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PUBLIC SERVICE  
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March 15, 2018

Linda Faulkner, Division Director Filings  
Public Service Commission  
211 Sower Blvd.  
P.O. Box 615  
Frankfort, KY 40602-0615

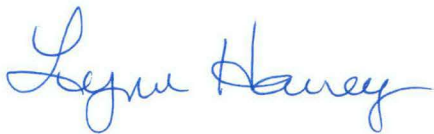
RE: Deficiency Notice for Totz Cell Site (Case No. 2018-00007)

Dear Ms. Faulkner:

Please find enclosed one (1) original and five (5) copies of the amended application and Exhibit 12 to add to the original application filed.

If you have any further questions, feel free to contact me at 606-477-2355, ext. 1007 or via email [lhane@ekn.com](mailto:lhane@ekn.com).

Sincerely,



Lynn Haney  
Regulatory Compliance Director  
Enclosures

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PUBLIC SERVICE  
COMMISSION

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the matter of:

THE AMENDED APPLICATION OF EAST KENTUCKY )  
NETWORK, LLC FOR THE ISSUANCE OF A )  
CERTIFICATE OF PUBLIC CONVENIENCE AND ) CASE NO. 2018-00007  
NECESSITY TO CONSTRUCT A TOWER IN HARLAN )  
COUNTY, KENTUCKY )

East Kentucky Network, LLC d/b/a Appalachian Wireless, was granted authorization to provide Personal Communications Service (“PCS”) in the Middlesboro-Harlan, KY Basic Trading Area (BTA295) by the Federal Communications Commission (FCC). The FCC license is included as Exhibit 1. East Kentucky Network, LLC merger documents were filed with the Commission on February 2, 2001 in Case No. 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 Harlan County, pursuant to KRS 278.020 Subsection 1 and 807 KAR 5:001, East Kentucky Network, LLC is seeking the Commission’s approval to construct a 180 foot self-supporting tower on a tract of land located near 11615 Hwy 522, Totz, Harlan County, Kentucky (36°56’59.1062”N 83°06’23.9039”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 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’s record.

Pursuant to 807 KAR 5:063 Section 1(1)(l), Section 1(m) and Section 2, all affected property owners according to the Property Valuation Administrator's records who own property within 500 feet of the proposed Tower or who own property 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.

Harlan County has no formal local planning unit. In absence of this unit, the Harlan County Judge Executive's office was notified by certified mail, return receipt requested of East Kentucky Network, LLC's proposal and informed of their right to intervene. The Harlan County Judge Executive's Office was also 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 Harlan Daily Enterprise, March 9, 2018 edition. Enclosed is a copy of that notice in Exhibit 3. The Harlan Daily Enterprise is the newspaper with the largest circulation in Harlan 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 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 8, 2018, 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 mountaintop some feet from the nearest structure. Prior to construction, the site had been previously disturbed by logging.

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 10 is a map in one (1) inch equals 200 feet scale identifying every structure and every owner of real estate within 500 feet of the proposed tower and all property owners who own contiguous property to the property upon which construction is proposed

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

Enclosed as Exhibit 12 is a list of utilities, corporations, or persons with whom the tower is likely to compete.

**[THE REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK.]**

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

The foregoing document was prepared by Krystal Branham, Regulatory Compliance 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, Attn: Regulatory Compliance Department, 101 Technology Trail, Ivel, KY 41642.

SUBMITTED BY: Lynn Haney DATE: 3/14/18  
Lynn Haney, Regulatory Compliance Director

APPROVED BY: W.A. Gillum DATE: 3/14/2018  
W.A. Gillum, General Manager

ATTORNEY: Krystal Branham DATE: 3/14/18  
Hon. Krystal Branham, 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**

**Krystal Branham, Attorney**  
**Phone: (606) 477-2355, Ext. 1009**  
**Email: kbranham@ekn.com**

**Mailing Address:**

**East Kentucky Network, LLC  
d/b/a Appalachian Wireless  
Attn: Regulatory Compliance Department  
101 Technology Trail  
Ivel, KY 41642**

Utility ID	Utility Name	Utility Type	Class	City	State
4107900	365 Wireless, LLC	Cellular	D	Atlanta	GA
4109300	Access Point, Inc.	Cellular	D	Cary	NC
4108300	Air Voice Wireless, LLC	Cellular	A	Bloomfield Hill	MI
4110650	Alliant Technologies of KY, L.L.C.	Cellular	C	Morristown	NJ
44451184	Alltel Communications, LLC	Cellular	A	Basking Ridge	NJ
4110850	AltaWorx, LLC	Cellular	C	Fairhope	AL
4107800	American Broadband and Telecommunications Company	Cellular	C	Toledo	OH
4108650	AmeriMex Communications Corp.	Cellular	D	Dunedin	FL
4105100	AmeriVison Communications, Inc. d/b/a Affinity 4	Cellular	D	Virginia Beach	VA
4110700	Andrew David Balholm dba Norcell	Cellular	C	Clayton	WA
4108600	BCN Telecom, Inc.	Cellular	D	Morristown	NJ
4110550	Blue Casa Mobile, LLC	Cellular	D	Santa Barbara	CA
4108750	Blue Jay Wireless, LLC	Cellular	C	Carrollton	TX
4111050	BlueBird Communications, LLC	Cellular	C	New York	NY
4202300	Bluegrass Wireless, LLC	Cellular	A	Elizabethtown	KY
4107600	Boomerang Wireless, LLC	Cellular	B	Hiawatha	IA
4105500	BullsEye Telecom, Inc.	Cellular	D	Southfield	MI
4110050	CampusSims, Inc.	Cellular	D	Boston	MA
4100700	Cellco Partnership dba Verizon Wireless	Cellular	A	Basking Ridge	NJ
4106600	Cintex Wireless, LLC	Cellular	D	Rockville	MD
4111000	ComApp Technologies LLC	Cellular	C	Melrose	MA
4101900	Consumer Cellular, Incorporated	Cellular	A	Portland	OR
4106400	Credo Mobile, Inc.	Cellular	A	San Francisco	CA
4108850	Cricket Wireless, LLC	Cellular	A	San Antonio	TX
4001900	CTC Communications Corp. d/b/a EarthLink Business I	Cellular	D	Grand Rapids	MI
10640	Cumberland Cellular Partnership	Cellular	A	Elizabethtown	KY
4101000	East Kentucky Network, LLC dba Appalachian Wireless	Cellular	A	Ivel	KY
4002300	Easy Telephone Service Company dba Easy Wireless	Cellular	D	Ocala	FL
4109500	Enhanced Communications Group, LLC	Cellular	D	Bartlesville	OK
4110450	Excellus Communications, LLC	Cellular	D	Chattanooga	TN
4105900	Flash Wireless, LLC	Cellular	C	Concord	NC
4104800	France Telecom Corporate Solutions L.L.C.	Cellular	D	Oak Hill	VA
4109350	Global Connection Inc. of America	Cellular	D	Norcross	GA
4102200	Globalstar USA, LLC	Cellular	B	Covington	LA
4109600	Google North America Inc.	Cellular	A	Mountain View	CA
33350363	Granite Telecommunications, LLC	Cellular	D	Quincy	MA
4106000	GreatCall, Inc. d/b/a Jitterbug	Cellular	A	San Diego	CA
10630	GTE Wireless of the Midwest dba Verizon Wireless	Cellular	A	Basking Ridge	NJ
4110600	Horizon River Technologies, LLC	Cellular	C	Atlanta	GA
4103100	i-Wireless, LLC	Cellular	A	Newport	KY
4109800	IM Telecom, LLC d/b/a Infiniti Mobile	Cellular	D	Tulsa	OK
22215360	KDDI America, Inc.	Cellular	D	New York	NY
10872	Kentucky RSA #1 Partnership	Cellular	A	Basking Ridge	NJ
10680	Kentucky RSA #3 Cellular General	Cellular	A	Elizabethtown	KY
10681	Kentucky RSA #4 Cellular General	Cellular	A	Elizabethtown	KY
4109750	Konatel, Inc. dba telecom.mobi	Cellular	D	Johnstown	PA
4110900	Lunar Labs, Inc.	Cellular	C	Detroit	MI
4107300	Lycamobile USA, Inc.	Cellular	D	Newark	NJ
4108800	MetroPCS Michigan, LLC	Cellular	A	Bellevue	WA
4109650	Mitel Cloud Services, Inc.	Cellular	D	Mesa	AZ
4202400	New Cingular Wireless PCS, LLC dba AT&T Mobility, PCS	Cellular	A	San Antonio	TX
10900	New Par dba Verizon Wireless	Cellular	A	Basking Ridge	NJ
4000800	Nextel West Corporation	Cellular	D	Overland Park	KS
4001300	NPCR, Inc. dba Nextel Partners	Cellular	D	Overland Park	KS



4001800	OnStar, LLC	Cellular	A	Detroit	MI
4110750	Onvoy Spectrum, LLC	Cellular	C	Plymouth	MN
4109050	Patriot Mobile LLC	Cellular	D	Southlake	TX
4110250	Plintron Technologies USA LLC	Cellular	D	Bellevue	WA
33351182	PNG Telecommunications, Inc. dba PowerNet Global Communications	Cellular	D	Cincinnati	OH
4202100	Powertel/Memphis, Inc. dba T-Mobile	Cellular	A	Bellevue	WA
4107700	Puretalk Holdings, LLC	Cellular	A	Covington	GA
4106700	Q Link Wireless, LLC	Cellular	A	Dania	FL
4108700	Ready Wireless, LLC	Cellular	B	Hiawatha	IA
4110500	Republic Wireless, Inc.	Cellular	D	Raleigh	NC
4111100	ROK Mobile, Inc.	Cellular	C	Culver City	CA
4106200	Rural Cellular Corporation	Cellular	A	Basking Ridge	NJ
4108550	Sage Telecom Communications, LLC dba TruConnect	Cellular	D	Los Angeles	CA
4109150	SelecTel, Inc. d/b/a SelecTel Wireless	Cellular	D	Freemont	NE
4106300	SI Wireless, LLC	Cellular	A	Carbondale	IL
4110150	Spectrotel, Inc. d/b/a Touch Base Communications	Cellular	D	Neptune	NJ
4200100	Sprint Spectrum, L.P.	Cellular	A	Atlanta	GA
4200500	SprintCom, Inc.	Cellular	A	Atlanta	GA
4109550	Stream Communications, LLC	Cellular	D	Dallas	TX
4110200	T C Telephone LLC d/b/a Horizon Cellular	Cellular	D	Red Bluff	CA
4202200	T-Mobile Central, LLC dba T-Mobile	Cellular	A	Bellevue	WA
4002500	TAG Mobile, LLC	Cellular	D	Carrollton	TX
4109700	Telecom Management, Inc. dba Pioneer Telephone	Cellular	D	South Portland	ME
4107200	Telefonica USA, Inc.	Cellular	D	Miami	FL
4108900	Telrite Corporation dba Life Wireless	Cellular	D	Covington	GA
4108450	Tempo Telecom, LLC	Cellular	D	Kansas City	MO
4109950	The People's Operator USA, LLC	Cellular	D	New York	NY
4109000	Ting, Inc.	Cellular	A	Toronto	ON
4110400	Torch Wireless Corp.	Cellular	D	Jacksonville	FL
4103300	Touchtone Communications, Inc.	Cellular	D	Whippany	NJ
4104200	TracFone Wireless, Inc.	Cellular	D	Miami	FL
4002000	Truphone, Inc.	Cellular	D	Durham	NC
4110300	UVNV, Inc.	Cellular	D	Costa Mesa	CA
4105700	Virgin Mobile USA, L.P.	Cellular	A	Atlanta	GA
4110800	Visible Service LLC	Cellular	C	Lone Tree	CO
4106500	WiMacTel, Inc.	Cellular	D	Palo Alto	CA
4110950	Wing Tel Inc.	Cellular	C	New York	NY
4109900	Wireless Telecom Cooperative, Inc. dba theWirelessFreeway	Cellular	D	Louisville	KY