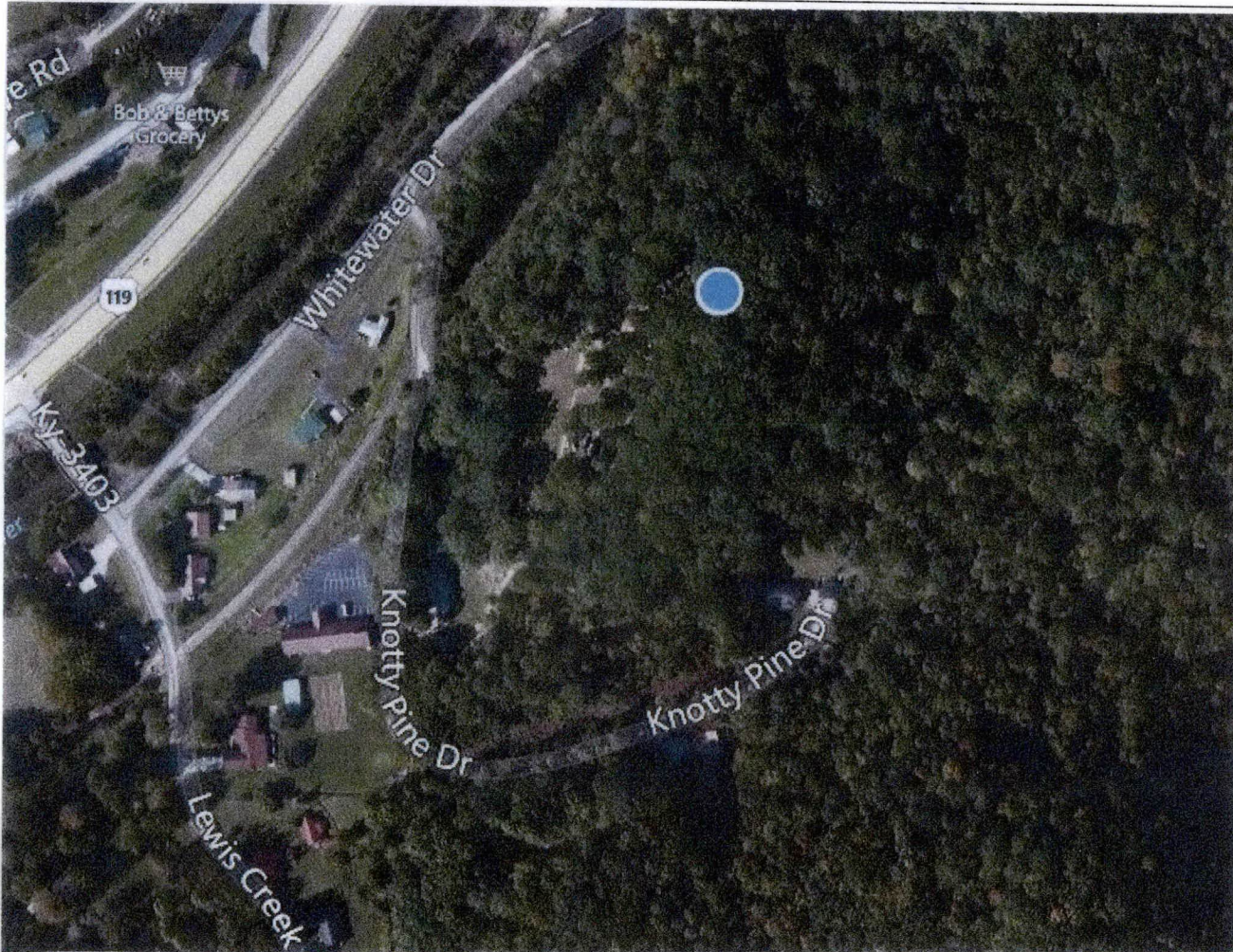
Sincerely,

A handwritten signature in cursive script that reads "Lynn Haney".

Lynn Haney  
Regulatory Compliance Director  
Enclosure 1



# Appalachian Wireless Location Map



Site Name  
Partridge

Location  
Knotty Pine Dr. Partridge, KY

GPS Location  
N 37 00 21.01  
W 82 53 47.93



EAST KENTUCKY NETWORK  
101 TECHNOLOGY TRAIL  
IVEL, KY 41642  
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FAX: (606) 874-7551  
EMAIL: INFO@EKN.COM  
WEBSITE: WWW.EKN.COM

EAST KENTUCKY  
NETWORK



VIA: U.S. CERTIFIED MAIL

April 15, 2015

Jim Ward, Judge Executive  
156 Main Street  
Suite 107  
Whitesburg, KY 41858

RE: Public Notice-Public Service Commission of Kentucky (Case No. 2015-00074)

East Kentucky Network, LLC d/b/a Appalachian Wireless has applied to the Public Service Commission of Kentucky for a Certificate of Public Convenience and Necessity to construct and operate a new facility to provide cellular telecommunications service in Letcher County. The facility will include a 300-foot self-supporting tower with attached antennas extending upwards, and an equipment shelter located on a tract of land 1/10 of a mile on Knotty Pine Road, Partridge, Letcher County, Kentucky. A map showing the location of the proposed new facility is enclosed. This notice is being sent to you because you are the County Judge Executive of Letcher County.

The Commission invites your comments regarding the proposed construction. You also have the right to intervene in this matter. The Commission must receive your initial communication within 20 days of the date of this letter as shown above.

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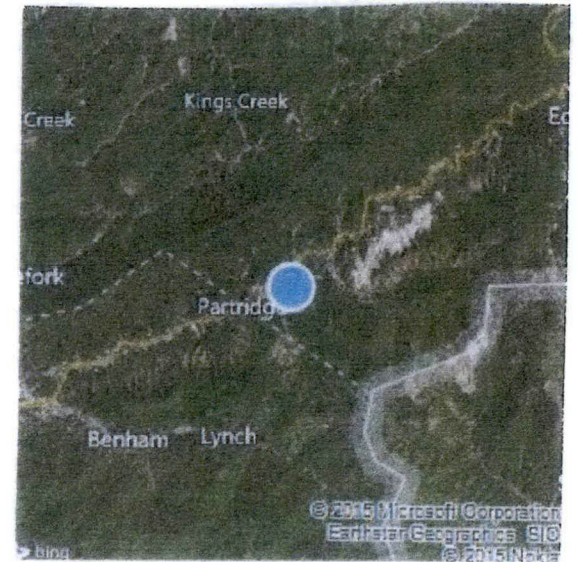
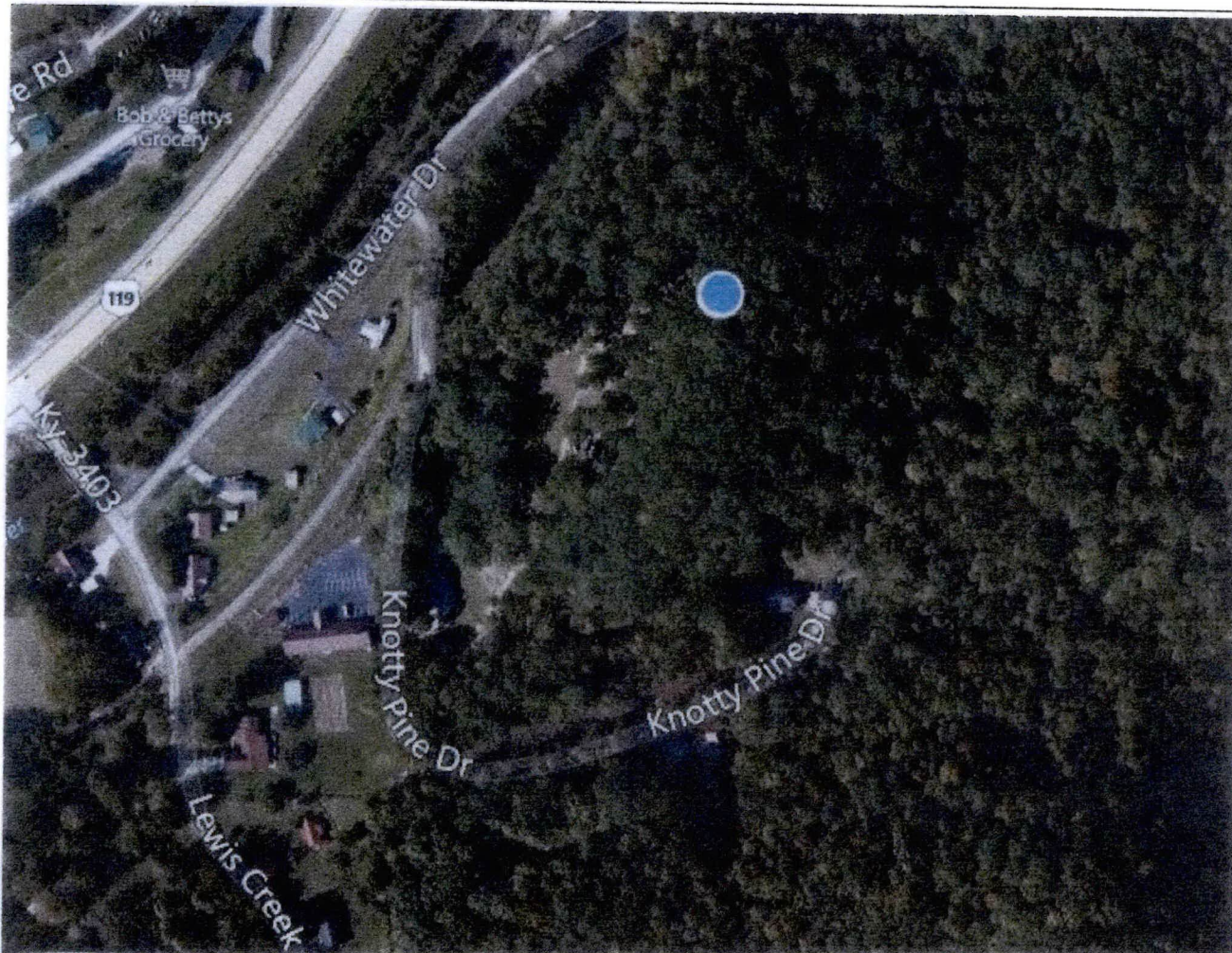
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Sincerely,

Lynn Haney  
Regulatory Compliance Director  
Enclosure



# Appalachian Wireless Location Map



Site Name

Partridge

Location

Knotty Pine Dr. Partridge, KY

GPS Location

N 37 00 21.01

W 82 53 47.93

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

424 Pear Street  
Hazard, KY 41701

June 1, 2012

**Partridge Tower Site**

**Purpose:**

A site assessment was conducted for Appalachian Wireless on a tract of land located in Letcher County near Partridge, Kentucky. The site of the proposed tower is now forestland. The purpose of this investigation was to determine the depth to bedrock and of what type of rock the bedrock consists.

**Site Investigation:**

The trenching method was used to determine the type of bedrock material at the proposed tower site. An excavator was used to expose the bedrock material. It is approximately 2.75 feet to the sandstone bedrock. (See attached page for descriptions of materials encountered.)

The terrain in Letcher County is moderately to very steep. The tower site is located on a point south of the Poor Fork of the Cumberland River and approximately one and one half miles east of the community of Partridge in Letcher County. The sandstone formation below the tower site is approximately 10.00 feet thick based on the information obtained from the site investigation and geological maps of the area.

**Conclusions:**

The proposed tower site is located on a ridge in the area. The sandstone bedrock on the proposed tower site is part of the Hance Formation of the Breathitt Group, and is middle to lower Pennsylvanian in age. Tests were not conducted to determine the load-bearing strength of the bedrock. However, it is apparent that the tower will be constructed on the sandstone bedrock formation.

The field work for this site was performed by Wendell R. Holmes, using generally accepted methods in the practice of geological science.

Wendell R. Holmes, P.G.



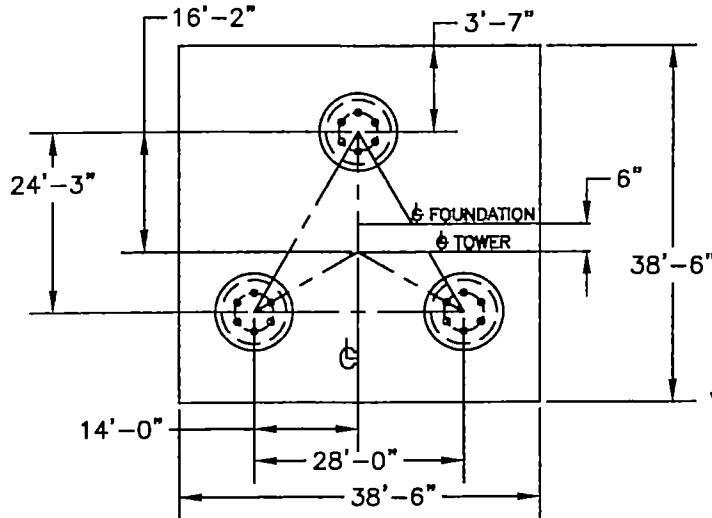
**WENDELL R. HOLMES, P.G.**

**424 Pear Street  
Hazard, Ky. 41701  
(606)438-7250**

**Geologist Log**

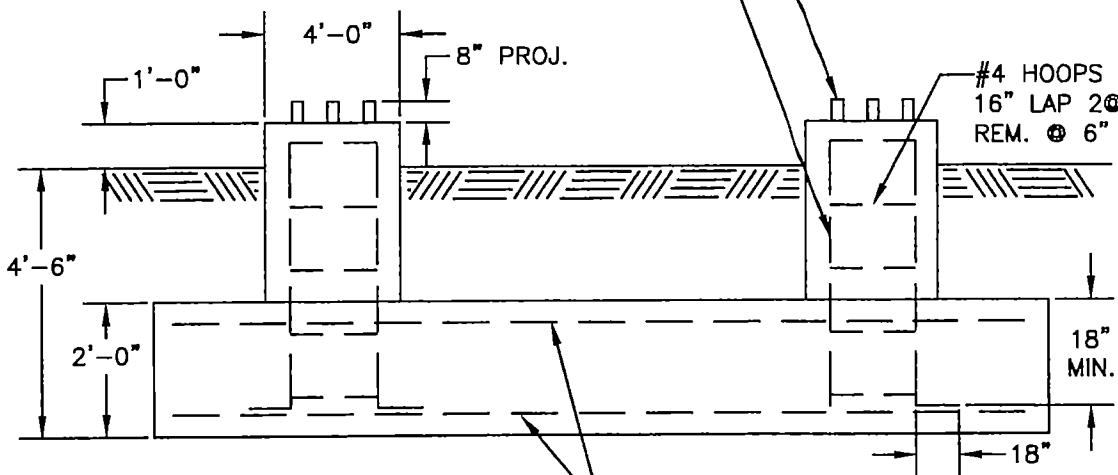
Location: Partridge Tower Site

<b>Unit Thickness</b>	<b>Total depth</b>	<b>Strata</b>	<b>Description</b>
2.75'	2.75'	Soil	Yellow, Brown with Sandstone & Plant Fragments
10.00'	12.75'	Sandstone	Weathered, Brown and Gray



114.7 CU. YDS.  
CONCRETE REQ'D.

BASE REACTIONS	
OTM:	12263.0 FT. KIPS
COMP.	536.0 KIPS
UPLIFT	452.0 KIPS
SHEAR (3 LEGS)	77.0 KIPS
WT. NO ICE	90.0 KIPS
WT. 1/2" ICE	208.0 KIPS

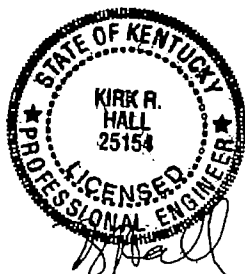


20 #8 VERT. REBARS  
WITH 90° A.C.I. BEND  
AT BOTTOM

ANCHOR BOLTS  
EMBEDDED PLATE AT BOTTOM

#4 HOOPS WITH  
16" LAP 2@3",  
REM. @ 6"

38-#11 REBARS  
EACH WAY TOP AND BOTTOM  
(152 TOTAL)



3-12-2015

GENERAL NOTES

1. CONCRETE TO HAVE 4000 PSI MIN. COMPRESSIVE STRENGTH AFTER 28 DAYS.
2. ALL REINFORCEMENT STEEL IS DEFORMED AND MEETS THE STRENGTH REQUIREMENTS OF ASTM A615 GRADE 60.
3. EMBEDDED STEEL TO HAVE 3" MIN. CONCRETE COVER.
4. FOUNDATION DESIGN IS BASED ON CUSTOMER SUPPLIED SOIL DATA FROM WENDELL R. HOLMES, P.G. DATED JUNE 1, 2012.

TITLE: FOUNDATION DETAIL  
300' WSST TOWER  
FOR: APPALACHIAN WIRELESS  
SITE: PARTRIDGE  
LETCHER COUNTY, KY

WORLD TOWER

SCALE NONE	DWN. LKG	CKD.	DATE 3-12-15
FILE	DWG. NO. Q15054F		







## Notice of Proposed Construction or Alteration - Off Airport

[Add a new Case Off Airport - Desk Reference Guide V\\_2015.1.0](#)

[Add a New Case Off Airport for Wind Turbines - Met Towers - Desk Reference Guide V\\_2015.1.0](#)

Project Name: EAST -000321918-15

Sponsor: East Kentucky Network, LLC

### Details for Case : Partridge

[Show Project Summary](#)

#### Case Status

ASN: 2015-ASO-4765-OE  
Status: Accepted

Date Accepted: 04/08/2015

Date Determined:

Letters: None

Documents: 04/08/2015 Partridge\_2C Surv...

Public Comments: None

Project Documents:  
None

#### Construction / Alteration Information

Notice Of: Construction

Duration: Permanent

**if Temporary :** Months: Days:

Work Schedule - Start: 05/01/2015

Work Schedule - End: 05/15/2015

*\*For temporary cranes-Does the permanent structure require separate notice to the FAA? To find out, use the Notice Criteria Tool. If separate notice is required, please ensure it is filed. If it is not filed, please state the reason in the Description of Proposal.*

State Filing: Filed with State

#### Structure Summary

Structure Type: Tower

Structure Name: Partridge

FDC NOTAM:

NOTAM Number:

FCC Number:

Prior ASN:

#### Structure Details

Latitude: 37° 0' 21.00" N

Longitude: 82° 53' 47.90" W

Horizontal Datum: NAD83

Site Elevation (SE): 1751 (nearest foot)

Structure Height (AGL): 310 (nearest foot)

Current Height (AGL): (nearest foot)

*\* For notice of alteration or existing provide the current AGL height of the existing structure. Include details in the Description of Proposal*

Max Operating Height (AGL): (nearest foot)

*\* For aeronautical study of a crane or construction equipment the maximum height should be listed above as the Structure Height (AGL). Additionally, provide the maximum operating height to avoid delays if impacts are identified that require negotiation to a reduced height. If the Structure Height and maximum operating height are the same enter the same value in both fields.*

Nacelle Height (AGL): (nearest foot)

*\* For Wind Turbines 500ft AGL or greater*

Requested Marking/Lighting: Dual-red and medium intensity

**Other :**

Recommended Marking/Lighting:

Current Marking/Lighting: N/A Proposed Structure

**Other :**

Nearest City: Partridge

Nearest State: Kentucky

Description of Location: Site is located off of Whitewater Dr, Partridge (Letcher), KY

Description of Proposal: A new 300' tower with top-mounted antennas (overall height of 310' AGL)

#### Common Frequency Bands

Low Freq	High Freq	Freq 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

#### Specific Frequencies



Kentucky Transportation Cabinet, Kentucky Airport Zoning Commission, 200 Mero Street, Frankfort, KY 40622

Kentucky Aeronautical Study Number

**APPLICATION FOR PERMIT TO CONSTRUCT OR ALTER A STRUCTURE**

**RECTIONS INCLUDED**

1. APPLICANT -- Name, Address, Telephone, Fax, etc.  
 East Kentucky Network, LLC  
 c/o Lukas, Nace, Gutierrez & Sachs, Chtd  
 8300 Greensboro Drive, Suite 1200  
 McLean, VA 22102  
 T: 703-584-8667 F: 703-584-8692

2. Representative of Applicant -- Name, Address, Telephone, Fax  
 Ali Kuzehkanani  
 Lukas, Nace, Gutierrez & Sachs, Chtd  
 8300 Greensboro Drive, Suite 1200  
 McLean, VA 22102  
 T: 703-584-8667 F: 703-584-8692

3. Application for:  New Construction  Alteration  Existing

4. Duration:  Permanent  Temporary (Months \_\_\_\_\_ Days \_\_\_\_\_)

5. Work Schedule: Start 5/1/2015 End 5/15/2015

6. Type:  Antenna Tower  Crane  Building  Power Line  
 andfill  Water Tank  Other \_\_\_\_\_

7. Marking/Painting and/or Lighting Preferred:  
 Red Lights and Paint  Dual - Red & Medium Intensity White  
 White - Medium Intensity  Dual - Red & High Intensity White  
 White - High Intensity  Other \_\_\_\_\_

8. FAA Aeronautical Study Number \_\_\_\_\_

9. Latitude: 37 ° 00 ' 21 . 0 "

10. Longitude: 82 ° 53 ' 47 . 9 "

11. Datum:  NAD83  NAD27  Other \_\_\_\_\_

12. Nearest Kentucky City: Partridge County Letcher

13. Nearest Kentucky public use or Military airport:  
Lonesome Pine Airport

14. Distance from #13 to Structure: 20.3 miles

15. Direction from #13 to Structure: West

16. Site Elevation (AMSL): 1,751.00 Feet

17. Total Structure Height (AGL): 310.00 Feet

18. Overall Height (#16 + #17) (AMSL): 2,061.00 Feet

19. Previous FAA and/or Kentucky Aeronautical Study Number(s):  
 \_\_\_\_\_

20. Description of Location: (Attach USGS 7.5 minute Quadrangle Map or an Airport layout Drawing with the precise site marked and any certified survey)  
 Site is located off of Whitewater Dr., near Partridge (Letcher), KY

21. Description of Proposal:  
 The structure will include a 300' tower with top-mounted antennas (overall height of 310' AGL). The ERP will be 500 watts.

22. Has a "NOTICE OF CONSTRUCTION OR ALTERATION" (FAA Form 7460-1) been filed with the Federal Aviation Administration?  
 No  Yes, When April 08, 2015

**CERTIFICATION:** I hereby certify that all the above statements made by me are true, complete and correct to the best of my knowledge and belief.

Ali Kuzehkanani/ Dir of Engineering Ali Kuzehkanani 4/8/2015  
 Printed Name and Title Signature Date

PENALTIES: Persons failing to comply with Kentucky Revised Statutes (KRS 183.861 through 183.990) and Kentucky Administrative Regulations (602 KAR 050:Series) are liable for fines and/or imprisonment as set forth in KRS 183.990(3). Non-compliance with Federal Aviation Administration Regulations may result in other penalties.

**Commission Action:**  Chairman, KAZC  Administrator, KAZC

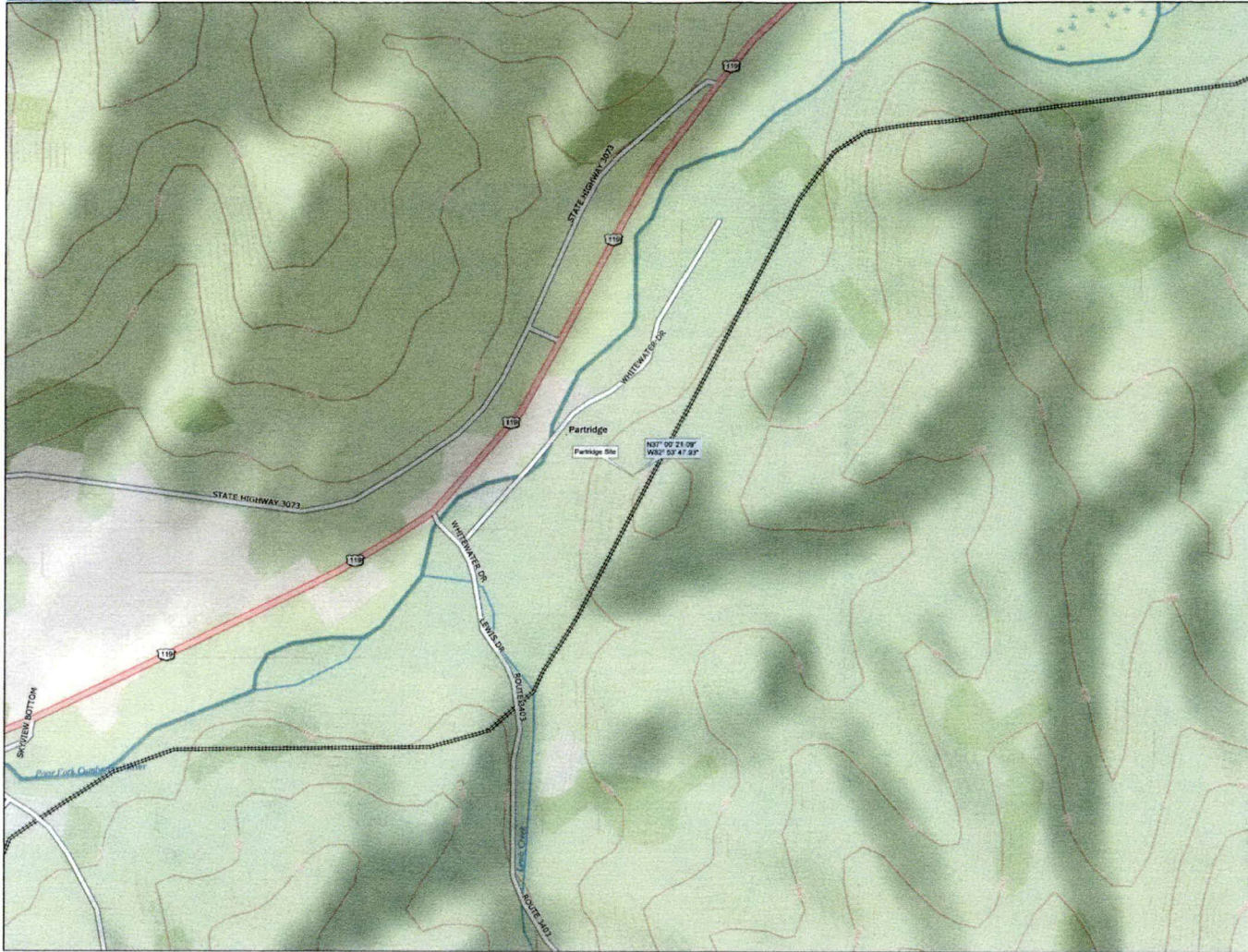
Approved \_\_\_\_\_  
 Disapproved \_\_\_\_\_ Date \_\_\_\_\_

## Driving Directions for Partridge

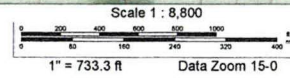
Beginning at the courthouse in Whitesburg, Letcher County, Kentucky on Main Street heading north go .3 miles and turn right onto Highway 15. After turning onto Highway 15 go 1.3 miles, turn right onto Highway 119 and continue 15.9 miles. Take a left at Exit 3403/Lewis Creek, cross bridge (signs will be posted). Turn left onto White Water Road and continue .1 miles, turn right on Knotty Pine Road, then turn left and go through gate, continue .1 miles until you have reached the site (signs will be posted).

Written by  
Daryl Bartley  
Appalachian Wireless  
(606)-791-0310





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www.delorme.com



**LEASE AGREEMENT**

THIS LEASE AGREEMENT is made and entered into on the 7<sup>th</sup> day of March, 2014, with a Commencement Date of March 1, 2014, by and between **Michael Burton & Susan Burton**, his wife, of 65 Hwy 3403, Partridge, KY 40862, **Irene Burton**, widow, of 81 Hwy 3403, Partridge, KY 40862, **Brandon Burton & Wendy Burton**, his wife of 70 Whitewater Drive, Partridge, KY 40862, LESSORS, and **East Kentucky Network, LLC, d/b/a Appalachian Wireless**, of 101 Technology Trail, Ivel, Kentucky 41642, LESSEE:

WITNESSETH:

That for and in consideration of the rents and other considerations hereinafter set out and subject to the terms and conditions therefore, Lessors do hereby lease, let and demise unto Lessee, its successors and assigns, to have and to hold for the term hereinafter set out and subject to the Lessees right to surrender or terminate this Lease and provided hereinafter, the following described premises (Leased Premises), which term shall include all real property, rights and privileges herein granted:

BEING the same property described by metes and bounds in the description attached hereto and made a part hereof as Exhibit "A", and as shown on the plat dated 30<sup>th</sup> day of September, 2013, prepared by James W. Caudill, Licensed Professional Land Surveyor, and attached hereto and made a part hereof as Exhibit "B".



The Lessors grant unto Lessee full and complete right of ingress, egress and regress over roads located upon this property controlled by Lessors to and from the Leased Premises, and the nonexclusive right to use any existing road located on this property. In the event the Lessee desires to relocate all or any portion of an existing roadway or to construct another access road to the Leased Premises, the location of such roadway shall be mutually agreed upon by Lessors and

Lessee. Lessors further grant to the Lessee a right of way and easement to construct and maintain and operate telephone and power transmission lines over Lessors remaining property to the Leased Premises for service of the tower and related facilities only, said lines to be located where feasible along the access road to the Leased Premises, with Lessors having input as to location of said power transmission lines. Lessee shall have the right to trim or remove trees, limbs or underbrush which interferes with its access road or power/telephone lines wherever such road and lines are located or may damage tower if they fall. Lessee shall maintain the road to the leased premises site with gravel and needed repairs.

This Lease is made on the following terms and conditions:

1. **TERM OF LEASE.** The term of this lease shall be for a period of five (5) years from the Commencement Date of this Lease Agreement with an additional six (6) automatic renewals of five (5) year terms unless Lessee gives Lessors written notice at least sixty (60) days prior to expiration of said Term that Lessee does not wish to renew.

2. **CANCELLATION.** Lessee shall have the right to terminate this Lease and abandon the Premises at any time under its sole discretion, upon six (6) month written notice to Lessors of its intention to do so. In the event that Leased Premises fail the process for approval as an acceptable cellular tower site by the Federal Communications Commission or any tests or requirements as required for such approval (the "FCC Process") or approval by the Public Service Commission of Kentucky (the "PSC"), then in its sole discretion Lessor may terminate this Lease Agreement upon thirty (30) days written notice to Lessors of such intention. In the event of termination by Lessee, the Lessors shall have no obligation to refund all or any portion of the Leasehold rental payment that has been paid through the date of termination. Upon termination of this Lease, Lessee shall have one hundred eighty (180) days thereafter to remove

all structures it has erected upon the Leased Premises, and to reclaim the premises. Payment shall continue until said structures are removed.

3. **RENTAL.** As rental for the Leased Premises, Lessee shall pay Lessors as follows: \$350.00 per month for the first five (5) year term. After the first five (5) year term each additional five (5) year term will have an increase of 5%. Payment will be made payable to Michael & Susan Burton.

4. **USE OF PREMISES.** Lessee shall have the exclusive rights and privileges of the use of the Leased Premises for the purpose of constructing buildings, towers, and other related facilities, including, but not limited to telephone lines, coaxial lines, power lines and the installation of any and all other equipment deemed necessary by Lessee to receive and transmit any and all electronic signals in the rural service area now or hereafter to be served by the facility. The parties hereto recognize that technology in the communications field is advancing at a rapid rate and that this site may be used for any other purpose now in the development stage or which may later be developed in the communications industry to carry out the objectives of Lessee, that being to transmit and receive signals and communications by wire, fiber optics, radio and satellite. Lessee shall not use the Leased Premises for purposes other than maintenance or use as a site for communications by the use of methods now or hereafter known.

Lessee agrees to maintain the Leased Premises in a neat and orderly manner. Lessee agrees to install and maintain a gate on access road to Leased Premises.

5. **INDEMNITY.** Lessee agrees to indemnify and save harmless the Lessors from any liability by virtue of Lessee's activities upon the Leased Premises or in the exercise of any rights and privileges granted herein, specifically including but not limited to any claim, loss, fine, penalty and costs (including reasonable attorney's fees) arising out of any violation of any



environmental laws or regulations. This provision shall survive the termination of the lease. Lessee shall maintain and keep in full force and effect public liability and property damage insurance in an amount of at least One Million Dollars (\$1,000,000.00). Lessors shall not be held liable for personal injury or property damage on the Leased Premises whether or not associated with Lessee.

6. **TAXES.** Lessee shall pay all personal property taxes assessed on or any portion of such taxes attributable to the equipment used by Lessee on the Premises. Lessors shall pay when due all real property taxes and all other fees and assessments attributable to the Premises. Lessee shall reimburse the Lessors as additional compensation for any increase in real estate taxes levied against the Lessors (or its successors or assigns) which are attributable to or arise as a result of the improvements constructed by the Lessee, its successors or assigns.

7. **MISCELLANEOUS PROVISIONS.** All notices, demands, or other writings in this Lease Agreement provided to be given, made or sent, or which may be given or made or sent, to either party hereto to the other, shall be deemed to have been fully given or made or sent when made in writing and deposited in the United States Mail, certified and postage prepaid, to Lessors and Lessee at the addresses stated in the caption of this Lease Agreement. Such addresses may be changed by written notice given by such party as above provided.

8. **SUCCESSORS AND ASSIGNS.** This Lease Agreement shall be binding upon the parties hereto, their heirs, executors, administrators and assigns.

WITNESS OUR HANDS, the day and year aforesaid.

**LESSORS:**

Michael D. Burton  
**Michael Burton**

Susan Burton  
**Susan Burton**

Irene Burton  
**Irene Burton**

Brandon Burton  
**Brandon Burton**

Wendy Burton  
**Wendy Burton**

**STATE OF KENTUCKY**  
**COUNTY OF Floyd**

The foregoing Lease Agreement was this 7<sup>th</sup> day of March, 2014, produced and acknowledged before me by **Michael & Susan Burton**, Lessors.

Lynn Haney  
NOTARY PUBLIC  
COMMISSION EXPIRES: \_\_\_\_\_ **My Commission Expires July 14, 2015**

STATE OF KENTUCKY  
COUNTY OF Floyd

The foregoing Lease Agreement was this 7<sup>th</sup> day of March, 2014, produced and acknowledged before me by **Irene Burton**, Lessor.

Lynne Haney  
NOTARY PUBLIC  
COMMISSION EXPIRES: 7-14-15 My Commission Expires July 14, 2015

STATE OF KENTUCKY  
COUNTY OF Floyd

The foregoing Lease Agreement was this 7<sup>th</sup> day of March, 2014, produced and acknowledged before me by **Brandon Burton & Wendy Burton**, his wife, Lessors.

Lynne Haney  
NOTARY PUBLIC  
COMMISSION EXPIRES: \_\_\_\_\_ My Commission Expires July 14, 2015

LESSEE:

W A Gillum  
W. A. Gillum, General Manager & CEO

STATE OF KENTUCKY  
COUNTY OF FLOYD

The foregoing Lease Agreement was this 28 day of February, 2014, produced and acknowledged before me by **East Kentucky Network, LLC, dba Appalachian Wireless** by **W. A. Gillum**, its General Manager and CEO, Lessee.

Lynne Haney  
NOTARY PUBLIC  
COMMISSION EXPIRES: July 14, 2015

STATE OF KENTUCKY

COUNTY OF Letcher

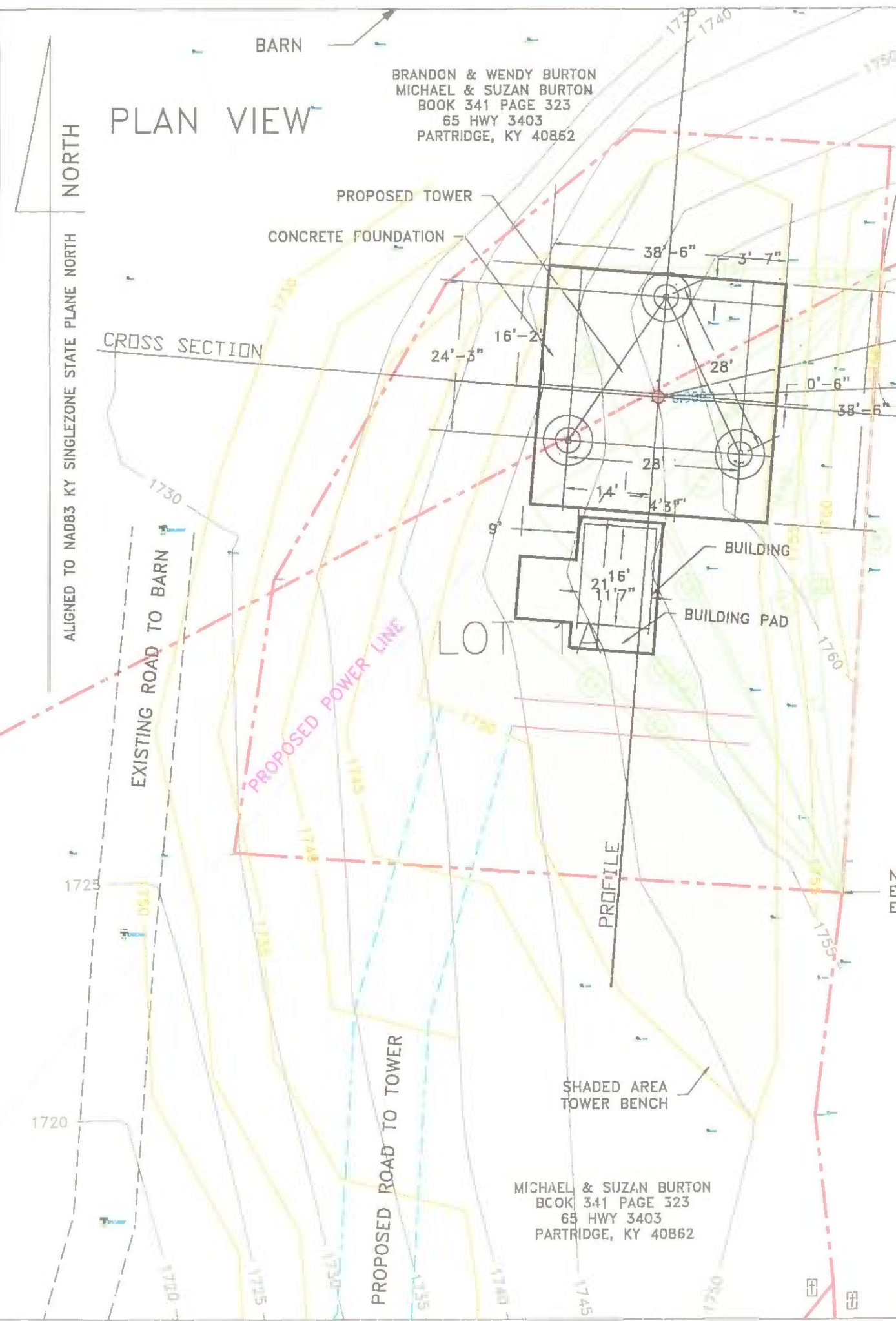
Clerk's Certificate of  
Lodgment and Record

I, Winston Meade, Clerk of the County for the County and State aforesaid, certify that the foregoing Lease Agreement was on the 24<sup>th</sup> day of July, 2014 lodged for record, whereupon the same, with the foregoing and this certificate have been duly recorded in my office.

WITNESS my hand, this 24<sup>th</sup> day of July, 2014.

Winston Meade Clerk  
By Lisa Maggard D.C.





N:3538466.671  
E:5754380.122  
EL:1764.814

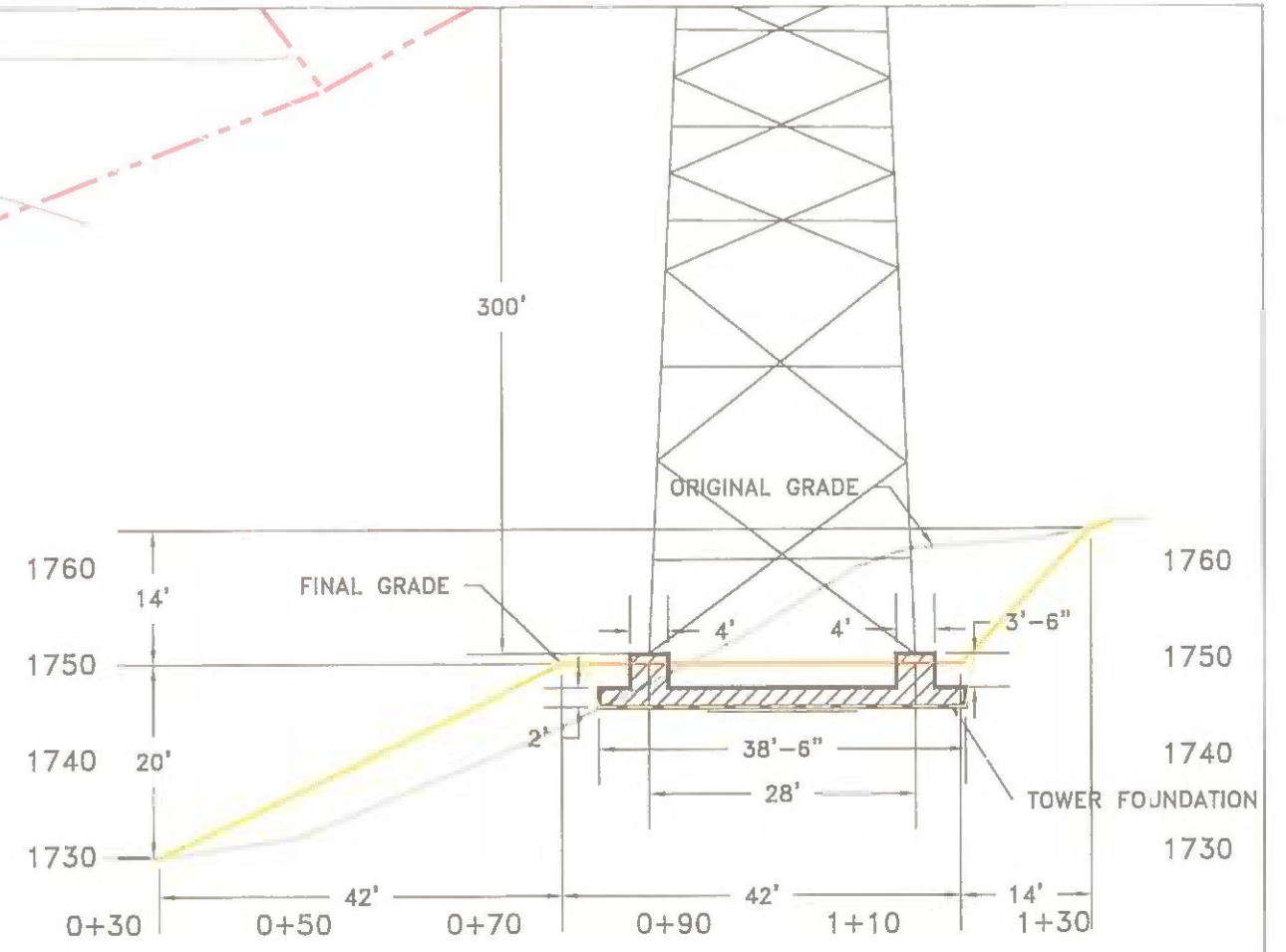
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EL:1751'

LAT:37°00'21.0102"  
LON:82°53'47.9375"

N:3538366.910  
E:5754373.442  
EL:1756.134

ASTER & NELLIE CAUDILL  
BOOK 176 PAGE 421

MICHAEL & SUZAN BURTON  
BOOK 341 PAGE 323  
65 HWY 3403  
PARTRIDGE, KY 40862



CROSS SECTION

LEGEND

- CEMETERY
- TOWER
- BOUNDARY LINE
- ACCESS ROAD
- PROP POWERLINE

03/28/15  
SCALE 1" = 20'

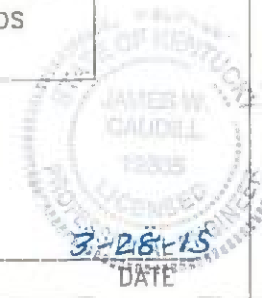


NOTE: SEE FOUNDATION DRAWINGS FOR DETAILS

-THE PROPOSED TOWER HAS BEEN LOCATED USING DUAL FREQUENCY GPS UNIT PROCESSED BY "OPUS"  
 -STATE PLANE COORDINATES NAD 83 KY SINGLE ZONE N 3538446.43 E 5754343.71, EL 1755' EXISTING GRD PROPOSED FOUNDATION EL 1751'-TOP TOWER EL 2061'  
 -PRECISION: HORIZONTAL=0.30' VERTICAL=0.50'  
 -THIS SURVEY MEETS OBSTACLE ACCURACY CODE 1A.  
 -PROPERTY LINE INFORMATION TAKEN FROM DEEDS AND VERIFIED IN THE FIELD.

I HEREBY CERTIFY THAT THIS DOCUMENT WAS PREPARED BY ME OR UNDER MY DIRECTION.

*James W. Caudill* 12305  
JAMES W. CAUDILL PE#



PROPOSED SITE PLAN AND STRUCTURE LOCATION PARTRIDGE TOWER APPALACHIAN WIRELESS		
DRAWN JWC	DATE 03/28/15	PARTRIDGE TOWER SITE CUMBERLAND RIVER AT LEWIS BRANCH MIKE BURTON TR PARTRIDGE IN LETCHER CO
APPROVED	DATE	
SCALE 1" = 20'	SHEET 3 OF 3	PROJECT NO. PARTRIDGE/PARTRIDG20



APPALACHIAN WIRELESS  
 101 TECHNOLOGY TRAIL  
 IVEL, KY. 41642  
 PROPOSED TOWER SITE/  
 PARTRIDGE IN LETCHER COUNTY

RAYMOND & MARIE STURGILL  
 BOOK 387 PAGE 388  
 C/O MARIE REDMON  
 104 WEST LAKE EST.  
 ROGERSVILLE, TN 37857

# Partridge

COMMONWEALTH OF KY  
 DEPT. OF HIGHWAYS  
 FRANKFORT, KY

LEONARD JENKINS  
 BOOK 164 PAGE 455  
 P.O. BOX 61  
 DOVRFOXCRAFT, ME  
 04426-0061

AFFECTED BOUNDARY

MICHAEL & SUZAN BURTON  
 BOOK 341 PAGE 323  
 65 HWY 3403  
 PARTRIDGE, KY 40862

BRANDON & WENDY BURTON  
 BOOK 421 PAGE 147  
 70 WHITE WATER DRIVE  
 PARTRIDGE, KY 40862

RAYMOND & MARIE STURGILL  
 BOOK 387 PAGE 388  
 C/O MARIE REDMON  
 104 WEST LAKE EST.  
 ROGERSVILLE, TN 37857

N:3538446.427  
 E:5754343.713  
 EL:17501  
 LAT:37°00'21.0102"  
 LON:82°53'47.9376"

TOWER LOT

ASTER & NELLIE CAUDILL  
 C/O TAMMY & RICKY BULLOCK  
 HC67 BOX 801 PARTRIDGE, KY  
 BOOK 176 PAGE 421

MICHAEL & SUZAN BURTON  
 BOOK 341 PAGE 323  
 65 HWY 3403  
 PARTRIDGE, KY 40862

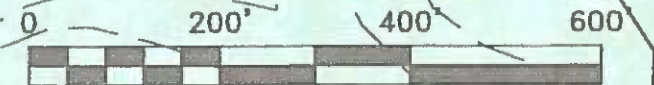
PROPOSED ACCESS ROAD  
 EXISTING ACCESS ROAD

RAYMOND & MARIE STURGILL  
 BOOK 387 PAGE 388  
 C/O MARIE REDMON  
 104 WEST LAKE EST.  
 ROGERSVILLE, TN 37857

JOYCE BOGGS  
 BOOK 284 PAGE 292  
 P.O. BOX 28  
 PARTRIDGE, KY 40862

RONNIE & TAMMY STURGILL  
 P.O. BOX 35 PARTRIDGE, KY  
 BOOK 368 PAGE 561

SALLY JENKINS CAMPBELL  
 CEMETERY  
 GENERAL DELIVERY  
 PARTRIDGE, KY 40862



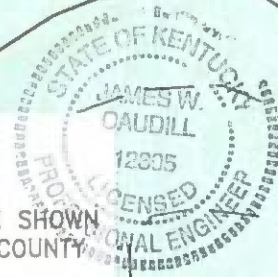
MIKE BURTON TR LETCHER CO

MAP SHOWING STRUCTURES & LAND OWNERS  
 WITHIN 500 FT OF THE PROPOSED TOWER

<b>DRAWN</b> JWC	<b>DATE</b> 03/28/15	PARTRIDGE TOWER SITE CUMBERLAND RIVER AT LEWIS BRANCH MIKE BURTON TR PARTRIDGE IN LETCHER CO
<b>APPROVED</b>	<b>DATE</b>	
<b>SCALE</b> 1" = 200'	<b>SHEET</b> 2 OF 3	<b>PROJECT NO.</b> PARTRIDGE/PARTRIDGPVA

**LEGEND**

- POWER LINE
- PROPERTY LINE
- ACCESS ROAD
- CREEK
- CEMETERY
- TOWER



**J W CAUDILL ENGINEERING**  
 9283 HWY 15 STE. C, ISOM, KY 41824

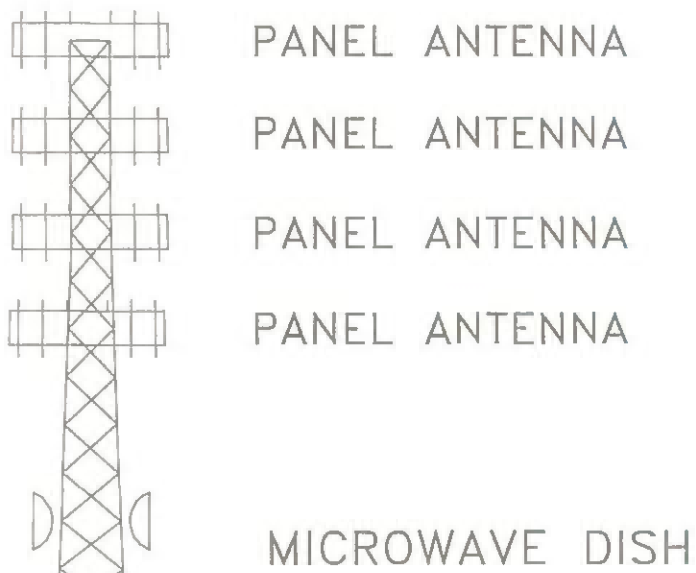
ENGINEER'S CERTIFICATE: I HEREBY CERTIFY THAT THE INFORMATION SHOWN  
 REFLECTS THE INFORMATION OBTAINED AND PROVIDED BY THE LETCHER COUNTY  
 PROPERTY VALUATION ADMINISTRATION OFFICE IN WHITESBURG.

*James W. Caudill* 12305 3-28-15  
 JAMES W. CAUDILL P.E.# DATE

# APPALACHIAN WIRELESS

101 TECHNOLOGY TRAIL  
IVEL, KY. 41642

PROPOSED TOWER SITE  
PARTRIDGE IN LETCHER COUNTY



300'

## PROFILE WITH TOWER

THIS IS A VERTICAL PROFILE SKETCH OF THE TOWER INDICATING THE PROPOSED ANTENNA AND DISH ELEVATIONS. NO DESIGN CRITERIA WAS CONSIDERED IN THE PREPARATION OF THIS DRAWING.

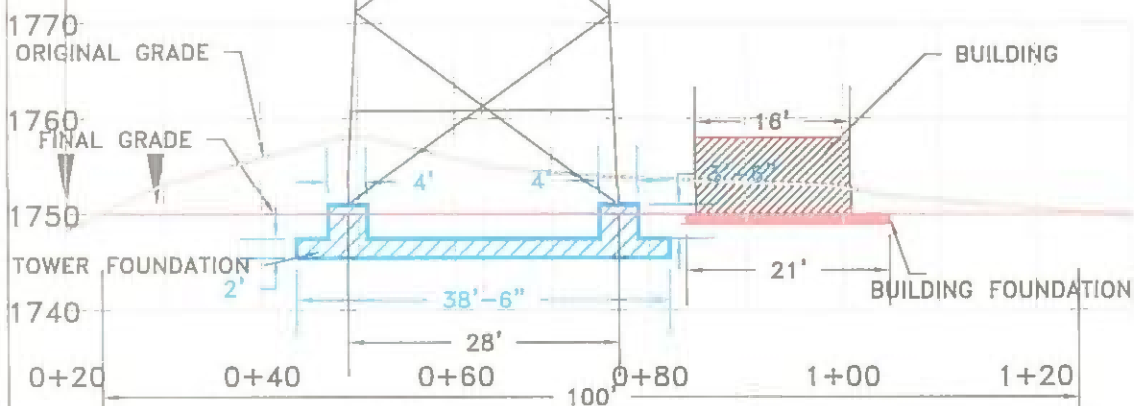
*James W. Caudill* 12305 3-28-15  
JAMES W. CAUDILL PE #. DATE

NOTE: SEE FOUNDATION DRAWINGS FOR DETAILS



03/28/15

SCALE 1" = 20'



### PROPOSED STRUCTURE PROFILE PARTRIDGE TOWER APPALACHIAN WIRELESS

DRAWN JWC	DATE 03/28/15	PARTRIDGE TOWER SITE CUMBERLAND RIVER AT LEWIS BRANCH MIKE BURTON TR PARTRIDGE IN LETCHER CO
APPROVED	DATE	
SCALE 1" = 20'	SHEET 1 OF 3	PROJECT NO. PARTRIDGE/PARTRIDG20