# COMMONWEALTH OF KENTUCKY BEFORE THE PUBLIC SERVICE COMMISSION

RECEIVED

JUL 17 2015

In the matter of:

PUBLIC SERVICE COMMISSION

THE APPLICATION OF EAST KENTUCKY NETWORK

LIMITED LIABILITY COMPANY FOR THE ISSUANCE

OF A CERTIFICATE OF PUBLIC CONVENIENCE AND

NECESSITY TO CONSTRUCT A REPLACEMENT TOWER)

IN JACKSON 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 Jackson 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 replace its existing 180 foot telecommunications tower with a 300 foot self-supporting tower on a tract of land located on Asbill Road, Sandgap, Jackson County, Kentucky (37°30'10.0027"N 84°06'50.7998"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.

Jackson County has no formal local planning unit. In absence of this unit the Jackson 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 Jackson County Sun, July 16, 2015, edition. Enclosed is a copy of that notice in Exhibit 3. The Jackson County Sun is the newspaper with the largest circulation in Jackson 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 replacement 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 replacement 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 approval and Kentucky Airport Zoning Commission application 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 June 30, 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 Deed for the site location along with a lot description.

The proposed construction site for the replacement tower is two hundred seventy eight (278) feet from the nearest home and in close proximity to the existing tower. Prior to construction, the site was pasture.

East Kentucky Network, LLC's operation will not affect the use of nearby land nor its value. East Kentucky Network, LLC currently has a one hundred eighty (180) foot telecommunications tower at this location. The proposed tower will replace said current tower. 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.

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: 7/10/15

Lynn Haney, Regulatory Compliance Director

APPROVED BY: WA Sillum DATE: 7/14/2015

W.A. Gillum, General Manager

ATTORNEY: Buthany Boweroock DATE: 7/10/15

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 Approval and KAZC Application
7	Driving Directions from County Court House and Map to Suitable Scale
8	Deed 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

Powell

Auth Type

Regular

Market

Market

CMA452 - Kentucky 10 -

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

Ivel, KY 41642

ATTN Gerald Robinette, Manager

P:(606)477-2355

F:(606)874-7551

#### Contact

Lukas, Nace, Gutierrez & Sachs, LLP

Pamela L Gist Esq 8300 Greensboro Drive McLean, VA 22102

P:(703)584-8665 F:(703)584-8695 E:pgist@fcclaw.com

#### 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

Mike and Lisa England 343 Asbill Road McKee, KY 40447

Rodney and Debbie Gentry 1381 Durham School Rd. McKee. KY 40447

Dena and Travis Truett Donnie and Stephanie Gentry 192 Langdon Drive Annville, KY 40402

Stephen and Shannon Hisel 2483 Asbill Rd. McKee, KY 40447



#### VIA: U.S. CERTIFIED MAIL

#### PUBLIC NOTICE

July 16, 2015

Mike and Lisa England 343 Asbill Rd. McKee, KY 40447

RE: Public Notice-Public Service Commission of Kentucky (Case No. 2015-00211)

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 replacement tower in Jackson County, Kentucky in order to improve cellular telecommunications service. The facility will include a 300-foot self-supporting replacement tower with attached antennas extending upwards, and an equipment shelter located on a tract of land on Asbill Road, Sandgap, Jackson County, Kentucky. A map showing the location of the proposed new facility is enclosed. This notice is being sent to you because you may own property or reside within a 500' radius of the proposed replacement 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. 2015-00211 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



#### VIA: U.S. CERTIFIED MAIL

#### **PUBLIC NOTICE**

July 16, 2015

Rodney and Debbie Gentry 1381 Durham School Rd. McKee, KY 40447

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Sincerely,

Lynn Haney

Regulatory Compliance Director

Legur Haney

EAST KENTUCKY NETWORK 101 TECHNOLOGY TRAIL IVFI KY 41642 I: (606) 874-7550



# VIA: <u>U.S. CERTIFIED MAIL</u> PUBLIC NOTICE

July 16, 2015

Dena and Travis Truett Donnie and Stephanie Gentry 192 Langdon Drive Annville, KY 40402

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Lynn Haney

Regulatory Compliance Director

you Haney



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July 16, 2015

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Sincerely,

Lynn Haney

Regulatory Compliance Director

Lyn Haney

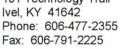
# Appalachian Wireless Location Map



Site Name Sandgap Site Location 704 Azbil Rd. Sandgap KY. GPS Location

N 37 30 10.0027 W 84 06 50.7998

dba Appalachian Wireless 101 Technology Trail Ivel, KY 41642





To: From: The Jackson County Sun Raina Helton

> Attn: Classifieds Regulatory Compliance Assistant

Email: tammy@thejacksoncountysun.com Date: July 2, 15

Re: Pages: PUBLIC NOTICE ADVERTISEMENT 1

Please place the following Public Notice Advertisement in The Jackson County Sun to be ran on July 16, 2015.

#### PUBLIC NOTICE:

RE: Public Service Commission of Kentucky (CASE NO. 2015-00211)

Public Notice is hereby given that East Kentucky Network, LLC, dba Appalachian Wireless has applied to the Kentucky Public Service Commission to replace an existing cellular telecommunications tower on a tract of land located at Asbill Road, Sandgap, Jackson County, Kentucky. The proposed replacement tower will be a 300 foot self-supporting tower with attached antennas. If you would like to respond to this notice, please contact the Executive Director, Public Service Commission, 211 Sower Boulevard, PO Box 615, Frankfort, Kentucky 40602. Please refer to Case No. 2015-00211.

If you have any questions about the placement of the above mentioned notice, please call me at 606-477-2375, ext. 1005.

Thank you,

Raina Helton Regulatory Compliance Assistant

The message above and the information contained in the documents transmitted are confidential and intended only for the person(s) named above. Dissemination, distribution or copying of this communication by anyone other than the person(s) named above is prohibited. If you have received this communication in error, please notify us immediately by telephone and return the original message to us at the address listed above via regular mail. Thank you.

EAST KENTUCKY NETWORK 101 TECHNOLOGY TRAIL IVEL, KY 41642 IE: (606) 874-7550 606) 874-7551



#### VIA: U.S. CERTIFIED MAIL

July 16, 2015

Shane Gabbard, Judge Executive P.O. Box 175 McKee, KY 40447

RE: Public Notice-Public Service Commission of Kentucky (Case No. 2015-00211)

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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. 2015-00211 in your correspondence.

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Sincerely,

Lynn Haney

Lynn Hance

Regulatory Compliance Director

Enclosure

# Appalachian Wireless Location Map



Site Name

Sandgap Site

Location
704 Azbil Rd. Sandgap KY.

GPS Location

N 37 30 10.0027

W 84 06 50.7998

#### WENDELL R. HOLMES, P.G. 54 Cherokee Drive EMMALENA, KY 41740 (606) 785-0603

December 5, 1998

#### Sand Gap Tower Site

#### Purpose

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

#### Site Investigation

To determine the depth to bedrock a steel rod was driven into the ground with a sledgehammer until refusal. This was done in several locations where the tower is to be located. One rock outcrop near the site was used to determined the type of Bedrock at the tower location

It was approximately 3.1 feet to the bedrock. (See attached page for descriptions of materials encountered.)

The terrain in Jackson County is slightly steep to rolling. The sandstone formation below the site is approximately fifty feet, based on the information obtained from the outcrops and geological maps of the area.

#### Conclusions

The proposed tower site is located on a hilltop in the area. The sandstone bedrock on the proposed tower site is part of the weather-resistant Lee and Breathitt Formations and is lower to middle 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.

Wendell R. Holmes and David T. Tackett, using generally accepted methods in the practice of geological science performed the fieldwork performed for this site.

Wendell R. Holmes, P.G.

Weselell & Hal



1213 Compressor Drive

P.O. Box 508

Mayfield, KY 42066

270-247-3642

FAX: 270-247-0909

E-mail: worldtower@worldtower.com

Web: www.worldtower.com

# 300' MODEL WSST TOWER FOR: APPALACHIAN WIRELESS SITE: SAND GAP JACKSON COUNTY, KY DESIGN PACKAGE



# GENERAL NOTES

- 1. WELDED CONNECTIONS SHALL CONFORM TO THE LATEST REVISION OF THE AMERICAN WELDING SOCIETY AWS. D 1.1.
- 2. TOWER AND ALL FABRICATED ACCESSORIES ARE HOT-DIP GALVANIZED.
- 3. ALL BOLTS SHALL BE GALVANIZED ACCORDING TO THE STANDARD SPECIFICATION FOR ZINC COATING OF IRON AND STEEL HARDWARE ASTM A153.
- 4. LEG STEEL IS 50 KSI MIN YIELD SOLID ROUND OR PIPE AND BRACING STEEL IS 36 KSI MIN YIELD SOLID ROUND OR STRUCTURAL ANGLE.
- 5. ALL STRUCTURAL BOLTS ARE ASTM A325.
- 6. TOWER SHOULD BE INSPECTED IN ACCORDANCE WITH TIA-222-G EVERY 5 YEARS.
- 7. TOWER INSPECTION SHOULD ONLY BE PERFORMED BY EXPERIENCED QUALIFIED PERSONNEL. FOR ASSISTANCE IN PROPER MAINTENANCE OF YOUR TOWER, CALL WORLD TOWER AT 270-247-3642.

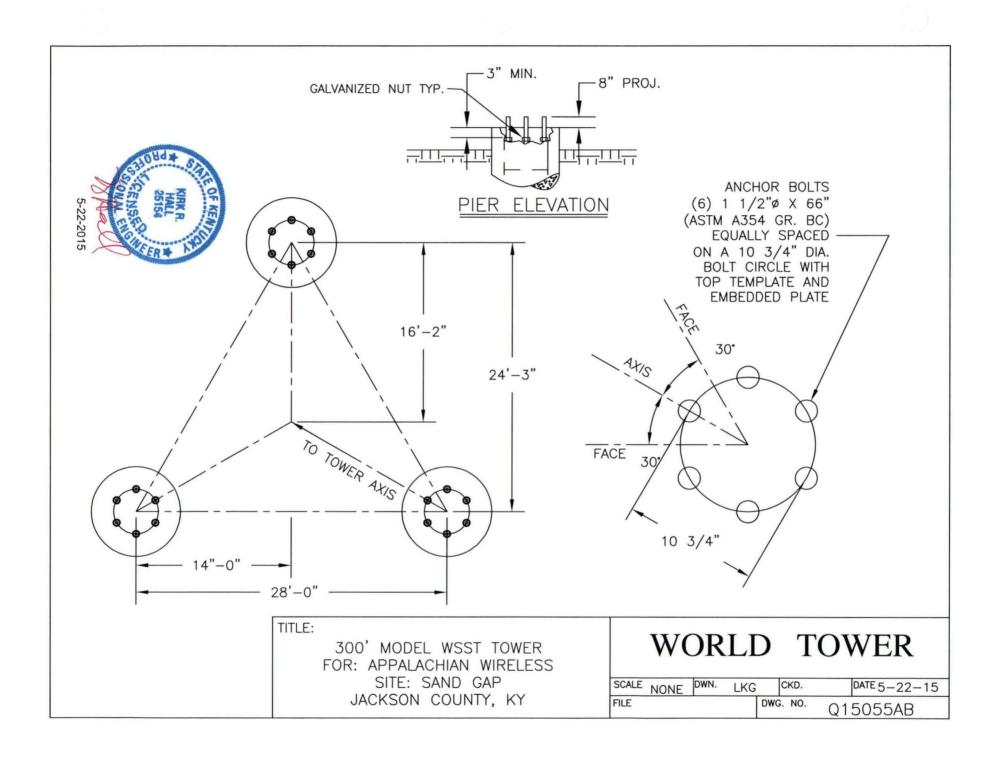


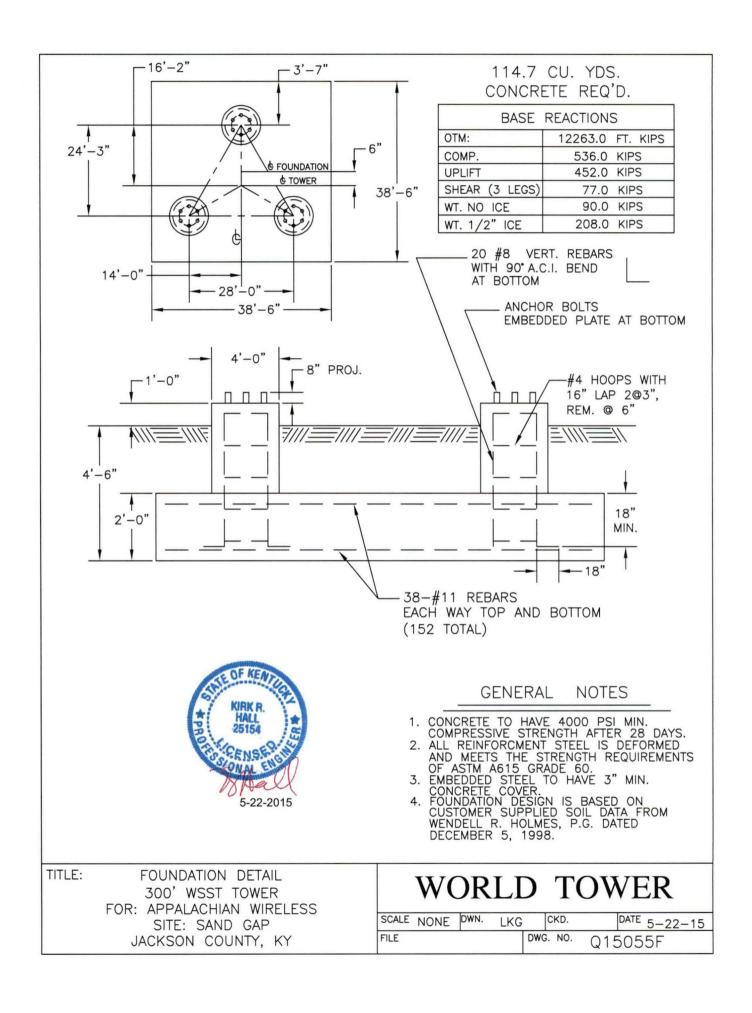
## WORLD TOWER

TITLE:

300' MODEL WSST TOWER FOR: APPALACHIAN WIRELESS SITE: SAND GAP JACKSON COUNTY, KY

SCALE	DWN.	LKG	CKD.	DATE 5-22-15
FILE	•	D	WG. NO.	Q15055N





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#### **DESIGNED APPURTENANCE LOADING**

TYPE	ELEVATION	TYPE	ELEVATION
Beacon Lighting	300	WD13X53 Antenna Mounting Frame	280
(3) WPA800102/4CF w/ mt pipe	300	WD13X53 Antenna Mounting Frame	280
(3) WPA800102/4CF w/ mt pipe	300	WD13X53 Antenna Mounting Frame	280
(3) WPA800102/4CF w/ mt pipe	300	(3) WPA800102/4CF w/ mt pipe	280
BXA-70063-6CF w/ mt pipe	300	(3) WPA800102/4CF w/ mt pipe	280
BXA-70063-6CF w/ mt pipe	300	(3) WPA800102/4CF w/ mt pipe	280
BXA-70063-6CF w/ mt pipe	300	BXA-70063-6CF w/ mt pipe	280
WD13X53 Antenna Mounting Frame	300	BXA-70063-6CF w/ mt pipe	280
WD13X53 Antenna Mounting Frame	300	BXA-70063-6CF w/ mt pipe	280
WD13X53 Antenna Mounting Frame	300	(3) RRU	270
(3) RRU	300	WD13X53 Antenna Mounting Frame	270
WD13X53 Antenna Mounting Frame	290	WD13X53 Antenna Mounting Frame	270
WD13X53 Antenna Mounting Frame	290	WD13X53 Antenna Mounting Frame	270
WD13X53 Antenna Mounting Frame	290	(3) WPA800102/4CF w/ mt pipe	270
(3) RRU	290	(3) WPA800102/4CF w/ mt pipe	270
(3) WPA800102/4CF w/ mt pipe	290	(3) WPA800102/4CF w/ mt pipe	270
(3) WPA800102/4CF w/ mt pipe	290	BXA-70063-6CF w/ mt pipe	270
(3) WPA800102/4CF w/ mt pipe	290	BXA-70063-6CF w/ mt pipe	270
BXA-70063-6CF w/ mt pipe	290	BXA-70063-6CF w/ mt pipe	270
BXA-70063-6CF w/ mt pipe	290	6 FT DISH	250
BXA-70063-6CF w/ mt pipe	290	6 FT DISH	250
(3) RRU	280		

#### SYMBOL LIST

MARK	SIZE	MARK	SIZE	
Α	L2 1/2x2 1/2x3/16			

#### **MATERIAL STRENGTH**

GRADE	Fy	Fu	GRADE	Fy	Fu
A572-50	50 ksi	65 ksi	A36	36 ksi	58 ksi

#### **TOWER DESIGN NOTES**

- Tower is located in Jackson County, Kentucky.
   Tower designed for Exposure C to the TIA-222-G Standard.
- Tower designed for a 90.00 mph basic wind in accordance with the TIA-222-G Standard.
   Tower is also designed for a 30.00 mph basic wind with 0.75 in ice. Ice is considered to
- increase in thickness with height.
- 5. Deflections are based upon a 60.00 mph wind.
- 6. Tower Structure Class II.
- 7. Topographic Category 1 with Crest Height of 0.00 ft 8. TOWER RATING: 98.7%

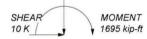
ALL REACTIONS ARE FACTORED

MAX. CORNER REACTIONS AT BASE:

DOWN: 536 K SHEAR: 48 K

UPLIFT: -452 K SHEAR: 41 K

> AXIAL 277 K



TORQUE 0 kip-ft 30.00 mph WIND - 0.75 in ICE

AXIAL 90 K



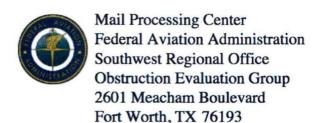
TORQUE 3 kip-ft REACTIONS - 90.00 mph WIND



5-22-2015

World Tower Company	P
1213 Compressor Drive	ŀ
Mayfield, Kentucky 42066	ľ
DI (070) 017 0010	ı۷
FAX: www.worldtower.com	F

ob: 300' WSST Tower	/ Job Q15-	055
Project: Sand Gap, KY		
Client: Appalachian Wireless	Drawn by: kirk	App'd:
Code: TIA-222-G	Date: 05/21/15	Scale: NT
Path: C:\Tower\PE Runs\2015\Q15-055 Sar	nd Gap KY\Q15-055,eri	Dwg No. E-



Issued Date: 06/12/2015

Ali Kuzehkanani East Kentucky Network, LLC 8300 Greensboro Drive, Suite 1200 McLean, VA 22102

#### \*\* DETERMINATION OF NO HAZARD TO AIR NAVIGATION \*\*

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 - Top Mount Sandgap (Tower)

Location:

Sandgap, KY

Latitude:

37-30-10.00N NAD 83

Longitude:

84-06-50.79W

Heights:

1509 feet site elevation (SE)

310 feet above ground level (AGL)

1819 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 1)	
_X_	Within 5 days after the construction reaches its greatest height (7460-2, Par	t 2)

This determination expires on 12/12/2016 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 LIGIBLE 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 (816) 329-2523. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2015-ASO-6945-OE.

Signature Control No: 250738471-255033781

(DNE)

Steve Phillips Specialist

Attachment(s) Frequency Data Map(s)

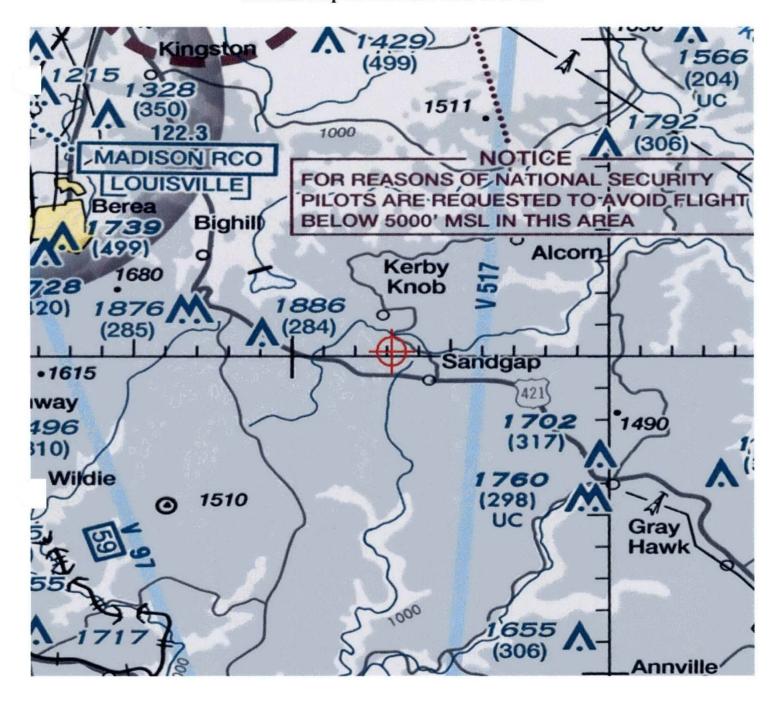
cc: FCC

## Frequency Data for ASN 2015-ASO-6945-OE

LOW FREQUENCY	HIGH FREQUENCY	FREQUENCY UNIT	ERP	ERP UNIT
2				
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

## TOPO Map for ASN 2015-ASO-6945-OE







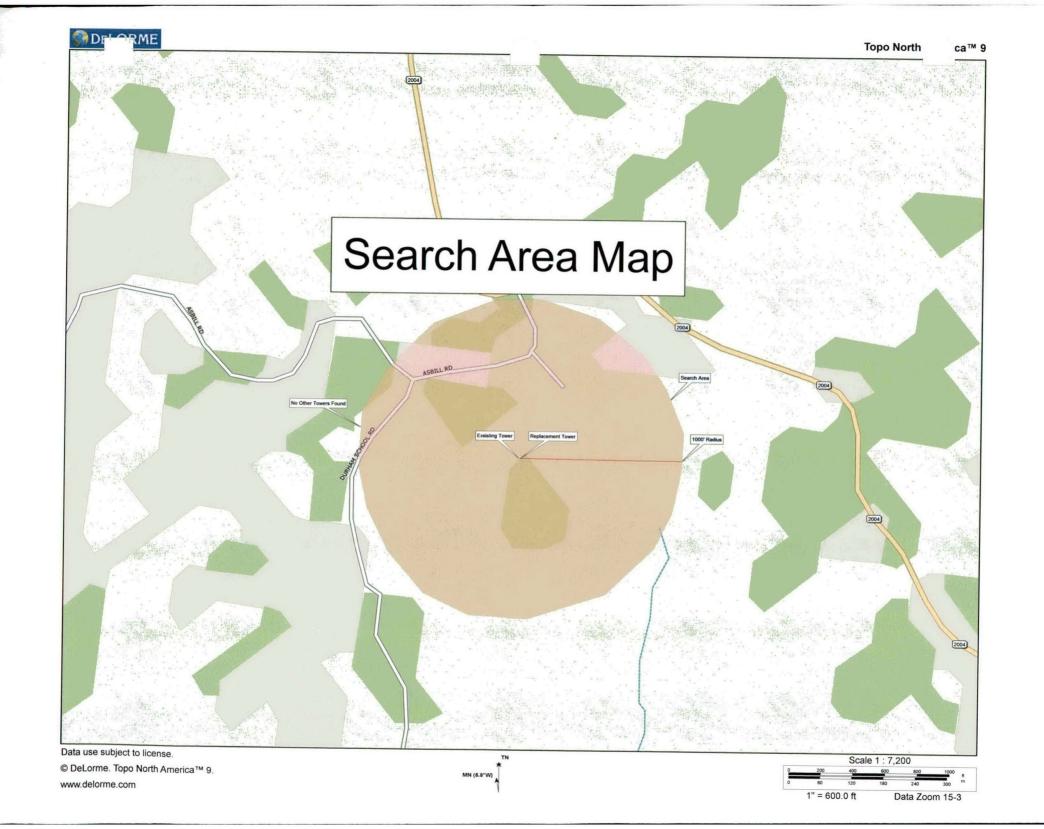
Kentucky Transportation Cabinet, Kentucky Airport Zoning Commission, 200 Merci APPLICATION FOR PERMIT TO CONSTRUCT OR ALTER INSTRUCTIONS INCLUDED	A TOURNAMENT AND THE PROPERTY OF THE PROPERTY
APPLICANT Name, Address, Telephone, Fax, etc.  East Kentucky Network, LLC c/o Lukas, Nace, Gutierrez & Sachs, 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	9. Latitude: 37 ° 30 ' 10 00 "  10. Longitude: 84 ° 06 ' 50 79 "  11. Datum: NAD83 NAD27 Other  12. Nearest Kentucky City: Sandgap County Jackson  13. Nearest Kentucky public use or Military airport:  Madison Airport  14. Distance from #13 to Structure: 14.9 miles  15. Direction from #13 to Structure: SE
3. Application for: New Construction	16. Site Elevation (AMSL):  1,509.00 Feet  17. Total Structure Height (AGL):  18. Overall Height (#16 + #17) (AMSL):  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 approx. 1.6 miles NW of Sandgap (Jackson), KY
22. Has a "NOTICE OF CONSTRUCTION OR ALTERATION" (FAA Form 7460-1)  ☐ No ☐ Yes, When April 30, 2015	
Ali Kuzehkanani/ Dir of Engineering Printed Name and Title  PENALTIES: Persons failing to comply with Kentucky Revised Statutes (KRS 183 050:Series) are liable for fines and/or imprisonment as set forth in KRS 183.990(3). in further penalties.	A/30/2015 Date  3.861 through 183.990) and Kentucky Administrative Regulations (602 KAR
>mmission Action: □ Chairn	man, KAZC Administrator, KAZC
☐ Disapproved	Date

#### Directions to Sandgap Tower

From Mckee take US 421 North 7.3 miles to Sandgap. In Sandgap turn right on KY 2004. Take KY 2004 2.2 miles to Asbill Road. Turn left on Asbill Road (Signs will be posted). Go 0.1 miles to driveway on the left. Turn left on driveway and go about 600 feet. The tower site is on the left near the corner of the fence (signs will be posted).

Prepared by:

Marty Thacker Appalachian Wireless 606-438-2355 Ext. 1007 (office) 606-477-0016 (cell) m.thacker@tgtel.com



#### DEED

This Deed of Conveyance is entered into this one day of March, 2015, between Mike England and Lisa England, husband and wife, of 2485 Asbill Road, McKee, KY 40047, GRANTORS, and East Kentucky Network LLC d/b/a Appalachian Wireless, of 101 Technology Trail, Ivel, KY 41642, GRANTEE.

#### WITNESSETH:

That said Grantors for and in consideration of the sum of Twenty Thousand Dollars (\$20,000.00), cash in hand paid, the receipt and adequacy of which is hereby acknowledged, do hereby grant, sell and convey to the Grantee, its successors and assigns, a tract of land lying and being in Jackson County, Kentucky, and more particularly described as follows:

Beginning on found iron pin with a cap at fence post, being the North West corner of lot belonging to Mountaineer Cellular General Partnership (Book 145, Page 721); thence running with the line between Mike & Lisa England and Mountaineer Cellular South 10 deg 00 min 00sec West, 51.36 feet to a found iron pin at lot corner; thence leaving the line of Mountaineer Cellular and severing the land of Mike & Lisa England (book 138, page 75) North 78 deg 26 min 33 sec West, 50.00 feet to a set iron pin with cap marked Is2259 below existing road; thence North 10 deg 06 min 03 sec East, 50.00 feet to a set iron pin with cap marked Is2259 set in old fence line; thence running South 80 deg 00 min 00sec East 49.86 feet to the beginning. Containing a calculated area of 2528 sq ft or 0.058 acres and being wholly contained within the England property. Property is more particularly illustrated in the attached Plat of Survey, attached hereto as Exhibit A.

(Prepared by J.W. Caudill, Licensed Surveyor)

SOURCE OF TITLE: Being a part of the same property conveyed to the Grantors by Deed from Mamie England, et al, dated August 8, 1994 and recorded in Deed Book 138, page 75 in the Jackson County Clerk's Office.

EASEMENT: Grantors grant and convey unto Grantee, the right to continue the use of the existing roadway and right of way for utilities over and across Grantors' retained property. Grantee hereby agrees to maintain and provide upkeep for this existing roadway and right of way.

Grantors also grant unto Grantee the right to remove any trees, tree limbs, undergrowth or obstructions upon Grantors' retained property that might interfere with or damage any towers or structures belonging to Grantee.

STIPULATION: Grantee hereby agrees and stipulates that (1) the property conveyed herein shall be used for telecommunications purposes only; (2) that in the event Grantee declares the property conveyed herein to be surplus property and no longer needed for telecommunications purposes, Grantee will reconvey the property to Grantors for a purchase price of One Dollar (\$1.00); and (3) that Grantee will maintain a portion of the driveway to be jointly shared by the parties hereto in a manner useable by a normal passenger car.

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

#### **CERTIFICATE OF PARTIES**

We, the undersigned, do hereby certify and swear pursuant to KRS Chapter 382, that the above stated consideration in the amount of \$20,000.00 is the true, correct and full consideration paid for the property herein conveyed. We further certify our understanding that falsification of the stated consideration or sale price of the property is a Class D felony, subject to one to five years imprisonment and fines up to \$10,000.00.

IN TESTIMONY WHEREOF, the parties have hereunto subscribed their names, this day and year aforesaid.

GRANTORS

Mike England

Lisa England

STATE OF <u>Hentucky</u> COUNTY OF Jackson

The foregoing instrument was acknowledged before me on this and day of March 2015, by Mike England and Lisa England, Grantors.

Notary Public

My Commission Expires

Bethany Bowersock
Notary Public
State at Large
Kentucky
455229
My Commission Expires November 17, 2015

**GRANTEE:** EAST KENTUCKY NETWORK, LLC d/b/a APPALACHIAN WIRELESS

BY: WA Hillum

ITS: CEO/GM

COMMONWEALTH OF KENTUCKY COUNTY OF Flayer

The foregoing instrument was acknowledged before me on this 3d day of March 2015, by W.A. Gillum, CEO/General Manager of East Kentucky Network, LLC, d/b/a Appalachian Wireless.

J. Brodley

My Commission Expires Feb 3, 2016

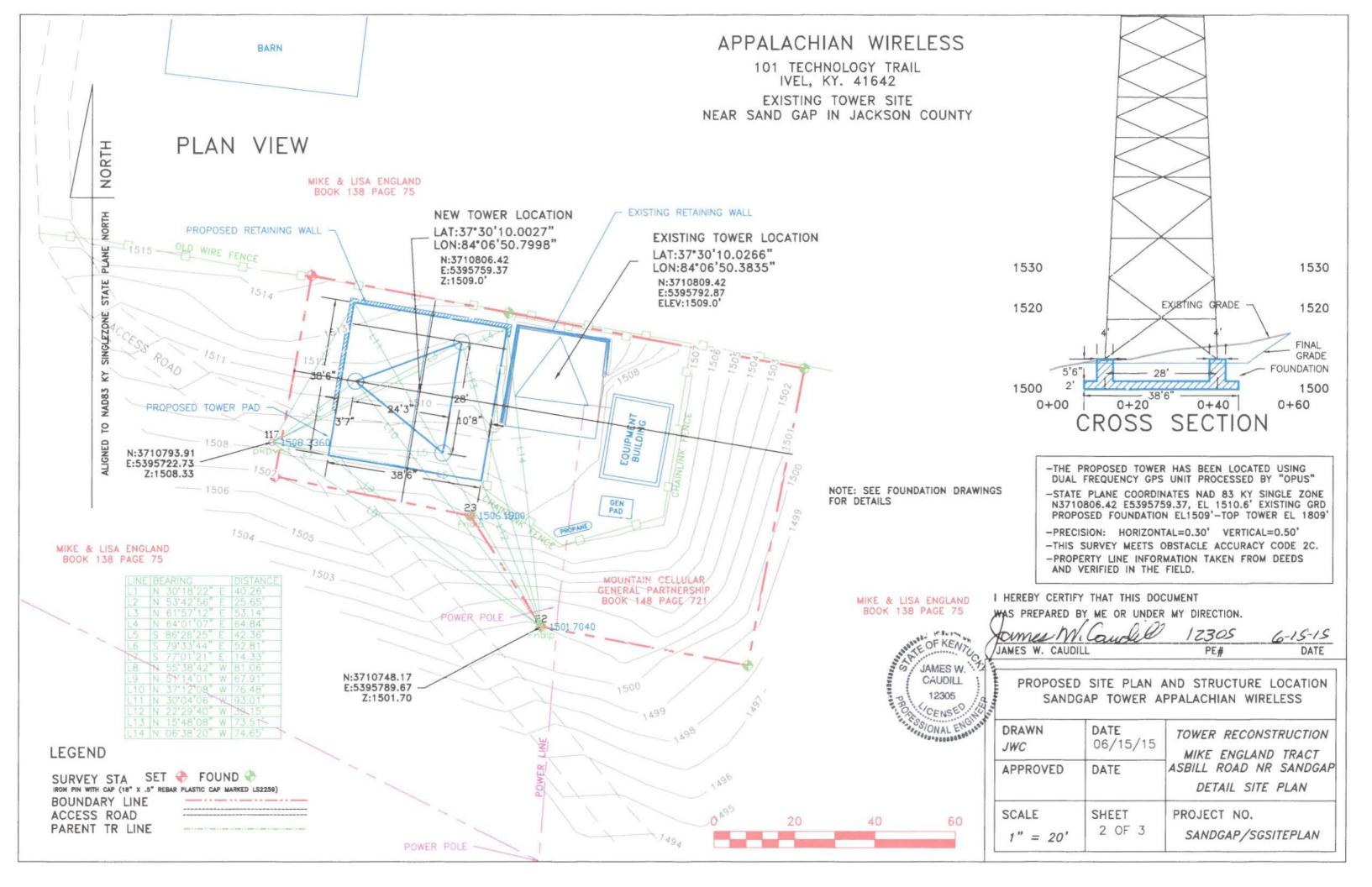
This instrument was prepared by:

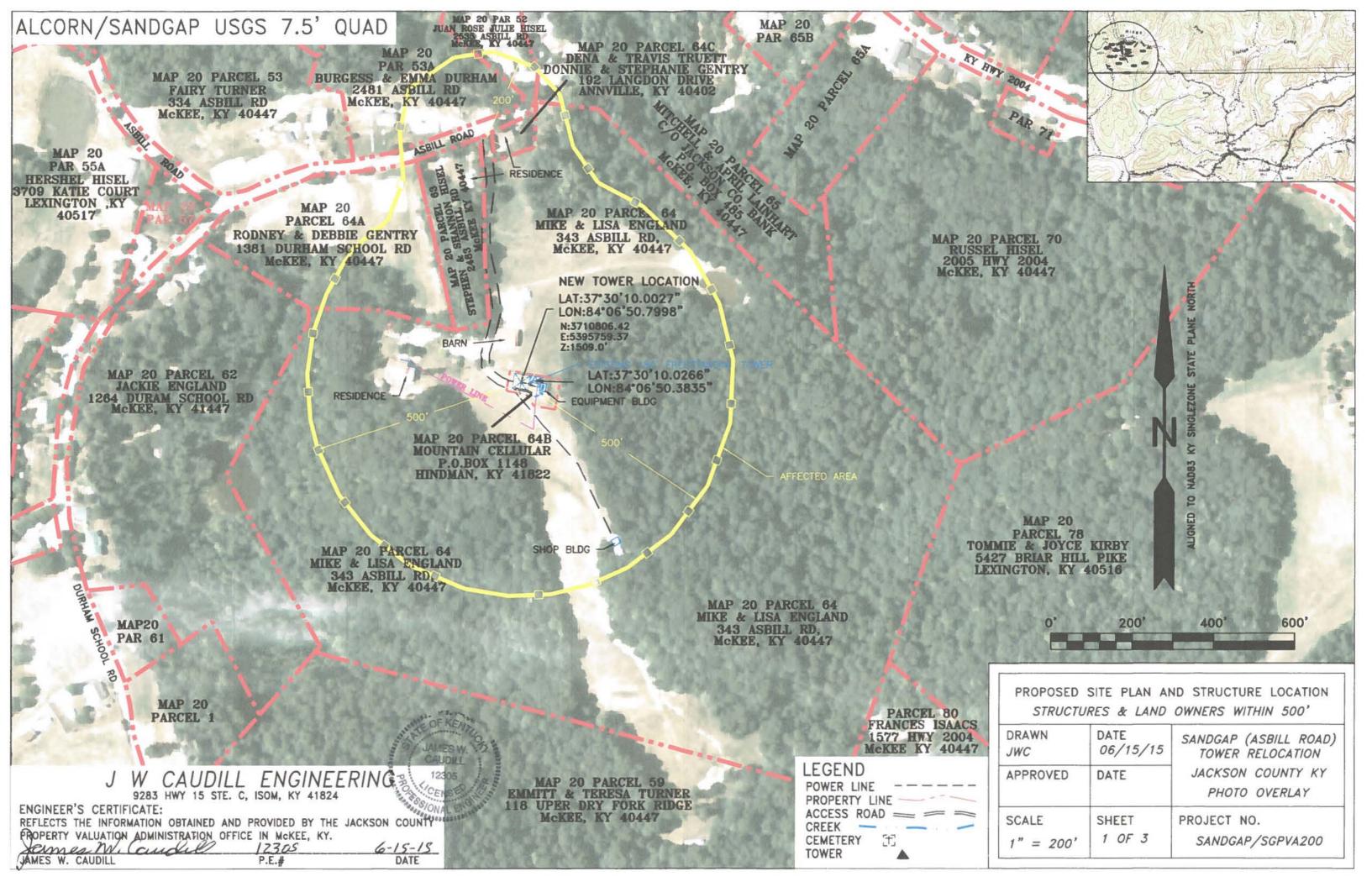
Bethany L. Bowersock, Attorney at Law

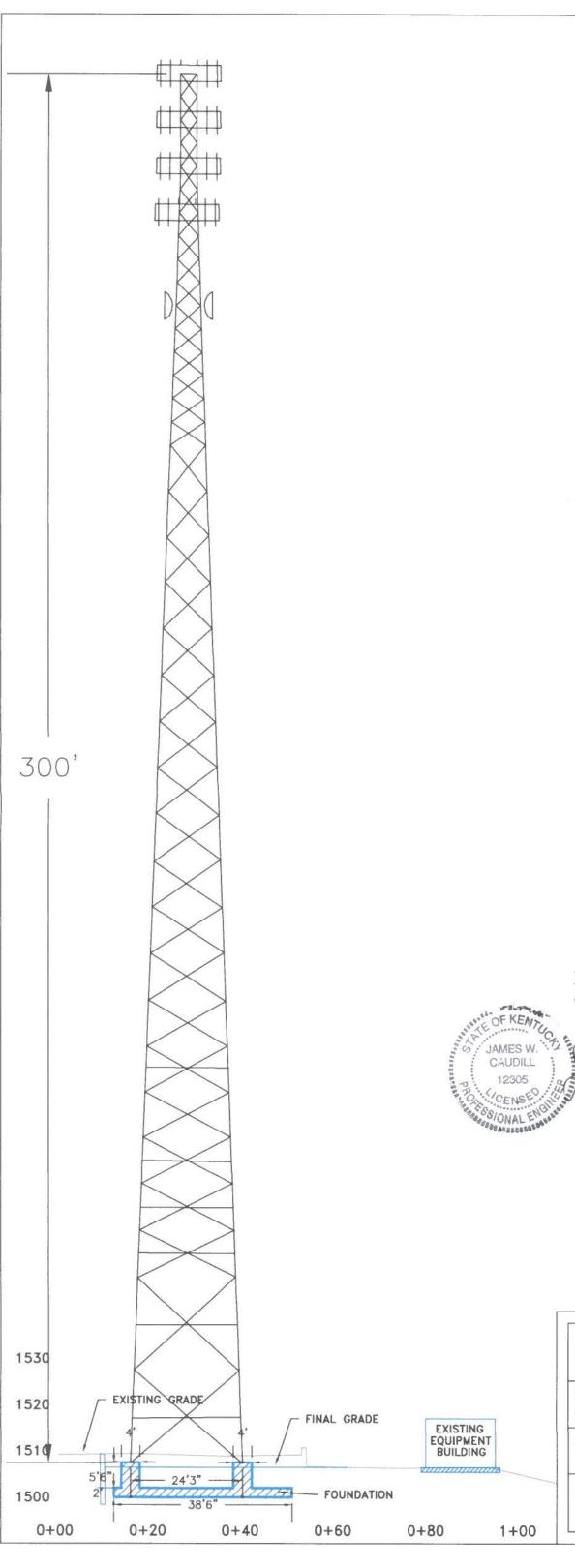
101 Technology Trail

Ivel, KY 41642

APPALACHIAN ""RELESS BARN 101 TECHNOLOG. ...AIL IVEL, KY. 41642 EXISTING TOWER SITE NEAR SAND GAP IN JACKSON COUNTY MIKE & LISA ENGLAND BOOK 138 PAGE 75 RETAINING WALL FOUND IRON PIN WITH CAP AT FENCE POST LOT 1B EXISTING 180' FREESTANDING TOWER SET IRON PIN WITH CAP Beginning at a found iron pin at fence post NW corner MARKED LS2259 AT FENCE POST of Mountain Cellular lot : S 80'00'00" E thence running with lot line S 10 00' 00" W, 51.36' to ip; thence N 78 26'33" W a distance of 50.00' to a set ipc': 49.86 thence N 10 06'03" E a distance of 50.00' to a set ipc: S 80.00.00. LOT #1B thence S 80 00'00" E a distance of 49.86" fnd ipc: 2528 Sq. Feet which is the point of beginning, 0.058 Acres having an area of 2528 square feet, 0.058 acres MIKE & LISA ENGLAND BOOK 138 PAGE 75 FOUND IF TOWER 2015000688 JACKSON CO. KY FEE \$20.00 RECORDED: 03-09-2015 SET IRON PIN WITH CAP DONALD MOORE MARKED LS2259 BY: KEISHA COMBS DEPUTY CLERK BK: PLA FOUND IRON PIN BESIDE ROAD PG: 228-228 MOUNTAIN CELLULAR GENERAL PARTNERSHIP MIKE & LISA ENGLAND BOOK 148 PAGE 721 BOOK 138 PAGE 75 POWER POLE MIKE & LISA ENGLAND N 79'59'35" BOOK 138 PAGE 75 LEGEND PLAT OF SURVEY FOUND IPC FOUND IPC DRAWN BY SUB DIVISION JWC PROPERTY OF 11/21/14 RURAL CLASS SURVEY MIKE & LISA ENGLAND. I HEREBY CERTIFY THAT THIS PLAT DEPICTS A SURVEY, MADESTATE OF MENTIONS
BY ME, BY THE METHOD OF RANDOM TRAVERSE. THE
BEARINGS SHOWN HEREON HAVE NOT BEEN ADJUSTED FOR
CLOSURE. THIS SURVEY AND PLAT MEETS OR EXCEEDS
THE MINIMUM STANDARDS OF GOVERNING AUTHORITIES.
THE UNADJUSTED ERROR OF CLOSURE WAS 1 IN 6704 343 ASBILL ROAD CHECKED BY DRAWING DATE MCKEE, KY 40447 SURVEY STA SET & FOUND NEAR SAND GAP IN JACKSON COUNTY 11/21/14 DEED BOOK 138 PAGE 75 BOUNDARY LINE SHEET ACCESS ROAD SCALE PARENT TR LINE 1 OF 1 1" = 20'







# APPALACHIAN WIRELESS

101 TECHNOLOGY TRAIL
IVEL, KY. 41642
EXISTING TOWER SITE
NEAR SAND GAP IN JACKSON COUNTY

# 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. Caudel 1230S 4-15-15
JAMES W. CAUDILL PE #. DATE

NOTE: SEE FOUNDATION DRAWINGS FOR DETAILS

06/15/15 SCALE 1" = 20' 0' 20' 40' 60'

PROPOSED SITE PLAN AND STRUCTURE LOCATION SANDGAP TOWER APPALACHIAN WIRELESS

DRAWN JWC	DATE 06/15/15	TOWER RECONSTRUCTION MIKE ENGLAND TRACT
APPROVED	DATE	ASBILL ROAD NR SANDGAP DETAIL SITE PLAN
SCALE 1" = 20'	SHEET 3 OF 3	PROJECT NO.  SANDGAP/SGSITEPLAN