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OCT 28 2015

PUBLIC SERVICE
COMMISSION

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF GOGO, LLC)
FOR ISSUANCE OF A CERTIFICATE OF PUBLIC)
CONVENIENCE AND NECESSITY TO CONSTRUCT)
A WIRELESS COMMUNICATIONS FACILITY AT)
5011 SCAFFOLD CANE ROAD, MT. VERNON)
ROCKCASTLE COUNTY, KENTUCKY, 40456)

CASE: **2015-00310**

Ms. Faulkner,

I am in receipt of your letter dated October 20, 2015 regarding the above Application.

I have enclosed with this response letter a copy of the application to the Kentucky Airport Zoning Commission ("KAZC").

In regards to the Federal Aviation Administration ("FAA") application; due to the height of the proposed tower and location it was determined that an FAA application was not required and therefore not applicable.

SiteSafe of Arlington, Virginia was contracted by GoGo, LLC and Eco-Site to evaluate the project and process any required applications to both the FAA and KAZC. In determining the necessity to notify the FAA, a FAA Aeronautical Evaluation was completed on August 25, 2015 (included in Exhibit G of the Application). The analysis concluded that the maximum height that can be built at this site without notice to the FAA is 200 feet AGL or 1607 AMSL. The AGL of the proposed tower is 120 feet and the AMSL is equal to 1527 feet; both being less than the height required for notification to the FAA, i.e. filing an application. Further requirements for notification were also not applicable and therefore no notice was provided. Enclosed is a copy of the completed FAA Notice Criteria Tool with the determination of "You do not exceed Notice Criteria".

Please feel free to contact me at 502-412-9222 if you have any questions or need to discuss further.

Sincerely,



Todd R. Briggs
Counsel for GoGo, LLC

Enclosures



KENTUCKY AIRPORT ZONING COMMISSION

APPLICATION FOR PERMIT TO CONSTRUCT OR ALTER A STRUCTURE

APPLICANT (name) Eco-Site		PHONE 919-913-3112	FAX	KY AERONAUTICAL STUDY #	
ADDRESS (street) 240 Leigh Farm Rd. Ste 415		CITY Durham		STATE NC	ZIP 27707
APPLICANT'S REPRESENTATIVE (name) Site Safe LLC		PHONE 770532-3255	FAX		
ADDRESS (street) 5762 Ridgewater Cir		CITY Gainesville		STATE GA	ZIP 30506
APPLICATION FOR <input checked="" type="checkbox"/> New Construction <input type="checkbox"/> Alteration <input type="checkbox"/> Existing				WORK SCHEDULE	
DURATION <input type="checkbox"/> Permanent <input type="checkbox"/> Temporary (months days)				Start 9/25/15 End 3/25/17	
TYPE <input type="checkbox"/> Crane <input type="checkbox"/> Building <input checked="" type="checkbox"/> Antenna Tower <input type="checkbox"/> Power Line <input type="checkbox"/> Water Tank <input type="checkbox"/> Landfill <input type="checkbox"/> Other		MARKING/PAINTING/LIGHTING PREFERRED <input type="checkbox"/> Red Lights & Paint <input type="checkbox"/> White- medium intensity <input type="checkbox"/> White- high intensity <input type="checkbox"/> Dual- red & medium intensity white <input type="checkbox"/> Dual- red & high intensity white <input type="checkbox"/> Other			
LATITUDE 37°30'5.27"		LONGITUDE 84°17'0.81"		DATUM <input checked="" type="checkbox"/> NAD83 <input type="checkbox"/> NAD27 <input type="checkbox"/> Other	
NEAREST KENTUCKY City Berea County Berea		NEAREST KENTUCKY PUBLIC USE OR MILITARY AIRPORT Madison			
SITE ELEVATION (AMSL, feet) 1407		TOTAL STRUCTURE HEIGHT (AGL, feet) 120		CURRENT (FAA aeronautical study #)	
OVERALL HEIGHT (site elevation plus total structure height, feet) 1527				PREVIOUS (FAA aeronautical study #)	
DISTANCE (from nearest Kentucky public use or Military airport to structure) 8.1 NM				PREVIOUS (KY aeronautical study #)	
DIRECTION (from nearest Kentucky public use or Military airport to structure) 163					
DESCRIPTION OF LOCATION (Attach USGS 7.5 minute quadrangle map or an airport layout drawing with the precise site marked and any certified survey.) See Map					
DESCRIPTION OF PROPOSAL Proposed new construction of antenna tower					
FAA Form 7460-1 (Has the "Notice of Construction or Alteration" been filed with the Federal Aviation Administration?) <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes, when?					
CERTIFICATION (I hereby certify that all the above entries, made by me, are true, complete, and correct to the best of my knowledge and belief.)					
PENALTIES (Persons failing to comply with KRS 183.861 to 183.990 and 602 KAR 050 are liable for fines and/or imprisonment as set forth in KRS 183.990(3). Noncompliance with FAA regulations may result in further penalties.)					
NAME Dale R. Smith	TITLE Site Safe FAA Dir	SIGNATURE Dale Smith <small>Digitally signed by Dale Smith DN: cn=Dale Smith, o=Site Safe, email=dsmith@sitesafe.com, c=US Date: 2015.05.26 16:28:01 -0400</small>		DATE 5/26/15	
COMMISSION ACTION <input type="checkbox"/> Chairperson, KAZC <input type="checkbox"/> Administrator, KAZC					
<input type="checkbox"/> Approved <input type="checkbox"/> Disapproved		SIGNATURE		DATE	

Federal Aviation
Administration

« OE/AAA

Notice Criteria Tool

Notice Criteria Tool - Desk Reference Guide V_2014.2.0

The requirements for filing with the Federal Aviation Administration for proposed structures vary based on a number of factors: height, proximity to an airport, location, and frequencies emitted from the structure, etc. For more details, please reference [CFR Title 14 Part 77.9](#).

You must file with the FAA at least 45 days prior to construction if:

- your structure will exceed 200ft above ground level
- your structure will be in proximity to an airport and will exceed the slope ratio
- your structure involves construction of a traverseway (i.e. highway, railroad, waterway etc..) and once adjusted upward with the appropriate vertical distance would exceed a standard of 77.9(a) or (b)
- your structure will emit frequencies, and does not meet the conditions of the [FAA Co-location Policy](#)
- your structure will be in an instrument approach area and might exceed part 77 Subpart C
- your proposed structure will be in proximity to a navigation facility and may impact the assurance of navigation signal reception
- your structure will be on an airport or heliport
- filing has been requested by the FAA

If you require additional information regarding the filing requirements for your structure, please identify and contact the appropriate FAA representative using the [Air Traffic Areas of Responsibility map](#) for Off Airport construction, or contact the [FAA Airports Region / District Office](#) for On Airport construction.

The tool below will assist in applying Part 77 Notice Criteria.

Latitude:	<input type="text" value="37"/> Deg <input type="text" value="30"/> M <input type="text" value="5.27"/> S <input type="text" value="N"/>
Longitude:	<input type="text" value="84"/> Deg <input type="text" value="17"/> M <input type="text" value="0.81"/> S <input type="text" value="W"/>
Horizontal Datum:	<input type="text" value="NAD83"/>
Site Elevation (SE):	<input type="text" value="1407"/> (nearest foot)
Structure Height (AGL):	<input type="text" value="120"/> (nearest foot)
Traverseway:	<input type="text" value="No Traverseway"/> (Additional height is added to certain structures under 77.9(c))
Is structure on airport:	<input checked="" type="radio"/> No <input type="radio"/> Yes

Results

You do not exceed Notice Criteria.