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PUBLIC SERVICE  
COMMISSION

April 26, 2018

Gwen R. Pinson, Executive Director  
Public Service Commission  
211 Sower Blvd.  
P.O. Box 615  
Frankfort, KY 40602-0615

RE: East Kentucky Network, LLC d/b/a Appalachian Wireless  
Case No. 2018-00125 – Filing Deficiency

Dear Ms. Pinson:

Please find enclosed one (1) original and five (5) copies of the amended application for Case No. 2018-00125.

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. 2018-00125  
NECESSITY TO CONSTRUCT A TOWER IN KNOX )  
COUNTY, KENTUCKY )

East Kentucky Network, LLC d/b/a Appalachian Wireless, was granted authorization to provide Personal Communications Service (“PCS”) in the Corbin, KY Basic Trading Area (BTA098) 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 Knox 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 300 foot self-supporting tower on a tract of land located near the junction of J. Logan Road and Highway 11 in Barbourville, Knox County, Kentucky (36°48’29.4639”N 83°56’46.7567”W). A map and detailed directions to the site can be found in Exhibit 7.

Construction of the proposed tower is required by public convenience and necessity. Due to increasing demand for telecommunications service, the proposed tower is necessary to provide adequate coverage. The proposed tower will improve service in Knox County by providing an interconnection between East Kentucky Network, LLC’s other sites thereby forming a cohesive network.

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.

Knox County has no formal local planning unit. In absence of this unit, the Knox 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 Knox 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 Barbourville Mountain Advocate, April 12, 2018 edition. Enclosed is a copy of that notice in Exhibit 3. The Barbourville Mountain Advocate is the newspaper with the largest circulation in Knox 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 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.

The FAA approval and the 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 April 10, 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 was wooded.

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

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

Exhibit 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: 4/25/18  
Lynn Haney, Regulatory Compliance Director

APPROVED BY: W.A. Gillum DATE: 4/25/18  
W.A. Gillum, General Manager

ATTORNEY: Krystal Branham DATE: 4/25/18  
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**  
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**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**