COMMONWEALTH OF KENTUCKY

BEFORE THE PUBLIC SERVICE COMMISSION

RECEIVED

FEB 0 8 2016

In the matter of:

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THE APPLICATION OF EAST KENTUCKY NETWORK) COMMIS LIMITED LIABILITY COMPANY FOR THE ISSUANCE) OF A CERTIFICATE OF PUBLIC CONVENIENCE AND) CASE No 2015-00373 NECESSITY TO CONSTRUCT A TOWER IN MAGOFFIN) COUNTY, KENTUCKY).

PUBLIC SERVICE COMMISSION

East Kentucky Network, LLC, d/b/a Appalachian Wireless, was granted authorization to provide cellular service in the KY-9 Cellular Market Area (CMA451) 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 Magoffin 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 near HC 88 Box 329, Gunlock, Magoffin County, Kentucky (37°35'28.98"N 82°57'21.96"W). A map and detailed directions to the site can be found in Exhibit 7.

Exhibit 2 is a list of all Property owners according to the property valuation administrator's record who own property within 500 feet of the proposed Tower and all property owners that own property contiguous to the property upon which construction is proposed in accordance with the Property Valuation Administrator.

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Pursuant to 807 KAR 5:063 Section 1 (1)(L) and Section 1(1)(n) and Section 2 all affected property owners <u>according to the property valuation administrator's</u> record who own property within 500 feet of the proposed Tower or are contiguous to the property upon which construction is proposed 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.

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Magoffin County has no formal local planning unit. In absence of this unit the Magoffin 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 Salyersville Independent, February 4, 2016, edition. Enclosed is a copy of that notice in Exhibit 3. The Salyersville Independent is the newspaper with the largest circulation in Magoffin 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 3.

A copy of the tower design information is enclosed as Exhibit 5. The proposed tower has been designed by engineers at Allstate Tower, 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 approvals are included as Exhibit 6.

2

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

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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 January 25, 2016, 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 Memorandum of Lease 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.

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 Mark Sanders, 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 Cindy McCarty, 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: Keyren Herney DATE: 2/3/2016

Lynn Haney, Regulatory Compliance Director

APPROVED BY:

DATE: 2/3/2016

W.A. Gillum, General Manager

ATTORNEY:

Melastin

DATE: 2/3/2016

Hon. Cindy McCarty, 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

Cindy McCarty, Attorney Phone: (606) 477-2355, Ext. 1006 Email: <u>cmccarty@ekn.com</u>

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 Approvals
7	Driving Directions from County Court House and Map to Suitable Scale
8	Memorandum 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
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ULS License

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Cellular License - KNKN880 - East Kentucky Network, LLC d/b/a Appalachian Wireless

Call Sign	KNKN880	Radio Service	CL - Cellular	
Status	Active	Auth Type	Regular	
Market			0	
Market	CMA451 - Kentucky 9 - Elliott	Channel Block	В	
Submarket	0	Phase	2	
Dates			_	
Grant	08/30/2011	Expiration	10/01/2021	
Effective	08/30/2011	Cancellation	20,01,2021	
Five Year Build	dout Date			
10/23/1996				
Control Points				
1	U.S. 23, HAROLD, KY			
Licensee				
FRN	0001786607	There		
Licensee		Туре	Limited Liability Company	
101 Technology Ivel, KY 41642	letwork, LLC d/b/a Appalachlan Trail binette, Manager	P:(606)477-2355 F:(606)874-7551		
Contact				
Lukas, Nace, Gur Pamela L Gist Es 8300 Greensbord McLean, VA 2210	Drive	P:(703)584-866 F:(703)584-869 E:pgist@fcclaw.o	5	
Ownership and	Qualifications			
Radio Service Type	Mobile			
Regulatory Statu	s Common Carrier Interconr	nected Yes		
Alien Ownershi			ions	
Basic Qualificat	tions swered "No" to each of the Basic			

EXHIBIT II: LIST OF PROPERTY OWNERS:

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

Section 1 (1)(1) 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,

<u>Section 1 (1)(1) 2.</u> 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)(1) 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.

<u>Section 2.</u> If the construction is proposed for an area outside the incorporated boundaries of a city, the application shall state that public notices required by Section 1(1)(L) have been sent to every person who, according to the property valuation administrator, owns property contiguous to the property upon which the construction is proposed

LIST OF PROPERTY OWNERS

Arnold and Farlie Faye Wireman HC 88 Box 245 Gunlock, KY 41632

Dave Wireman, Jr. C/O Frank Wireman 14250 SW Licking River Road Salyersville, KY 41465

> Earl Shepherd 754 Salt Lick Road Hueysville, KY 41640

Sheila Shepherd Joseph HC 88 Box 160 Gunlock, KY 41632 Mae S. Arnett 17324 SE Licking River Road Salyersville, KY 41465

> Lanie Wireman HC 88 Box 225 Gunlock, KY 41632

> Tip Conley HC 88 Box 227 Gunlock, KY 41632

Arvel Lee and Brunie F. Wireman 21089 St. RT 18- RT 1 Defiance, OH 43512 EAST KENTUCKY NETWORK 101 TECHNOLOGY TRAIL 2 (606) 874-7550 FAX: (606) 874-7551



VIA: U.S. CERTIFIED MAIL

PUBLIC NOTICE

February 1, 2016

Arnold and Farlie Faye Wireman HC 88 Box 245 Gunlock, KY 41632

RE: Public Notice-Public Service Commission of Kentucky (Case No. 2015-00373)

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 Magoffin 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 near HC 88 Box 245, Gunlock, Magoffin 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 within a 500' radius of the proposed tower or own property contiguous to the property upon which construction is proposed.

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. 2015-00373 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.

fron Haney

Lynn Haney Regulatory Compliance Director Enclosure 1

EAST KENTUCKY NETWORK 101 TECHNOLOGY TRAIL 10 Y 41642 K = (606) 874-7550 FAX (606) 874-7551



VIA: U.S. CERTIFIED MAIL

PUBLIC NOTICE

February 1, 2016

Dave Wireman, Jr. C/O Frank Wireman 14250 SW Licking River Road Salyersville, KY 41465

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Lynn Haney

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VIA: U.S. CERTIFIED MAIL

PUBLIC NOTICE

February 1, 2016

Earl Shepherd 754 Salt Lick Road Hueysville, KY 41640

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EAST KENTUCKY NETWORK 101 TECHNOLOGY TRAIL 17 ¥ 41642 F (606) 874-7550 FAX: (606) 874-7551



VIA: U.S. CERTIFIED MAIL

PUBLIC NOTICE

February 1, 2016

Sheila Shepherd Joseph HC 88 Box 160 Gunlock, KY 41632

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VIA: U.S. CERTIFIED MAIL

PUBLIC NOTICE

February 1, 2016

Mae S. Arnett 17324 SE Licking River Road Salyersville, KY 41465

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Juju Haney

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EAST KENTUCKY NETWORK 101 TECHNOLOGY TRAIL 17 17 41642 1 (606) 874-7550 FAX: (606) 874-7551



VIA: U.S. CERTIFIED MAIL

PUBLIC NOTICE

February 1, 2016

Lanie Wireman HC 88 Box 225 Gunlock, KY 41632

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Lym Haney

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February 1, 2016

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Lyn Haney

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EAST KENTUCKY NETWORK 101 TECHNOLOGY TRAIL IV" 41642 P. (606) 874-7550 FAX (606) 874-7551



VIA: U.S. CERTIFIED MAIL

PUBLIC NOTICE

February 1, 2016

Arvel Lee and Brunie F. Wireman 21089 St. RT 18- RT 1 Defiance, OH 43512

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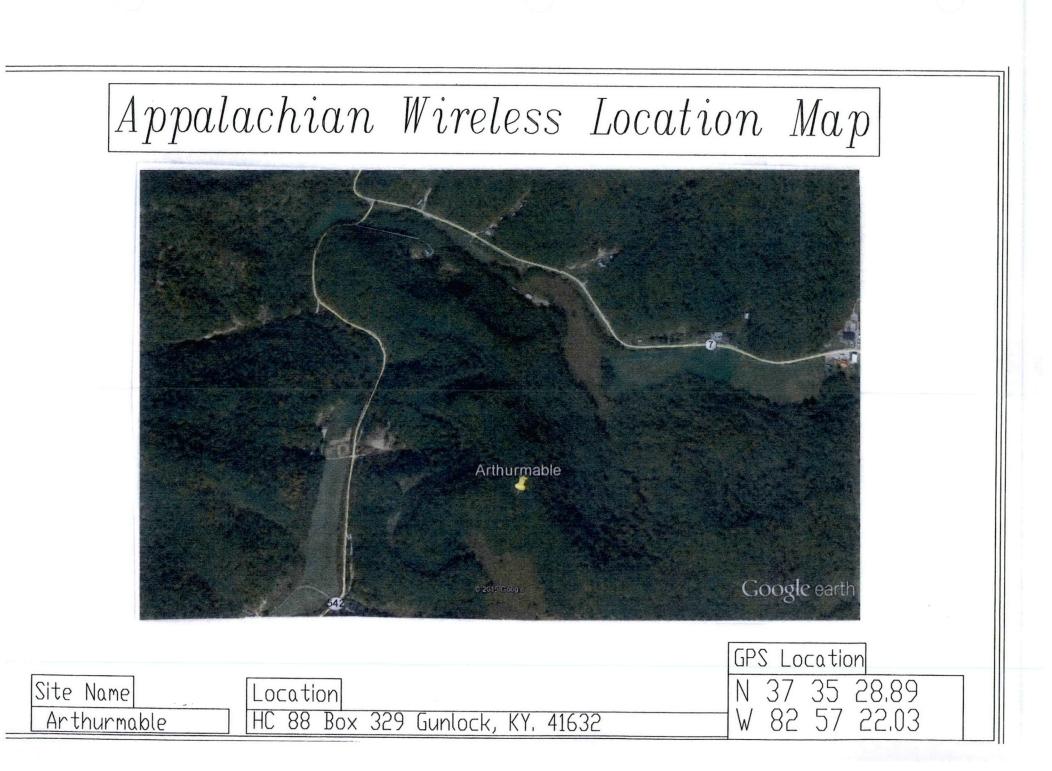
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Sym Haney

Lynn Haney Regulatory Compliance Director Enclosure 1



dba Appalachian Wireless 101 Technology Trail Ivel, KY 41642 Phone: 606-477-2355 Fax: 606-791-2225



То:	The Salyersville Independent	From:	Raina Helton	
	Attn: Classifieds		Regulatory Compliance Assistant	
Emall:	jo@salyersvilleindependent.com	Date:	January 28, 2016	
Re:	PUBLIC NOTICE ADVERTISEMENT	Pages:	1	

Please place the following Public Notice Advertisement in The Salyersville Independent to be ran on February 4, 2016.

PUBLIC NOTICE:

RE: Public Service Commission of Kentucky (CASE NO. 2015-00373)

Public Notice is hereby given that East Kentucky Network, LLC, dba Appalachian Wireless has applied to the Kentucky Public Service Commission to construct a cellular telecommunications tower on a tract of land located near HC 88 Box 329, Salyersville, Magoffin County, Kentucky. The proposed 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. 2015-00373.

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.

Next Generation Communications

EAST KENTUCKY NETWORK 101 TECHNOLOGY TRAIL IVT 41642 PN: (606) 874-7550 FAX: (606) 874-7551



VIA: U.S. CERTIFIED MAIL

January 28, 2016

Charles "Doc" Hardin, Judge Executive P.O. Box 430 Salyersville, KY 41465

RE: Public Notice-Public Service Commission of Kentucky (Case No. 2015-00373)

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 Magoffin 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 near HC 88 Box 329, Gunlock, Magoffin 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 Magoffin County.

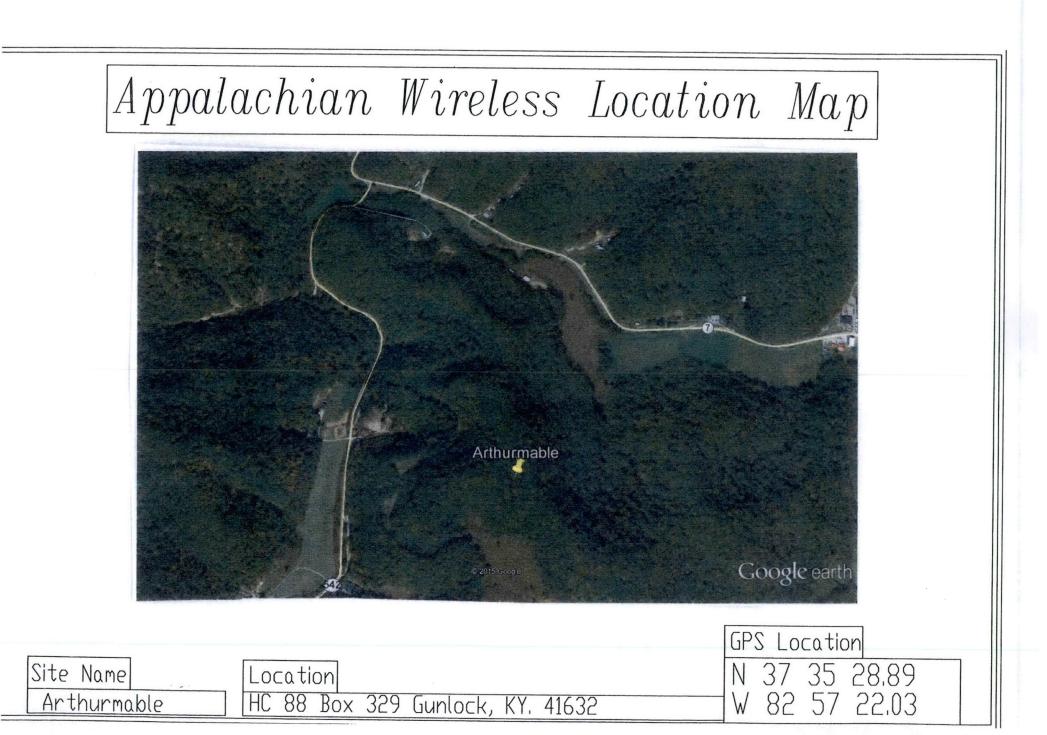
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Lugar Haney

Lynn Haney Regulatory Compliance Director Enclosure



WENDELL R. HOLMES, P.G.

424 Pear Street Hazard, KY 41701 November 23, 2015

Arthurmable Tower Site

Purpose:

A site assessment was conducted for Appalachian Wireless on a tract of land located in Magoffin County near Arthurmable, 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. A Kubota excavator was used to expose the sandstone with shale material. (See attached page for descriptions of materials encountered.)

The terrain in Magoffin County is slightly to moderately steep. The tower site is located on top of a ridge 0.53 miles southwest of the community of Arthurmable, KY in Magoffin County. The sandstone with shale bedrock below the tower site is approximately 4.33 feet deep 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. Tests were not conducted to determine the load-bearing strength of the sandstone with shale bedrock. However, it is apparent that the tower will be constructed on the sandstone with shale material.

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

Wendell R. Holmesich G. H ofessions

WENDELL R. HOLMES, P.G.

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

Geologist Log

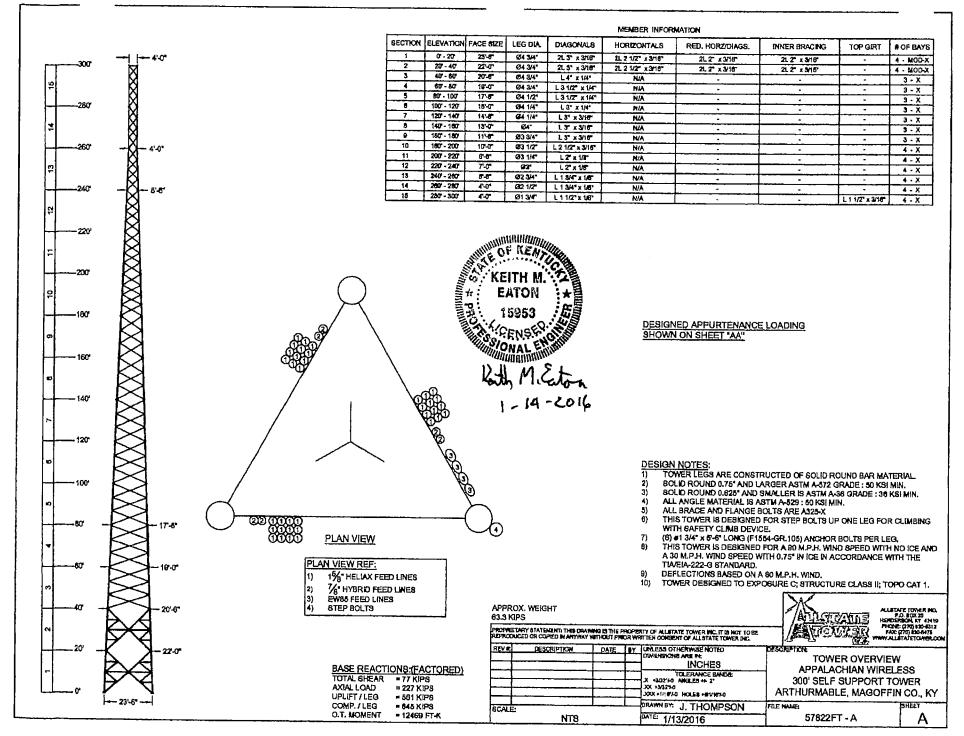
Location: Arthurmable Tower Site

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Unit Thickness	Total depth	Strata	Description
4.33′	4.33'	Soil	Brown, Sandy w/ Plant Fragments
20.00′	24.33'	Sandstone with Shale	Weathered, Brown and Gray



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ELEVATION	ANTENNA	LINE
300	(6) WPA-800102/4CF	(6) 1 5/8" HEL. + (1) 7/8" HYB
300'	(3) BXA-70083/0CF	-
300	(3) ERICSSON - RRUS11	-
290'	(6) WPA-800102MCF	(6) 1 6/8" HEL. + (1) 7/8" HYE
280'	(3) BXA-70063/6CF	-
290'	(3) ERICSSON - RRU611	-
280'	(6) WPA-500102/4CF	(6) 1 5/8" HEL. + (1) 7/8" HYB
280	(3) BXA-70063/8CF	-
260	(3) ERICSSON - RRUS11	
270'	(6) WPA-900102/4CF	(6) 1 5/8" HEL. + (1) 7/8" HYB
270	(3) BXA-70063/6CF	-
270	(3) ERICSSON - RRUS11	
250'	(2) 6' 8TD DISH W/ RADOME	(2) EW85
200	(8) WPA-8001024CF	(6) 1 5/8" HEL. + (1) 7/8" HYB
200'	(3) BXA-70063/6CF	•
200'	(3) ERICSSON - RRUS11	-
190*	(8) WPA-800102/4CF	(6) 1 5/8" HEL. + (1) 7/8" HYB
190'	(3) BXA-70063/6CF	
190'	(3) ERICESON - RRUS11	-
185'	(2) 6' STD DISH W/ RADOME	(2) EW65

nttHMMMU

KEITH M. EATON 15953

Kath M. Entern

1-14-2016

PROPRIETARY STATEMENT: THIS DRAWING IS THE INCOMENTY OF ALLSTATE TOWER DIG. IT IS NOT TO BE REPRODUCED OR COPIED IN ARYING WITHOUT FROM WITTEN CONSENT OF ALLSTATE TOWER DIG.

TOLERANCE BAYOS: X +302743 AYOL 8++ 2* 30X +302740 30X +1/18*40 HOLES +81/18740

DATE 1/13/2016

DRAWN BY: J. THOMPSON

TOWER OVERVIEW APPALACHIAN WIRELESS

300' SELF SUPPORT TOWER ARTHURMABLE, MAGOFFIN CO., KY

57822FT - A

81 J.J.

AA

DESCRIPTION

FILE NAME:

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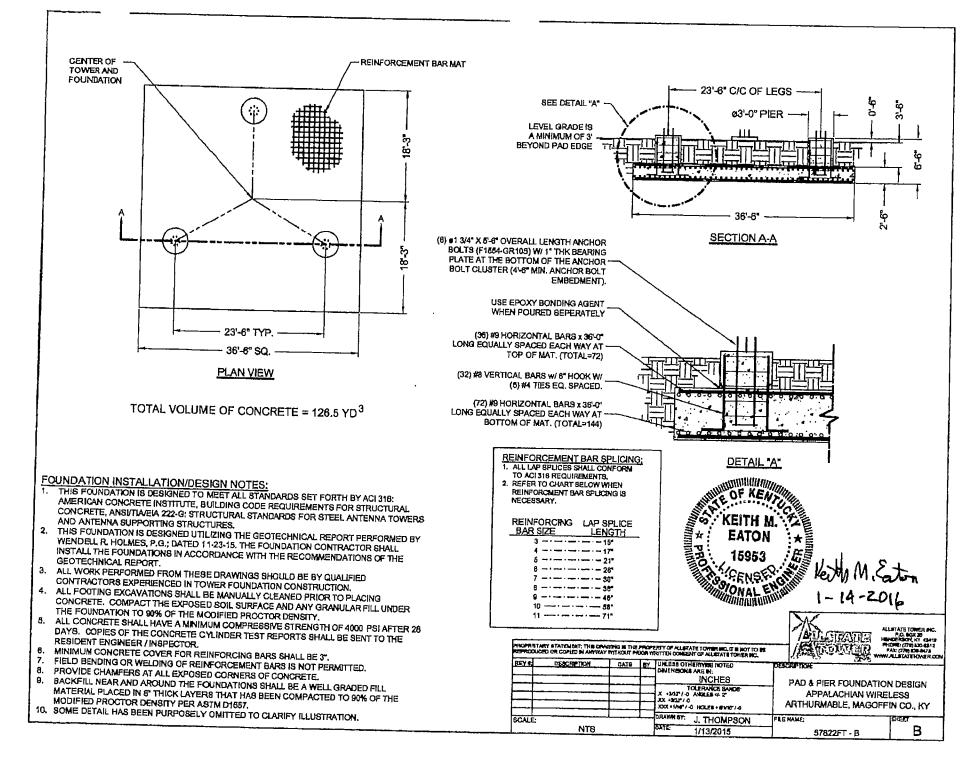
DESCRIPTION

NTB

REV

SCALE:

ANTENNA INFORMATION





Mail Processing Center Federal Aviation Administration Southwest Regional Office Obstruction Evaluation Group 10101 Hillwood Parkway Fort Worth, TX 76177

Aeronautical Study No. 2015-ASO-19109-OE

Issued Date: 01/05/2016

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 Tower Fredville (Arthur Mable)
Location:	Fredville, KY
Latitude:	37-35-28.89N NAD 83
Longitude:	82-57-22.03W
Heights:	1359 feet site elevation (SE)
	310 feet above ground level (AGL)
	1669 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 L, 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, Part 2)

This determination expires on 07/05/2017 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 JGIBLE 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 acture 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-19109-OE.

Signature Control No: 271502631-276805616 Steve Phillips Specialist

(DNE)

Attachment(s) Frequency Data Map(s)

cc: FCC

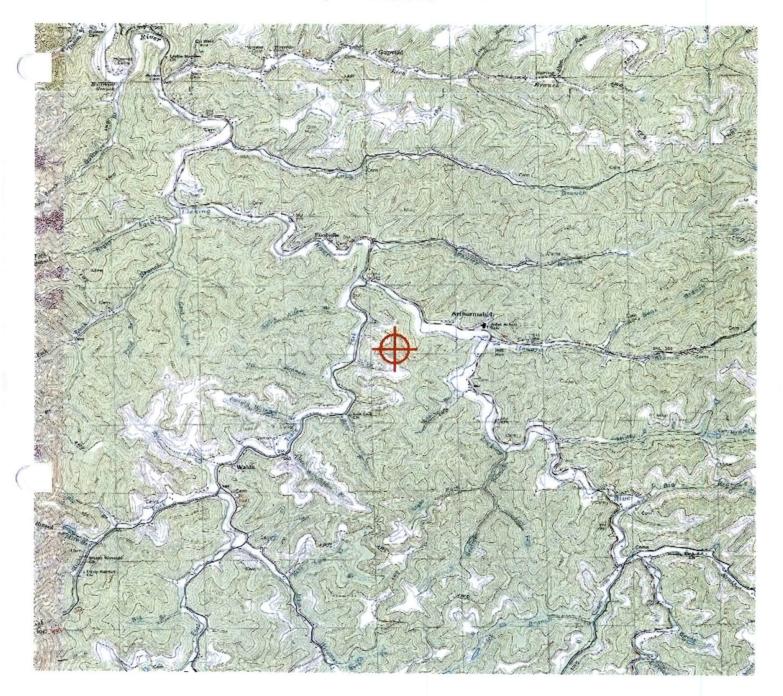
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Frequency Data for ASN 2015-ASO-19109-OE

2	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	
				2000	vv	

TOPO Map for ASN 2015-ASO-19109-OE



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Sectional Map for ASN 2015-ASO-19109-OE





KENTUCKY AIRPORT ZONING COMMISSION

STEVEN BESHEAR Governor 90 Airport Road, Bldg 400 Frankfort, KY 40601 www.transportation.ky.gov/aviation 502 564-4480

January 11, 2016

APPROVAL OF APPLICATION

APPLICANT: East Kentucky Network, LLC. East Kentucky Network, LLC. 8300 Greensboro Drive/Suite 1200 McLean, VA 22102

SUBJECT: AS-077-JKL-2015-116

STRUCTURE:	Antenna Tower
LOCATION:	Fredville, KY
COORDINATES:	37° 35' 28.89" N / 82° 57' 22.03" W
HEIGHT:	310' AGL/1669' AMSL

The Kentucky Airport Zoning Commission has approved your application for a permit to construct 310'AGL/ 1669'AMSL Antenna Tower near Fredville, KY 37° 35' 28.89" N / 82° 57' 22.03" W.

This permit is valid for a period of 18 Month(s) from its date of issuance. If construction is not completed within said 18-Month period, this permit shall lapse and be void, and no work shall be performed without the issuance of a new permit.

A copy of the approved application is enclosed for your files.

Medium Dual Obstruction Lighting is required in accordance with 602 KAR 50:100.

John Houlihan Administrator



An Equal Opportunity Employer M/F/D



KENTUCKY AIRPORT ZONING COMMISSION

STEVEN BESHEAR Governor

90 Airport Road, Bldg 400 Frankfort, KY 40601 www.transportation.ky.gov/aviation 502 564-4480

CONSTRUCTION/ALTERATION STATUS REPORT

January 11, 2016

AERONAUTICIAL STUDY NUMBER: AS-077-JKL-2015-116

East Kentucky Network, LLC. East Kentucky Network, LLC. 8300 Greensboro Drive/Suite 1200 McLean, VA 22102

This concerns the permit which was issued to you by the Kentucky Airport Zoning Commission on January 11, 2016. This permit is valid for a period of 18 Month(s) from its date of issuance. If construction is not completed within the said 18-Month period, this permit shall lapse and be void, and no work shall be performed without the issuance of a new permit. When appropriate, please indicate the status of the project in the place below and return this letter to John Houlihan, Administrator, Kentucky Airport Zoning Commission, 90 Airport Road, Bldg 400, Frankfort, KY, 40601. 502 564-4480.

STRUCTURE:	Antenna Tower
LOCATION:	Fredville, KY
COORDINATES:	37° 35' 28.89" N / 82° 57' 22.03" W
HEIGHT:	310' AGL /1669'AMSL

CONSTRUCTION/ALTERATION STATUS

1. The project () is abandoned. () is not abandoned.

2. Construction status is as follows: Structure reached its greatest height of ______ft. AGL ft. AMSL on ______(date).

Miscellaneous Information.

DATE

SIGNATURE/TITLE



An Equal Opportunity Employer M/F/D



KENTUCKY TRANSPORTATION CABINET

TC 56-50 Rev. 07/2010 Page 2 of 2

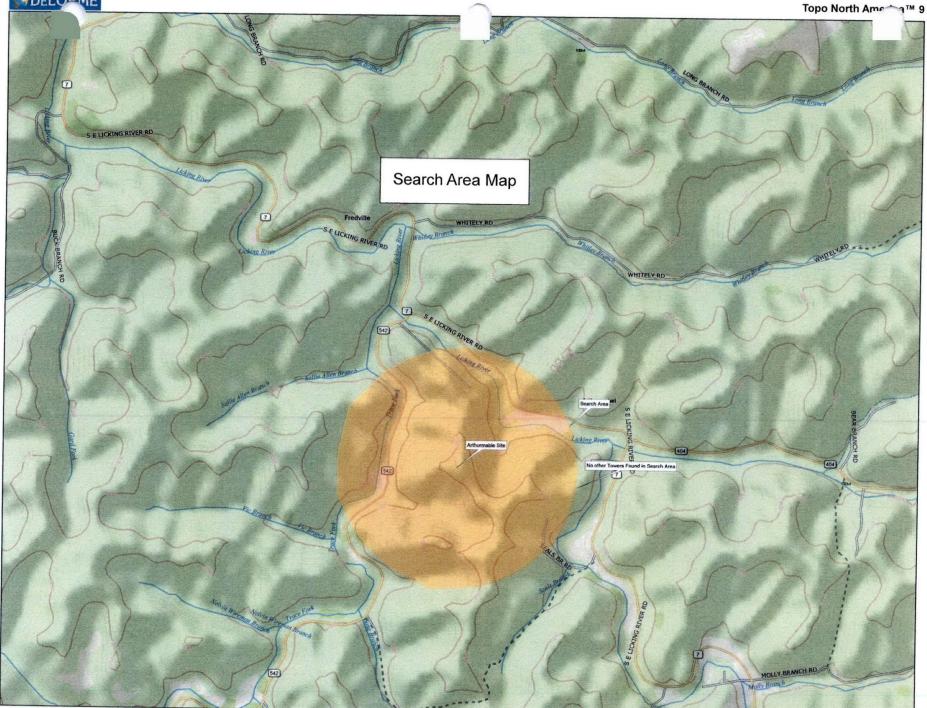
	, к	ENTUCKY AIRPORT	ZONING COMMISSIC	DN	Page 2 of 2
APPLI	CATION FOR	PERMIT TO COM	NSTRUCT OR AL	TER A STRUCTU	RE
APPLICANT (name)		PHONE	FAX	KY AERONAUTICAL	STUDY #
East Kentucky Network,	, LLC c/o LNGS	703-584-8667	703-584-8692	15-077-JKL	
ADDRESS (street)		CITY	J	STATE	ZIP
8300 Greensboro Dr, #1	1200	McLean		VA	22102
APPLICANT'S REPRESEN	NTATIVE (name)	PHONE	FAX		
Ali Kuzehkanani		703-584-8667	703-584-8692		
ADDRESS (street)		CITY		STATE	ZIP
8300 Greensboro Dr, #1	and a second secon	McLean		VA	22102
	New Construct		Existing	WORK SCHEDULE	
	And a second sec	porary (months	days)	Start 12/15/15 End	12/20/15
TYPE Crane	Building		G/LIGHTING PREFEI		
Antenna Tower			int White-medi		
	ater Tank		dium intensity white	Dual- red & hi	gh intensity white
	ther	Other			
LATITUDE		LONGITUDE		DATUM NAD	83 🗌 NAD27
37°35'28.89"		82°57'22.03"		Other	
NEAREST KENTUCKY			Y PUBLIC USE OR M	LITARY AIRPORT	
City Fredville County Ma		Julian Carroll Airpor			
TE ELEVATION (AMSL,	, feet)		HEIGHT (AGL, feet)	CURRENT (FAA aer	onautical study #)
59		310			
OVERALL HEIGHT (site e	elevation plus tot	tal structure height, ;	feet)	PREVIOUS (FAA ae	ronautical study #)
1669	. Marcharder auchit	A 4111			
DISTANCE (from neares 19.8 mi	т Кептиску рирно	t use or Military airp	ort to structure)	PREVIOUS (KY aero	nautical study #)
		Barren an Addition als			
DIRECTION (from neare West	st kentucky publ	ic use or military air	port to structure)		
	TION (Attach US	CE 7 E minuto quadu			··· · · · · · · · · · · · · · · · · ·
DESCRIPTION OF LOCAT marked and any certifie	HUN (ALLOLI USC	55 7.5 minute quaur	angle map or an airp	oort layout arawing	with the precise site
Arthur Mable site, appr		Fredville (Magoffin)			
Alterial Washe size, app.	UA. I.I III OUL OI	Flending (InteRotting)	, N1		
DESCRIPTION OF PROP	OSAL				
A new 300' tower with t		tennas (overall heigi	ht of 310' AGL)		
			10,010,101,		
FAA Form 7460-1 (Has t	the "Notice of Co	instruction or Altern	tion" been filed with	the Enderal Aviation	Administration 2)
No Yes, when?	? 11/06/15		uon been jiicu with	the reactor Aviation	Administration
CERTIFICATION (I hereb		the above entries, n	ode by me, are true.	complete and corri	ert to the hest of
my knowledge and belie	ef.)		1000 vy, u.e,	compretey who com	set to the sear of
PENALITIES (Persons fai		ith KRS 183.861 to 1	183.990 and 602 KAR	050 are liable for fi	nes and/or
imprisonment as set for	th in KRS 183.99	0(3). Noncompliance	e with FAA regulation	ns may result in furth	her penalties.)
NAME	TITLE	SIGNATURE /	11	DATE	
Ali Kuzehkanani	Dir of Engineeri		17 olh Mana	11/06/15	
<u></u>		Chairperson		1,	
MMISSION ACTION		Administrat			
	CICHIATURE		OI, MALL	DATE 1-11-	16
Approved Disapproved	SIGNATURE	lin		DATE / -/	14
Disappioveu					,

1

Driving Directions for Arthurmable

Starting in front of the Magoffin County Court House at the intersection of highways 460, 40 and 7, take Route 7 (South/460East) .2 miles, turn right on Route 7 (south), go 15.9 miles, turn right on route 542 (west). Go .8 miles and tower access road is on the left (signs will be posted here).

Prepared By: Jack Adkins Appalachian Wireless 606-339-0531



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DELOPME

		Scal	e 1:24	1,000		-
0	600	1200	1800	2400	3000	n
0	200	400	600	800	1000	m
	1" = 2,0	000.0 ft		Data Z	oom 13	-5

MEMORANDUM OF LEASE

THIS MEMORANDUM OF LEASE is made and entered into on this the 19^{\pm} day of <u>October</u>, 2015, with a commencement date of <u>October</u> ($5\pm$, by and between Arnold and Farlie Faye Wireman, his wife, with the mailing address of HC 88 Box 245, Gunlock, Kentucky 41632, hereinafter refereed to as "Lessors" and East Kentucky Network, LLC d/b/a Appalachian Wireless, with a mailing address of 101 Technology Trail, Ivel, Kentucky, 41642, hereinafter referred to as "Lessee."

WITNESSETH:

1. Demised Premises: For good and valuable consideration, Lessors do hereby lease to Lessee, and Lessee does hereby lease from Lessors, a portion of that certain tract of real estate located in Magoffin County, Kentucky, and being a portion of the same land conveyed to Lessors by Deed of Conveyance referenced in Deed Book 142, Page 631, in the Magoffin County Clerk's Office. Said property is more particularly described in the description and plat attached hereto and made a part hereof as Exhibits A and B, prepared by Steven E. Haywood of Summit Engineering, Licensed Professional Land Surveyor (hereinafter referred to as the "Premises");

2. Term: The term of the Lease shall be for a period of five (5) years from the commencement date of the Lease Agreement.

3. Option to Renew: Lessee shall have the option to renew the Lease for an additional six (6) terms of five (5) years each.

4. **Binding Effect:** All of the terms, conditions, and covenants hereof shall be binding and shall inure to the benefit of the heirs, representatives, successors, and assigns of the parties hereto.

1

5. Purpose: This Memorandum of Lease is prepared solely for the purpose of recordation, and is not intended, nor shall it be deemed, to modify any of the terms and conditions set forth in the Lease, nor to construe any of the rights, duties or responsibilities of Lessors and Lessee thereunder.

In Witness Whereof, Lessors and Lessee have executed this Memorandum of Lease as of the day, month and year first written above.

LESSORS:

Wireman Vireman

COMMONWEALTH OF KENTUCKY COUNTY OF Megoppin

The foregoing instrument was acknowledged before me on this 19th day of 2015, by Arnold and Farlie Faye Wireman, Lessors.

& Brudley Notary Public

My Commission Expires Eb 3, 2010

LESSEE:

EAST KENTUCKY NETWORK, LLC By WA Silliem Its CEO/GM

COMMONWEALTH OF KENTUCKY

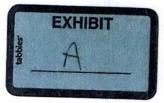
The foregoing instrument was acknowledged before me on this 10th day of 0ctober, 2015, by W.A. Gillum, CEO/General Manager of East Kentucky Network, LLC, d/b/a Appalachian Wireless.

Notary Public Bradley

My Commission Expires feb 3, 2010

This instrument was prepared by:

William S. Kendrick, Attorney at Law Penn, Stuart & Eskridge 119 E. Court Street, Ste. 201 Prestonsburg, KY 41653



Description Arthurmable, Magoffin County, KY Arthurmable Tower Site

A certain tract of land located in the community of Arthurmable, Magoffin County, Kentucky and being on the Ridge between Trace Fork of the Licking River and the Licking River, more particularly described as follows:

Unless stated otherwise any monument referred to herein as a Re-Bar and Cap is a set ½" steel rebar eighteen (18") in length with a yellow plastic cap stamped Summit L.S. #2661. All bearings stated herein are referred to Grid North based on Kentucky Single Zone State Plane NAD 83 coordinates.

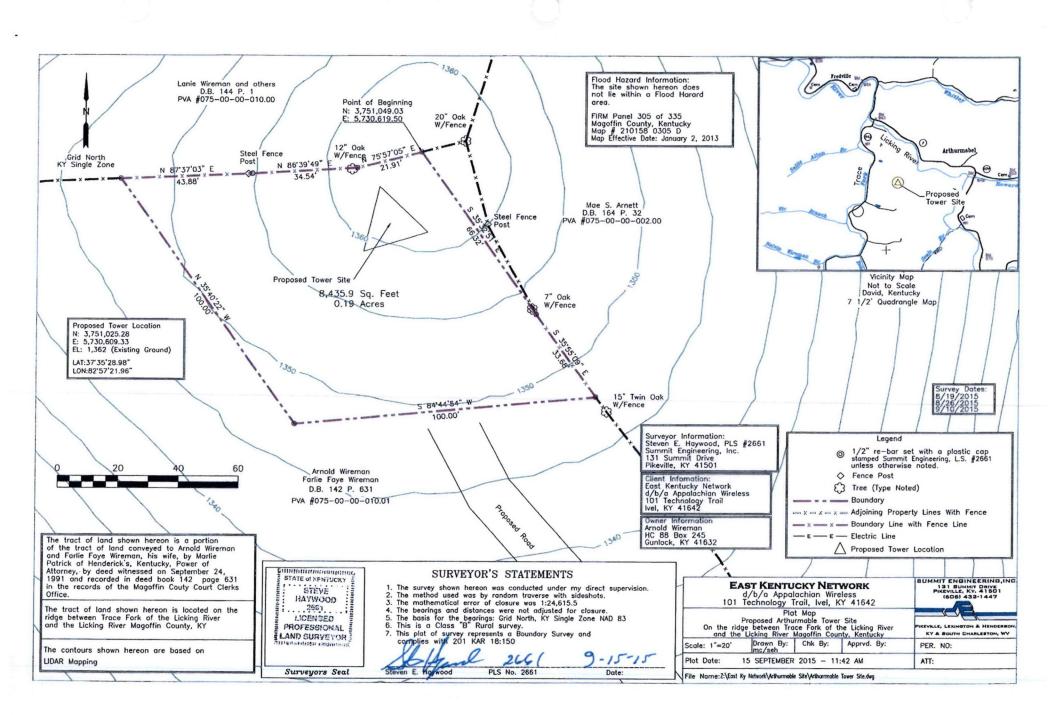
Beginning at a set Re-Bar and Cap on a high knob at the corner of Arnold Wireman (D.B. 142 P. 631), Mae S. Arnett (D.B. 164 P. 32) and Lanie Wireman, et,al (D.B. 114 P. 1) and having Kentucky Single Zone Coordinates of N: 3,751,049.03 E: 5,730,619.50

Thence, running along the ridge with Mae S. Arnett S 35°32'51" E a distance of 66.32' to a set Re-Bar and Cap witnessed by a 7" Oak with fence attached; Thence, S 35°55'09" E a distance of 33.68' to a set Re-Bar and Cap in the fence line on the ridge; Thence, leaving the ridge and running down the hill S 84°44'54" W a distance of 100.00' to a set Re-Bar and Cap; Thence, up the hill N 35°40'22" W a distance of 100.00' to a set Re-Bar and Cap in the fence line on the ridge line and being on the line of Lanie Wireman, et al; Thence, up the ridge with the fence N 87°37'03" E a distance of 43.88' to a set Re-Bar and Cap witnessed by a metal fence post; Thence, N 86°39'49" E a distance of 34.54' to a set Re-Bar and Cap witnessed by a 12" with Oak with fence; Thence, N 75°57'05" E a distance of 21.91' to the point of beginning and containing 0.19 acress more or less according to a survey conducted by persons under the direct supervision of Steven E. Haywood, PLS #2661 with Summit Engineering on September 10, 2015 and being a portion of the same tract of land conveyed to Arnold Wireman and Farlie Faye Wireman, his wife, by Marie Patrick, as Power of Attorney, for Edith Russell and others by deed witnessed September 24th, 1991 and recorded in Deed Book 142 Page 631 in the records of the Magoffin County Court Clerk's office.

Steven E. Haywood, PLS #2661

9-11-15

Date



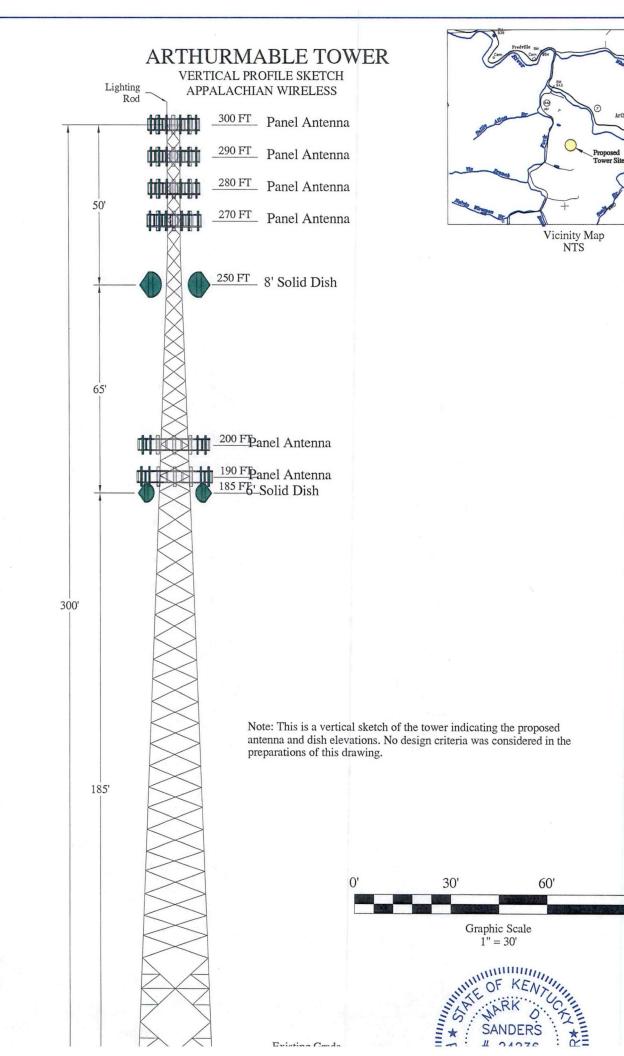
CASE NO: 2015-00373

CONTAINS

LARGE OR OVERSIZED

MAP(S)

RECEIVED ON: 2/8/2016



90'