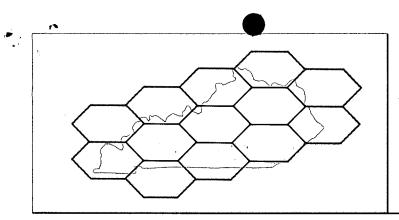
# CASE NUMBER: 99.000



## Mountaineer Cellular **General Partnership**

P. O., Box 1148 • Hindman, Kentucky 41822 Phone: (606) 785-9550

June10, 1999

Helen C. Helton, Executive Director Kentucky Public Service Commission P.O. Box 615 Frankfort, KY 40601



Re: Case No. 99-080

Dear Ms. Helton:

Per the Commission's order in case 99-080 dated 09 June 1999, enclosed is a copy of the FAA and KAZC final determinations in the above referenced case.

This information should complete the case file. If you have further questions, please contact me at (606)785-9550.

Sincerely,

- K Shuger

William Grigsby



Kentucky Airport Zoning Commission 125 Holines Street Frankfort, KY 40622 (502) 564-4480 Jax: (502) 564-7953 No.: AS-119-JKL-98-271

January 28, 1999

APPROVAL OF APPLICATION

APPLICANT: MOUNTAINEER CELLULAR GENERAL PA LEROY ADAM, CONSULTING ENGINEERR C/O LUKAS MCGOWAIN NACE & GUTIERREZ 1111 NINETEENTH STREET N W SUITE 1200 WASHINGTON, DC 20036

SUBJECT: AS-119-JKL-98-271

STRUCTURE:Antenna TowerLOCATION:Bethany, KYCOORDINATES:37°39'03.0"N / 83°26'20.6"WHEIGHT:320'AGL/1,720'AMSL

The Kentucky Airport Zoning Commission has approved your application for a permit to construct (320'AGL/1,720'AMSL) Antenna Tower near Bethany, KY 37°39'03"N, 83°26'21"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 intensity white strube lights are required in accordance with 602 KAR 50:100.

Ronald Bland, Administrator

Federal Aviation Administration Southern Region Air Traffic Division, ASO-520 P. O. Box 20636 Atlanta, GA 30320

ACKNOWLEDGEMENT OF NOTICE OF PROPOSED CONSTRUCTION OR ALTERATIONCITYSTATELATITUDE/LONGITUDEMSLAGLAMSLBETHANYKY37-39-03.31083-26-20.2514003201720

MOUNTAINEER CELLULAR, LLC LUKAS, NACE, GUTIERREZ, & SACHS 1111 19TH STREET, NW, SUITE 1200 WASHINGTON, DC 20036

AERONAUTICAL STUDY No: 98-ASO-7154-OE

Type Structure: ANTENNA TOWER 880-890 MHZ/ 500 WATTS

The Federal Aviation Administration hereby acknowledges receipt of notice dated 11/09/98 concerning the proposed construction or alteration contained herein.

A study has been conducted under the provisions of Part 77 of the Federal Aviation Regulations to determine whether the proposed construction would be an obstruction to air navigation, whether it should be marked and lighted to enhance safety in air navigation, and whether supplemental notice of start and completion of construction is required to permit timely charting and notification to airmen. The findings of that study are as follows:

The proposed construction would not exceed FAA obstruction standards and would not be a hazard to air navigation. However, the following applies to the construction proposed:

The structure should be obstruction marked and lighted per FAA Advisory Circular AC 70/7460-1J, 'Obstruction Marking and Lighting. CHAPTERS: []-3 🕅 -4 []-5 K]-6 []-7 []-8 []-9 []-10 []-11 []-12 K]-13. Medium intensity white lights.

Supplemental notice is required waxx esstation average and the second state of the sec

This determination expires on 05/19/99 unless application is made, (if subject to the licensing authority of the Federal Communications Commission), to the FCC before that date, or it is otherwise extended, revised or terminated.

If the structure is subject to the licensing authority of the FCC, a copy of this acknowledgement will be sent to that agency.

NOTICE IS REQUIRED ANYTIME THE PROJECT IS ABANDONED OR THE PROPOSAL IS MODIFIED

SIGNED MAN 7. Mc Burney Specialist, Airspace Branch. 2. Mc Burney (404) 305-35838. 5583 Mat ISSUED IN: College Park, Georgia ON 11/17/98

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IN THE MATTER OF THE APPLICATION OF MOUNTAINEER CELLULAR LIMITED LIABILITY COMPANY FOR THE ISSUANCE OF A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO CONSTRUST A TOWER

SEQ

ENTRY

DATE	REMARKS
03/12/19	WILLIAM GRIGSBY MOUNTAINEER CELLULAR-NOTICE OF INTENT TO FILE
04/05/99	Application.
04/06/99	Acknowledgement letter.
04/12/99	No def. letter
06/09/99	Final Order granting certificate of public convenience and necessity entered.
	03/12/19 04/05/99 04/06/99 04/12/99



COMMONWEALTH OF KENTUCKY **PUBLIC SERVICE COMMISSION** 730 SCHENKEL LANE POST OFFICE BOX 615 FRANKFORT, KY. 40602 (502) 564-3940

#### CERTIFICATE OF SERVICE

RE: Case No. 99-080 MOUNTAINEER CELLULAR L.L.C. DBA KENTUCKY CELLULAR

I, Stephanie Bell, Secretary of the Public Service Commission, hereby certify that the enclosed attested copy of the Commission's Order in the above case was served upon the following by U.S. Mail on June 9, 1999.

Parties of Record:

William K. Grigsby Mountaineer Cellular General Partnership P. O. Box 1148 Hindman, KY. 41822

'lenhar Ju

Secretary of the Commission

SB/sh Enclosure

#### COMMONWEALTH OF KENTUCKY

#### BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

THE APPLICATION OF MOUNTAINEER CELLULAR LIMITED LIABILITY COMPANY FOR THE ISSUANCE OF A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO CONSTRUCT A TOWER

) CASE NO. ) 99-080

#### <u>ORDER</u>

On April 5, 1999, Mountaineer Cellular Limited Liability Company ("Mountaineer Cellular") filed an application seeking a Certificate of Public Convenience and Necessity to build and operate a cellular radio telecommunications system for Rural Service Area No. 10 ("RSA No. 10"). RSA No. 10 includes Breathitt, Estill, Jackson, Knott, Lee, Letcher, Owsley, Perry, Powell, and Wolfe counties. Mountaineer Cellular has requested authorization to construct a cell site in Breathitt County. Mountaineer Cellular was previously granted authority to operate a cellular radio telecommunications system in RSA No. 10 in Case No. 91-002.<sup>1</sup>

The proposed cell site consists of a 300-foot or less self-supporting antenna tower to be located 2.1 miles northwest of the intersection of Kentucky Highway 15 and 205

<sup>&</sup>lt;sup>1</sup> Case No. 91-002, The Application of Mountaineer Cellular General Partnership for the Issuance of Certificate of Public Convenience and Necessity to Provide Domestic Public Cellular Radio Telecommunications Service to the Public and for Establishment of Initial Rates.

North in Breathitt County, Kentucky ("the Bethany cell site"). The coordinates for the Bethany cell site are North Latitude 37° 39' 03" by West Longitude 83° 26' 20.6".

Mountaineer Cellular has provided information regarding the structure of the tower, safety measures, and antenna design criteria for the Bethany cell site. Based upon the application, the design of the tower and foundation conforms to applicable nationally recognized building standards, and a Registered Professional Engineer has certified the plans.

Because the affected area is not within the jurisdiction of a Planning Commission, pursuant to 807 KAR 5:063, Section 1, Mountaineer Cellular notified the Breathitt County Judge/Executive of the pending construction. Mountaineer Cellular has filed applications with the Federal Aviation Administration ("FAA") and the Kentucky Airport Zoning Commission ("KAZC") seeking approval for the construction and operation of the Bethany cell site. Both applications are pending.

Mountaineer Cellular has filed notices verifying that each person who owns property within 500 feet of the Bethany cell site has been notified of the pending construction. The notice solicited any comments and informed the property owners of their right to intervene. In addition, notices were published in a newspaper of general circulation in Breathitt County and were posted in a visible location on the proposed site and on the nearest public road. The posted notices remained posted for at least two weeks after Mountaineer Cellular's application was filed. To date, no intervention requests have been received.

Pursuant to KRS 278.280, the Commission is required to determine proper practices to be observed when it finds, upon complaint or on its own motion, that the

-2-

facilities of any utility subject to its jurisdiction are unreasonable, unsafe, improper, or insufficient. To assist the Commission in its efforts to comply with this mandate, Mountaineer Cellular should notify the Commission if it does not use this antenna tower to provide cellular radio telecommunications services in the manner set out in its application and this Order. Upon receipt of such notice, the Commission may, on its own motion, institute proceedings to consider the proper practices, including removal of the unused antenna tower, which should be observed by Mountaineer Cellular.

The Commission, having considered the evidence of record and being otherwise sufficiently advised, finds that Mountaineer Cellular should be granted a Certificate of Public Convenience and Necessity to construct and operate the Bethany cell site in RSA No. 10 under its previously approved tariff.

IT IS THEREFORE ORDERED that:

1. Mountaineer Cellular is granted a Certificate of Public Convenience and Necessity to construct and operate the Bethany cell site.

2. Mountaineer Cellular shall file a copy of the final decisions regarding the pending FAA and KAZC applications for this cell site construction within 10 days of receiving these decisions.

3. Mountaineer Cellular shall immediately notify the Commission in writing, if, after the antenna tower is built and utility service is commenced, the tower is not used for a period of 3 months in the manner authorized by this Order.

-3-

Done at Frankfort, Kentucky, this 9th day of June, 1999.

By the Commission

ATTEST:

•

...

Exec tive Director



COMMONWEALTH OF KENTUCKY **PUBLIC SERVICE COMMISSION** 730 SCHENKEL LANE POST OFFICE BOX 615 FRANKFORT, KY. 40602 (502) 564-3940

April 12, 1999

William K. Grigsby Mountaineer Cellular General Partnership P. O. Box 1148 Hindman, KY. 41822

RE: Case No. 99-080 MOUNTAINEER CELLULAR L.L.C. DBA KENTUCKY CELLULAR

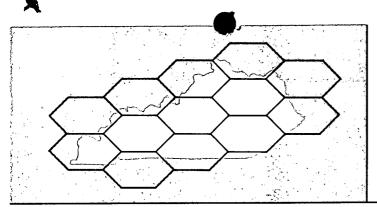
The Commission staff has reviewed your application in the above case and finds that it meets the minimum filing requirements. Enclosed please find a stamped filed copy of the first page of your filing. This case has been docketed and will be processed as expeditiously as possible.

If you need further assistance, please contact my staff at 502/564-3940.

Sincerely,

Stephanie Bell Secretary of the Commission

SB/sa Enclosure





# Mountaineer Cellular General Partnership

P. O. Box 1148 ● Hindman, Kentucky 41822 Phone: (606) 785-9550

# FILED

APR 0 5 1999 PUBLIC SERVICE COMMISSION



Dolson Eng

April 2, 1999

Ms. Helen Helton Executive Director Kentucky Public Service Commission P.O. Box 615 Frankfort, KY 40602

RE: Application for the Issuance of a Certificate of Public Convenience and Necessity to construct a tower. Case No. 99-080

Dear Ms. Helton:

Enclosed are the original and 5 copies of the Application for the Issuance of a Certificate of Public Convenience and Necessity to construct a tower at Bethany, KY. Case No. 99-080

If you have any questions please call at (606) 785-9550.

Sincerely, William & Griggs

William K. Grigsby

WKG/lw

Enclosures



COMMONWEALTH OF KENTUCKY **PUBLIC SERVICE COMMISSION** 730 SCHENKEL LANE POST OFFICE BOX 615 FRANKFORT, KY. 40602 (502) 564-3940

April 6, 1999

William K. Grigsby Mountaineer Cellular General Partnership P. O. Box 1148 Hindman, KY. 41822

RE: Case No. 99-080 MOUNTAINEER CELLULAR L.L.C. DBA KENTUCKY CELLULAR (Construct) CELL SITE - 10024 KY HWY 15 NORTH - BREATHITT

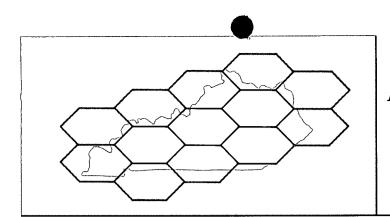
This letter is to acknowledge receipt of initial application in the above case. The application was date-stamped received April 5, 1999 and has been assigned Case No. 99-080. In all future correspondence or filings in connection with this case, please reference the above case number.

If you need further assistance, please contact my staff at 502/564-3940.

Sincerely, Stephend BW

Stephanie Bell Secretary of the Commission

SB/jc





# General Partnership

P. O. Box 1148 • Hindman, Kentucky 41822 Phone: (606) 785-9550

# FILED

APR 0 5 1999 PUBLIC SERVICE COMMISSION



Dolson Eng

April 2, 1999

Ms. Helen Helton Executive Director Kentucky Public Service Commission P.O. Box 615 Frankfort, KY 40602

RE: Application for the Issuance of a Certificate of Public Convenience and Necessity to construct a tower. Case No. 99-080

Dear Ms. Helton:

Enclosed are the original and 5 copies of the Application for the Issuance of a Certificate of Public Convenience and Necessity to construct a tower at Bethany, KY. Case No. 99-080

If you have any questions please call at (606) 785-9550.

Sincerely,

William & Grige

William K. Grigsby

WKG/lw

Enclosures

#### COMMONWEALTH OF KENTUCKY BEFORE THE PUBLIC SERVICE COMMISSION

In the matter of:



THE APPLICATION OF MOUNTAINEER CELLULAR ) LIMITED LIABILITY COMPANY FOR THE ISSUANCE) OF A CERTIFICATE OF PUBLIC CONVENIENCE AND) CASE NO 99-080 NECESSITY TO CONSTRUCT A TOWER )

In case number 91-002 Mountaineer Cellular Limited Liability Company was granted a Certificate of Public Convenience and Necessity by the Kentucky Public Service Commission to construct and operate a cellular radio telecommunications system for RSA 10.

In an effort to improve service in Wolfe and Breathitt Counties, Mountaineer Cellular Limited Liability Company Pursuant to KRS 278.020 Subsection 1 and 807 KAR 5:001 Section 9 is seeking the Commission's approval to construct a tower near Bethany, Kentucky. The proposed tower will be a 300foot self-supporting tower located 2.1 miles Northwest of the intersection of KY Highway 15 and 205 North in Breathitt County. The proposed tower site is located at 10024, KY Highway 15 North. A map showing the exact location is enclosed as Exhibit A. Detailed directions to the site are enclosed as Exhibit B.

Mountaineer Cellular's Limited Liability Company Agreement was previously filed with the Commission as Exhibit P in Case 99-064.

FAA and Kentucky Airport Zoning Commission approvals have been applied for but are still pending. Final approvals will be submitted to the commission at a later date. These applications are enclosed as Exhibit C.

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.

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 D.

A copy of the tower design information is enclosed as Exhibit E. The proposed tower has been designed by engineers at Universal Tower Inc. of Henderson, KY. and will be constructed under their supervision. Their qualifications are evidenced in Exhibit E by the seal and signature of the registered professional engineer responsible for this project.

The tower will be erected by A&D Communication of Cattlesburg, Kentucky. A&D has vast experience in the erection of communications towers.

As shown in Exhibit E our tower is designed to withstand 70 mile per hour winds and ½ inch radial ice.

Enclosed, as Exhibit F is a survey of the proposed tower site signed by a Kentucky registered professional engineer. There is one structure within 500 feet of the proposed tower as indicated in Exhibit F. The structure belongs to Morgan County Industries and is being built to house an FM Radio Transmitter. Exhibit G is a list of all property owners within 500' of the proposed tower.

Exhibit H is a vertical tower sketch showing the overall height of the proposed tower and the placement of all antennas. This information is also contained in the sealed drawings in Exhibit E.

All affected property owners were notified by certified mail of Mountaineer Cellular's proposal and informed of their right to intervene. They were given the docket number under which this application is filed. Enclosed, as Exhibit I is a copy of that notification.

Breathitt Co. has no formal local planning unit. In absence of this unit the Breathitt County Judge Executive's office was notified of Mountaineer Cellular 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 as Exhibit J is a copy of that notification.

Exhibit K shows the annual costs of operating the proposed tower.

A sign 24"X48" which conforms with the Public Service Commissions guidelines issued on September 3, 1997, was posted on the site on March 17, 1999 and will remain posted for at least two weeks after filing of this application as specified by the PSC guidelines. A second such sign was posted at the nearest public road, KY 15, and will remain posted two weeks after this filing.

Enclosed, as Exhibit L is a copy of Mountaineer Cellular's deeds to the site.

Notice of the location of the proposed construction was published on April 1, 1999 in "The Jackson Times." The Jackson Times is the newspaper with the largest circulation in Breathitt County. Exhibit N is a copy of that notice.

The proposed construction site is on a very rugged mountaintop some 1500 feet from the nearest home. 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. Mountaineer Cellular's operation will not effect 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 as Exhibit M. No other tower capable of supporting Mountaineer Cellular's load exists in the general area, therefore, there is no opportunity for co-location of our facilities with anyone else.

#### BETHANY

#### SCHEDULE OF EXHIBITS

- EXHIBIT A LOCATION MAP
- EXHIBIT B DETAILED DIRECTIONS
- EXHIBIT C KENTUCKY AIRPORT ZONING COMMISSION FAA APPLICATIONS FOR APPROVAL
- EXHIBIT D GEOTECHNICAL REPORT
- EXHIBIT E TOWER DESIGN
- EXHIBIT F SURVEY MAP/SITE DEVELOPMENT PLAN
- EXHIBIT G LIST OF PROPERTY OWNERS
- EXHIBIT H VERTICAL TOWER SKETCH
- EXHIBIT I PROPERTY OWNERS NOTIFICATION
- EXHIBIT J BREATHITT COUNTY JUDGE EXECUTIVE NOTIFICATION
- EXHIBIT K FINANCIAL DATA
- EXHIBIT L DEED
- EXHIBIT M SEARCH AREA MAP
- EXHIBIT N PUBLIC NOTICE

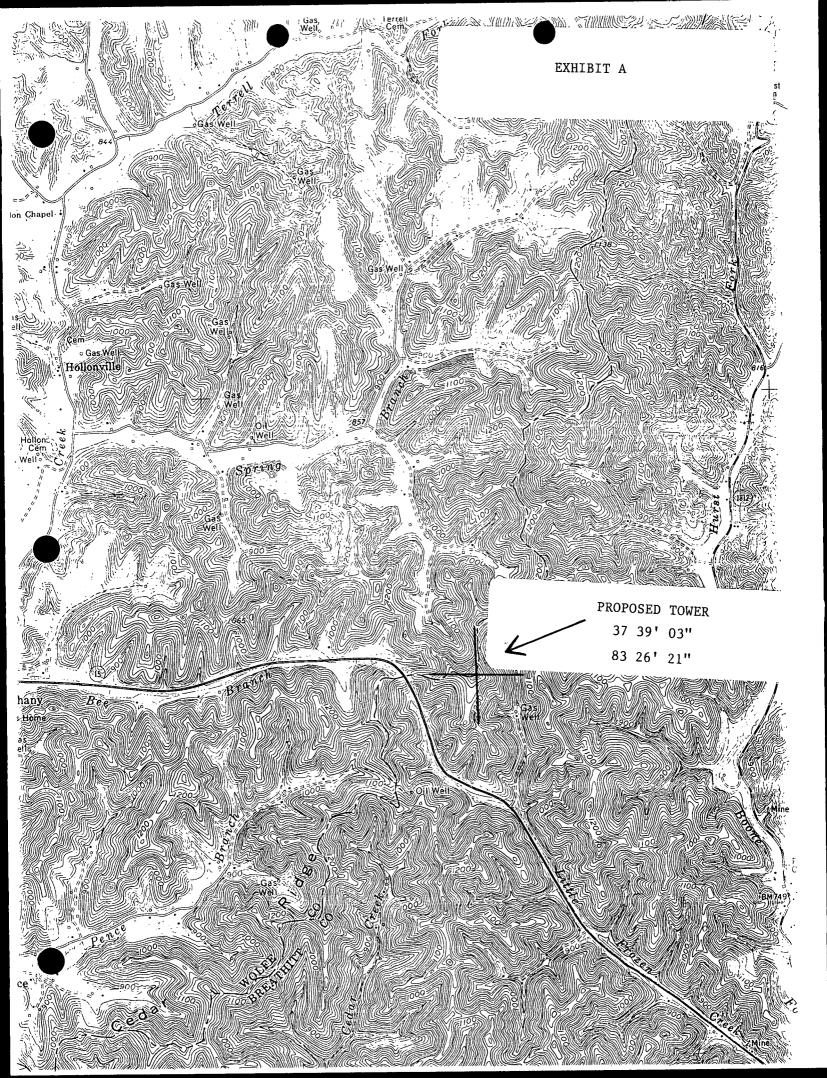


EXHIBIT B

#### DIRECTIONS TO PROPOSED TOWER NEAR BETHANY, KY

From Jackson take Ky 15 North 9.8 miles. Just 1000 ft. short of the county line, turn right on the gravel road. Go through the gate and follow the gravel road  $\frac{1}{2}$  mile as it meanders to the tower site.

Directions prepared by Bill Grigsby 606-785-9550

EXHIBIT C

#### LUKAS, NACE, GUTIERREZ & SACHS

CHARTERED 1111 NINETEENTH STREET, N.W. SUITE 1200 WASHINGTON, D.C. 20036 (202) 857-3500

November 3, 1998

CONSULTING ENGINEERS THOMAS G. ADCOCK, P.E. MEHRAN NAZARI ALI KUZEHKANANI LEROY A. ADAM LEILA REZANAVAZ

> OF COUNSEL JOHN J. MCAVOY J.K. HAGE III+

TELECOPIER (202) 842-4485

Email: Ings@fcclaw.com http://www.fcclaw.com

WRITER'S DIRECT DIAL

(202) 828-9489 TELECOPIER (202) 828-8405

Federal Aviation Administration Southern Regional Office Air Traffic Division ASO-530 P. O. Box 20636 Atlanta, Georgia 30320

Attn: Ms. Jill Robertson

Dear Jill:

RUSSELL D. LUKAS

THOMAS GUTIERREZ

ELIZABETH R. SACHS

GEORGE L. LYON, JR. JOEL R. KASWELL

DAVID L. NACE

PAMELA L. GIST

DAVID A. LAFURIA

J. JUSTIN McCLURE MARILYN SUCHECKI MENSE

PAMELA GAARY HOLRAN B. LYNN F. RATNAVALE

**ELIZABETH H. CRONISE\*** 

**\*ADMITTED ONLY IN VIRGINIA** 

+ NOT ADMITTED IN D.C.

Enclosed please find one FAA Form 7460-1 (Notice of Proposed Construction) for a 300-foot tower structure with a 20-foot top mounted cellular antenna proposed near Bethany, Kentucky. The site is located 1.85 miles east of Bethany.

The proponent, Mountaineer Cellular, LLC, is the licensee for cellular Block B service in Kentucky RSA 10-Powell. The transmitting system proposed at this site is Cellular Band B (880-890 MHz) at a maximum ERP not to exceed 500 Watts.

The transmitting system proposed for this site will be installed and maintained such that transmitter spurious radiation in the frequency range of 118 MHz to 137 MHz shall be attenuated at least 71 dB below the unmodulated carrier level.

Geographic coordinates are based on 1927 North American Datum.

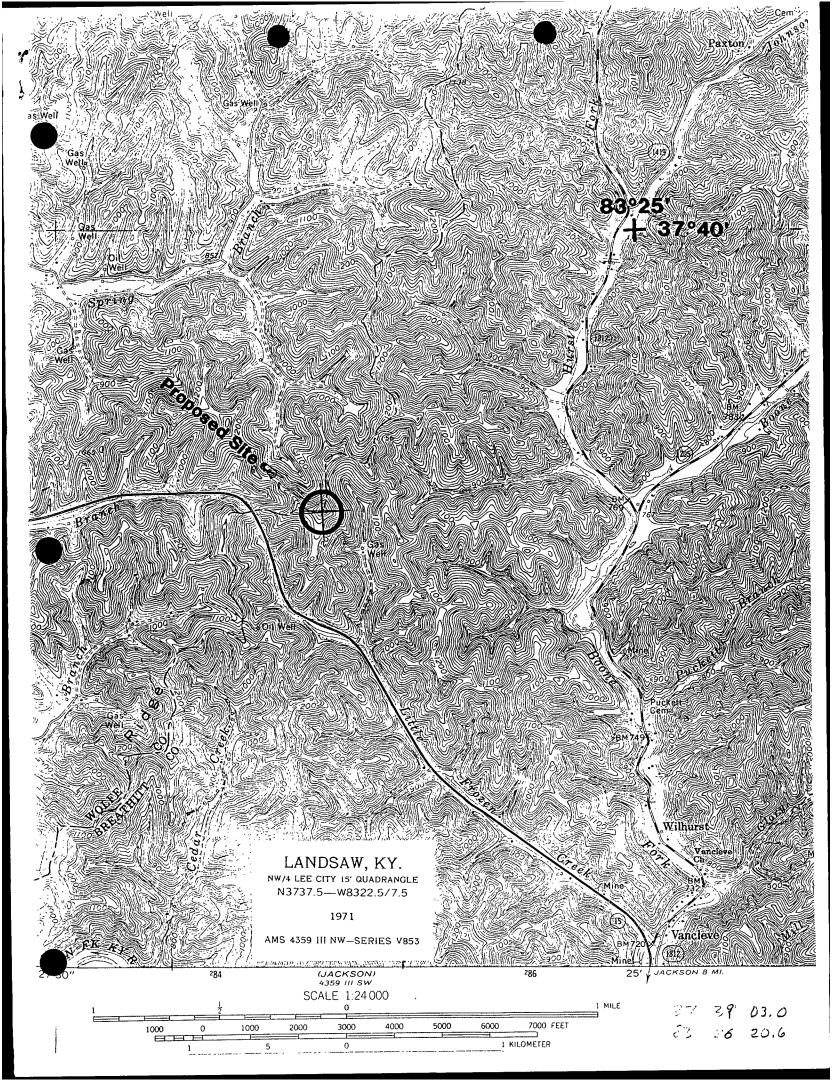
Should you have any questions or require additional information, please do not hesitate to call the undersigned at the above-identified telephone number.

Sincerely,

Consulting Engineer

Enclosure

Please Type or Print on This Form	n 👝			F	Form Approved OMB	NO. 2120-00
0	Notice of Propose	d Construction or A	Iteratio	A A	eronautical Study Nur	nber
U.S. Department of Transportation Failure		Information May Delay Proce				
Federal Aviation Administration						1.110
1. Nature of Proposal					cription of Struction or a	
. Type B. Class		C. Work Schedule Dates Beginning 3/15/99			ig transmitting stations	
X New Construction		2/20/00	effecti	ive radiated pow	er (ERP) and assigned	d frequency.
	(Duration months)	End <u>3/30/99</u>	not kn	iown, give frequ	ency band and maxim	um ERP.
* If Alteration, provide previous FAA Aeronautical			B. For pr	oposals involvir	ng overhead wire, trans	smission line
A. Name, address, and telephone number of construction or alteration. (Number, Street	individual, company corpora at City State and Zin Code)	ation, etc. proposing the		supporting struct	and the configuration o	r the wires a
Mountaineer Cellular, LL			1	•••	site orientation, dimer	isions, and
c/o Lukas, Nace, Gutierr		A		ruction material		
1111 19th Street, NW, Su	•		D. Optic	nal- Describe	the type of obstruction	marking ar
Washington, DC 20036					d. The FAA will consid	ler this in th
	<sup>r</sup> 857–3500		study.			
B. Name, address and telephone number of	f proponent's representative	, if different than 3A, above.	1			
LeRoy A. (Art) Adam	, p. opo	,	1			
Lukas, Nace, Gutierrez &	Sachs, Chtd.					
1111 19th Street, N.W.,	Suite 1200					
Washington, DC 20036						
(202) 828–9489			ļ			
Area Code Telephone Numb	er			C Usinh	Land Elevation	
4. Location Of Structure	No. No	C. Nearest public or military air.			t and Elevation ground above mean	(to nearest too
A. Coordinates ( to hundredths of seconds, if known) [] atitude 0 / //	<ol> <li>Nearest City or Town and State</li> </ol>	heliport, flightpark, or seapla		sea level.	ground above mean	
	Bethany, KY	Julian Carroll (,	IKL)			1400'
	1). Distance to 4B	(1). Distance from structure to r		-	ucture including all	
		point of nearest runway		appurtenanc ground or w	es and lighting above ater.	
83 26 20 6 4D. Source for item 4A data.	1.85 mi.	7.8 mi.				320'
- USGS 7.5' - Other	2). Direction to 4B	(2). Direction from structure to a	airport	C. Overall heig	ht above mean sea level	
Quad Chart Survey Specify						l
	West	N120.6°E		<b></b>	· · · · · · · · · · · · · · · · · · ·	1720'
Indicate the reference datum.	4E. Description of site loc	cation with respect to high tc. Please attach a U.S. Geol	ways, stre	et, airports, pi	ominent terrain, fea	tures,
X NAD 27 NAD 83 Specify	site. If available, attach	a copy of a documented site	survey with	the surveyor's	certification.	00134 00407
Notice is required by Part 77 of the Federal Aviation F knowingly and willfully violate the Notice requirements	s of Dort 77 are cubiect to a civil r	<u></u>	ntice is receiv	ed nursuant to se	chon su nai or ne regerar	AVIAUDIT ACLO
1958, as amended (49 U.S.C. app § 1471(a)) as well a	as the fine (criminal penalty) of no	at more than \$500 for the first offension	e and not mor	re than \$2,000 for s	ubsequent offenses, pursu	ant to Section
902(a) of the Federal Aviation Act of 1958, as amende			nd corros	to the bact	of my knowledge	n addition
I HEREBY CERTIFY that all of the abo agree to obstruction mark and/or ligh	t the structure in accor	dance with established m	harking &	lighting stand	lards as necessary	
-	Name and Title of Person Filing No		Signature		1 1	V
11/03/98 LeRoy A.	. Adam, Consulti	ng Engineer	1 h	Man	4. Adam	
FOR FAA USE ONLY		FAA will c		and a subscription of the subscription of	sue a separate ackno	vledgement
The Proposal	Suppleme	ntal Notice of Construction, FAA Fo	m 7460-2,1s	required any time th	project is abandoned, pr	
Does not require a notice to FAA	a shared at a start strategy of the start of	At least 48 hours before the start of cor				
Is not identified as an obstruction under any stand Subpart C, and would not be a hazard to air navig	All A CARGE STANDARD STATES STATES AND A STA	Within five days after the construction r	eaches its gre	atèst neight		
		determination expires on	susing office:	all states		
Is identified as an obstruction under the standards Subpart C, but would not be a hazard to air naviga	of FAH, Pan / I.	e construction is subject to the licensit	g authority of I	the Federal Communication of the above expire	han riate, in such cases ine c	elemination.
	2 FEB 10 STORES	xpires on the date prescribed by the FI	C for complet	ion of construction, o	or on the date the FUU denie	s me applicatio
Advisori Circular 70/7460-1, Chapters	THE SALE WAR ALL WAR ALL AND AL	quest for extension of the effective per days prior to the expiration date.	od of this dete	mination must be p	ostmarked or delivered to the	Issuing office
<ul> <li>Distruction marking and lighting are not necessarily</li> </ul>	Y	time is subject to the licensing authority	of the ECC .	copy of this datern	nation will be sent to that agi	ncy A.
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LUKAS, NACE, GUTIERREZ & SACHS

CHARTERED 1111 NINETEENTH STREET, N.W. **SUITE 1200** WASHINGTON, D.C. 20036 (202) 857-3500

November 3, 1998

CONSULTING ENGINEERS THOMAS G. ADCOCK, P.E. MEHRAN NAZARI ALI KUZEHKANANI LEROY A. ADAM LEILA REZANAVAZ

> OF COUNSEL JOHN J. MCAVOY J.K. HAGE III+

TELECOPIER (202) 842-4485

Email: Ings@fcclaw.com http://www.fcclaw.com

WRITER'S DIRECT DIAL

(202) 828-9489 TELECOPIER (202) 828-8405

#### VIA FEDERAL EXPRESS

Mr. Ronald J. Bland, Administrator Kentucky Airport Zoning Commission 421 Ann Street Frankfort, KY 40622

**RE:** Antenna Tower Construction Permit

Dear Mr. Bland:

Forwarded herewith in duplicate is a Form TC 56-50, "Application for Permit to Construct or Alter a Structure" for a communications tower near Bethany (Wolf), Kentucky.

I believe the application together with its appendices is self-explanatory. However, should you have questions or need additional information please do not hesitate to call me at the telephone number identified above.

Thank you for your assistance.

Sincerely,

dam Art) Adam

Consulting Engineer

LAA\678S26.N03





RUSSELL D. LUKAS

THOMAS GUTIERREZ

FLIZABETH R. SACHS

GEORGE L. LYON, JR.

JOEL R. KASWELL

DAVID A. LAFURIA

J. JUSTIN McCLURE MARILYN SUCHECKI MENSE

PAMELA GAARY HOLRAN

**B. LYNN F. RATNAVALE** 

\*ADMITTED ONLY IN VIRGINIA

+ NOT ADMITTED IN D.C.

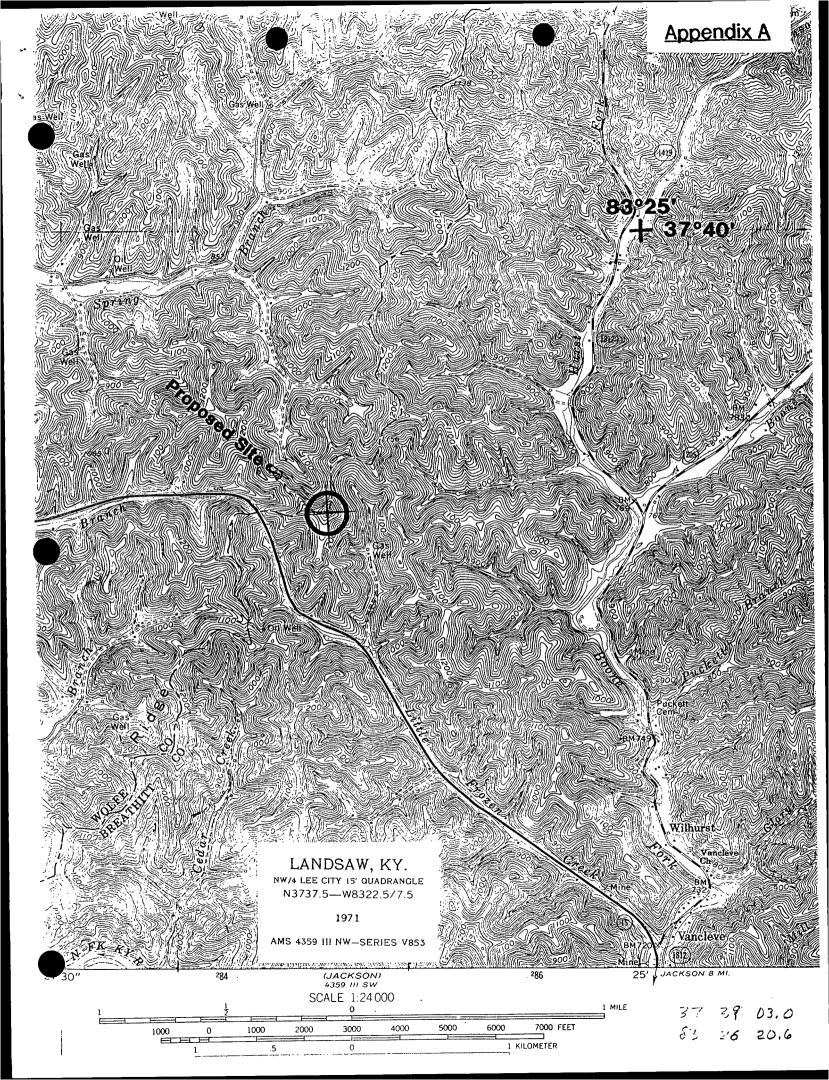
ELIZABETH H. CRONISE\*

PAMELA L. GIST

DAVID L. NACE

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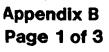
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KENTUCKY TRANSPORTATION CABINET			DO NOT FILL IN		
OFFICE OF AERONAUTICS		NAUTICAL STUDY NO	)		
421 ANN STREET FRANKFORT, KENTUCKY 40622	APPLIC	CANT - NAME & ADD	RESS		
Application for	1	ntaineer Cell			
Permit to Construct		Lukas, Nace, 1 19th Street			5
	1	hington, DC		le 1200	
Alter a Structure		0		TELEPHONE	NO
-Instructions on Reverse Side of Form-			( 202	) 828-948	19
TYPE OF S	STRUC	TURE			
1. CHECK ONE	T	2. CHECK ONE			
New Construction     D Alteration		X Permanent	t	C Temporary	
3 NATURE AND COMPLETE DESCRIPTION OF STRUCTURE			h of time	months.	
<ul> <li>500 Watts. The proposed antenna structu with a 20' top-mounted cellular antenna</li> <li>4. County in which construction will take place Wolfe (on</li> </ul>	system			_	
LOCATION OF STRU	CTURE	-submit a map-			
5. COORDINATES (To nearest second) 6. NEAREST CITY (		. & STATE			
LATITUDE LONGITUDE Bethany,					
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7. NAME OF NEAREST PUBLIC AIRPORT WITHIN KY, BOUNDARIES		8. DISTANCE & DIRE POINT OF NEARES		REST	
Julian Carroll (JKL)		7.8 miles		6° E	
9. HEIGHT & ELEVATION (Complete A,B & C to nearest foot)				VORK SCHEDU	LE DATES
A. ELEVATION OF SITE ABOVE MEAN SEA LEVEL		1400	<b>A</b> .	WILL START	
B. HEIGHT OF STRUCTURE INCLUDING APPURTENANCES & LIGHTING(if any) ABOVE GROUND, OR WATER IF SO SITUATED		320		3/15/99	
C. OVERALL HEIGHT ABOVE MEAN SEA LEVEL (A + B)		B. WILL COMPLETE 1720 3/30/99			-
D. IF APPLICATION IS FOR CONSTRUCTION/ALTERATION OF AN OVERHE 1000 FEET OR MORE, See Appendix E	AD TRANS		TIC WIRE WITH SI		
11. CHECK IF COMPLETED STRUCTURE WILL BE		<u></u>		YES	NO
A. MARKED FOR THE PROTECTION OF AIR NAVIGATION					+
8. PAINTED AS SPECIFIED IN THE REGULATIONS OF THE COMMISSION RI	ELATED TO	OBSTRUCTION MARKI	NG	X	
C. LIGHTED AS SPECIFIED IN THE REGULATIONS OF THE COMMISSION RE				X	<u> </u>
12. HAS "NOTICE OF CONSTRUCTION OR ALTERATION" (Form 7460-				MINISTRATION	<u>l</u>
FOR AIRSPACE CLEARANCE? IF SO, WHEN FILED? Yes; 1					
13. CERTIFICATION - I Hereby Certify that all the above statements minimum for my knowledge and brief. By LeRoy A. (Art) Adam, Consulting En Signature & Title of Individual Authorized to Mat	gineer		and correct to th Date11		_
PENALTY - See Reverse	e Side of t	his Form			
	N, KAZC		STRATOR, KAZ	c	
APPROVED					



RUSSELL D. LUKAS DAVID L. NACE THOMAS GUTIERREZ ELIZABETH R. SACHS GEORGE L. LYON, JR. JOEL R. KASWELL PAMELA L. GIST DAVID A. LAFURIA J. JUSTIN McCLURE MARILYN SUCHECKI MENSE PAMELA GAARY HOLRAN B. LYNN F. RATNAVALE ELIZABETH H. CRONISE\* \* NOT ADMITTED IN D.C. \*ADMITTED ONLY IN VIRGINIA LUKAS, NACE, GUTIERREZ & SACHS

CHARTERED 1111 NINETEENTH STREET, N.W. SUITE 1200 WASHINGTON, D.C. 20036 (202) 857-3500

November 3, 1998



CONSULTING ENGINEERS THOMAS G. ADCOCK, P.E. MEHRAN NAZARI ALI KUZEHKANANI LEROY A. ADAM LEILA REZANAVAZ

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WRITER'S DIRECT DIAL

(202) 828-9489 TELECOPIER (202) 828-8405

Federal Aviation Administration Southern Regional Office Air Traffic Division ASO-530 P. O. Box 20636 Atlanta, Georgia 30320

Attn: Ms. Jill Robertson

Dear Jill:

Enclosed please find one FAA Form 7460-1 (Notice of Proposed Construction) for a 300-foot tower structure with a 20-foot top mounted cellular antenna proposed near Bethany, Kentucky. The site is located 1.85 miles east of Bethany.

The proponent, Mountaineer Cellular, LLC, is the licensee for cellular Block B service in Kentucky RSA 10-Powell. The transmitting system proposed at this site is Cellular Band B (880-890 MHz) at a maximum ERP not to exceed 500 Watts.

The transmitting system proposed for this site will be installed and maintained such that transmitter spurious radiation in the frequency range of 118 MHz to 137 MHz shall be attenuated at least 71 dB below the unmodulated carrier level.

Geographic coordinates are based on 1927 North American Datum.

Should you have any questions or require additional information, please do not hesitate to call the undersigned at the above-identified telephone number.

Sincerely,

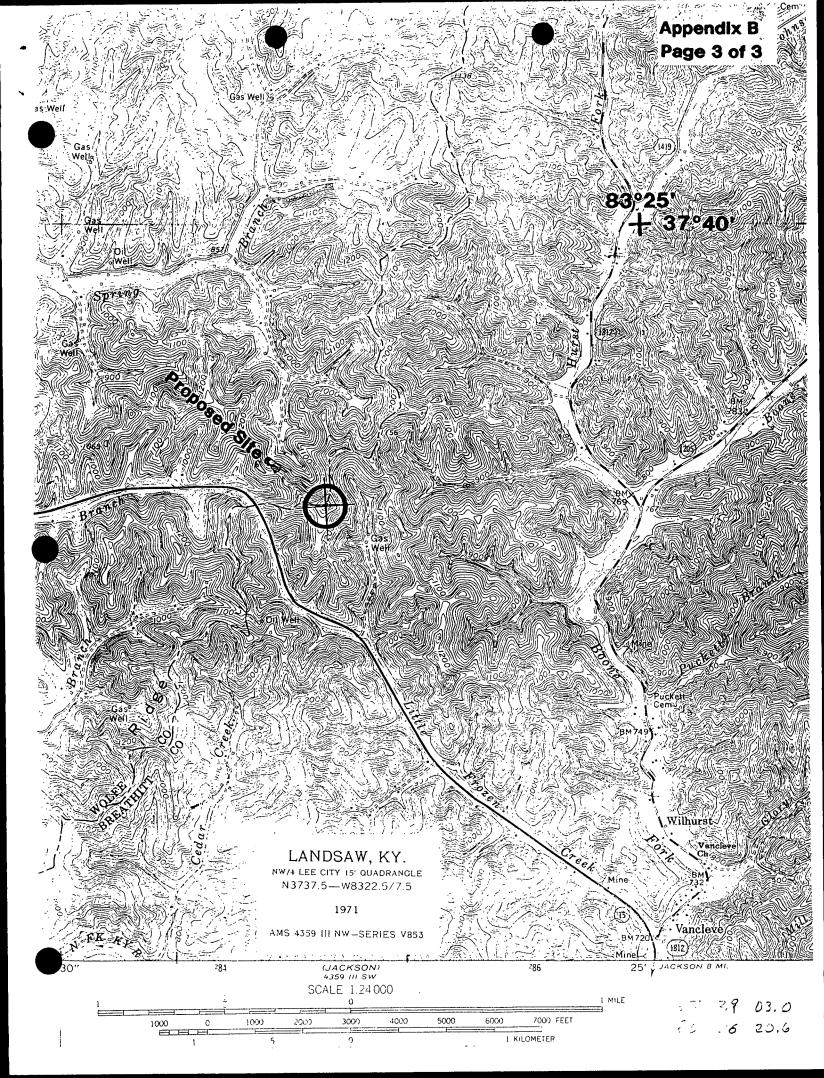
(Art) Adam

Consulting Engineer

Enclosure 678526 Robinson N03

Foi Appendix B 20-0001 Please Type or Print on This Form Aerc Page 2 of 3 Notice of Proposed Construction or Alteration Failure To Provide All Requested Information May Delay Processing Of Your Notice U.S. Department of Transportation **Federal Aviation Administration** 2. Complete Description of Structure 1. Nature of Proposal Please describe the proposed construction or alteration. A. Type B. Class C. Work Schedule Dates Beginning 3/15/99 X Permanent A. For proposals involving transmitting stations, include X New Construction effective radiated power (ERP) and assigned frequency. If 3/30/99 Alteration \* End Temporary (Duration \_\_\_\_ \_ months not known, give frequency band and maximum ERP. \* If Alteration, provide previous FAA Aeronautical Study Number, if available B. For proposals involving overhead wire, transmission lines, 3A. Name, address, and telephone number of individual, company corporation, etc. proposing the etc., include the size and the configuration of the wires and construction or alteration. (Number, Street, City, State, and Zip Code) their supporting structures. Mountaineer Cellular, LLC C. For buildings, include site orientation, dimensions, and construction materials. c/o Lukas, Nace, Gutierrez & Sachs, Chtd. D. Optional- Describe the type of obstruction marking and 1111 19th Street, NW, Suite 1200 lighting system desired. The FAA will consider this in their Washington, DC 20036 study. Area Code 202 Telephone Number 857-3500 3B. Name, address and telephone number of proponent's representative, if different than 3A. above. LeRoy A. (Art) Adam Lukas, Nace, Gutierrez & Sachs, Chtd. 1111 19th Street, N.W., Suite 1200 Washington, DC 20036 202 828-9489 Area Code Telephone Number Height and Elevation (to nearest foot) 4. Location Of Structure A. Coordinates ( to hundredths of seconds, if known) A. Elevation of ground above mean B. Nearest City or Town C. Nearest public or military airport, heliport, flightpark, or seaplane base sea level and State 11 Latitude 0 <u>1400'</u> Bethany, KY <u> Julian Carroll (JKL)</u> 37 39 03.0 (1). Distance to 4B (1). Distance from structure to nearest B. Height of structure including all 11 Longitude 0 point of nearest runway appurtenances and lighting above ground or water. 26 20-6 83 320' 1.85 mi. 7.8 mi. 4D. Source for item 4A data (2). Direction from structure to airport (2). Direction to 4B C. Overall height above mean sea level USGS 7.5' Other X Quad Chart Survey Specify N120.6°E 1720' West Indicate the reference datum 4E. Description of site location with respect to highways, street, airports, prominent terrain, features, Other existing structures, etc. Please attach a U.S. Geological Survey Map (or equivalent) showing the construction NAD 83 Specify X NAD 27 site. If available, attach a copy of a documented site survey with the surveyor's certification. Notice is required by Part 77 of the Federal Aviation Regulations (14 C.F.R. Part 77) pursuant to Section 1101 of the Federal Aviation Act of 1958, as amended (49 U.S.C. app. § 1501). Persons who knowingly and willfully violate the Notice requirements of Part 77 are subject to a civil penalty of \$1,000 per day until the notice is received, pursuant to Section 901(a) of the Federal Aviation Act of 1958, as amended (49 U.S.C. app § 1471(a)) as well as the fine (criminal penalty) of not more than \$500 for the first offense and not more than \$2,000 for subsequent offenses, pursuant to Section 902(a) of the Federal Aviation Act of 1958, as amended (49 U.S.C. app § 1472(a)). HEREBY CERTIFY that all of the above statements made by me are true, complete, and correct to the best of my knowledge. In addition, I agree to obstruction mark and/or light the structure in accordance with established marking & lighting standards as necessary. Typed or Printed Name and Title of Person Filing Notice Signature Date LeRoy A. Adam, Consulting Engineer 11/03/98 FOR FAA USE ONLY The Proposal? ntal Notice of Construction, FAA Form 7460-2 is required any time the project is abandoned, or At least 48 hours before the start of cons Does not require a notice to FAA is not tremined as an obstruction under any standard of FAR Part 7 Subpart C, and would not be a hazard to all navigation Within the days after the construction reaches its greatest height lis not to This determination express on (a) indended, revised of terminated by the issueing affice! (b) the construction is subject to the locensing authority of the Federal Communications Commission (FCC) and an application for a construction permit is made to the FCC on or before the above expression of face. In such cases the determination to a construction permit is made to the FCC on or before the above expression of the case the determination to a construction permit is made to the FCC on or before the above expression of the date the FCC determination of construction, or on the date the FCC determination to a construction of the effect of the solution of construction, or on the date the FCC determination to a construction of the effect of the solution of the solution of the date the FCC determination to the solution of I demand as an obspuction under the standards of FAR, Past /7 Subpart C but would not be a hazard to all navigations Shuld be obstruction [12] marked [12] tighted per FA Advects Circula 70/2460 C Chapters Obstruction marking and fighting are not necessary Remande ongitude INAD 83 COORdinate atitude Date Signature Issued in

	_		_		_			_	 	
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Appendix C

#### MARKING AND LIGHTING

The proposed tower structure will be marked and lighted in accordance with applicable Commission regulations.

Mountaineer Cellular General Partnership, is the Band B licensee for cellular service in Kentucky Rural Service Area #10 ("KY-10 RSA"). The addition of a cellular base station for which the proposed tower is needed is a "permissive change" requiring only "notification" to the FCC rather than an "application for license." Therefore an application will not exist prior to construction of the cell; however, "notification" documentation similar to that included in an application will be prepared and can be made available at the time of filing with the FCC (i.e., the cellular base station activation date).

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

January 3, 1999

**Bethany Tower Site** 

#### <u>Purpose</u>

A site assessment was conducted for Kentucky Cellular on a tract of land located in Breathitt County near Bethany, 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 conducted on the property. A Caterpillar D5 dozer was used to determine the depth to bedrock.

The bedrock was exposed in the center of the property where the tower is to be located. It was approximately 0.5 feet to sandstone bedrock. (See attached page for descriptions of materials encountered.)

The terrain in Breathitt County is moderately to very steep. The tower site is located on a knob near the Breathitt - Wolfe county line. The sandstone formation below the site is approximately fifty to one hundred feet, based on the information obtained from the trenching and geological maps of the area.

#### **Conclusions**

The proposed tower site is located on a hill in the area. The sandstone bedrock on the proposed tower site is part of the Breathitt Formation, and is lower Pennsylvanian to upper Mississippian 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.

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

Nendell R. Hol atration for Wendell R. Holmes, P.G. BOar Beg alstered Professional

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

## **Geologist Log**

## **Location: Bethany Tower Site**

ί.

- 1

Unit Thickness	Total depth	Strata	Description
0.50'	0.50'	Sandy Loam	Brownish yellow, Sandy
10.00'	10.50'	Sandstone	Brown, weathered
40.00'	50.50'	Sandstone	Brown and Gray with Occasional Shale Streaks

### **\*\*** Specializing in Communications Structure Design **\*\***

CHI S. LEE, P.E.

5801 Lorraine Ave. Sioux City, IA 51106 FAX & Phone No. (712) 276-2142

February 17, 1999

Tom Kopshever Manager of Operations Universal Tower, Inc. P.O. Box 276 Henderson, KY 42420

Re: 300' Self-supporting Tower at Hindman, Knott County, KY for Kentucky Cellular, Inc. (CSL Job #1999J-35, data file winword\universal\99j35.doc)

Dear Mr. Kopshever:

This letter is to confirm that the 300' Self-Supporting Tower, which is located at Hindman, Knott County, KY and is manufactured by Universal Tower, Inc. of Henderson, KY, has been directly designed by me. The tower foundation has also been designed by me directly. Both the tower and foundation meet the requirements of EIA-222-F-1996 Standard at the required wind speed and antenna loading.

I am a duly Registered Professional Engineer under the laws of the State of Kentucky. My Kentucky P.E. Registration Number is 18714.

If you have any questions, please feel free to contact me.

Sincerely,

the S Dec

Chi S. Lee, P.E. Kentucky Reg. No. 18714

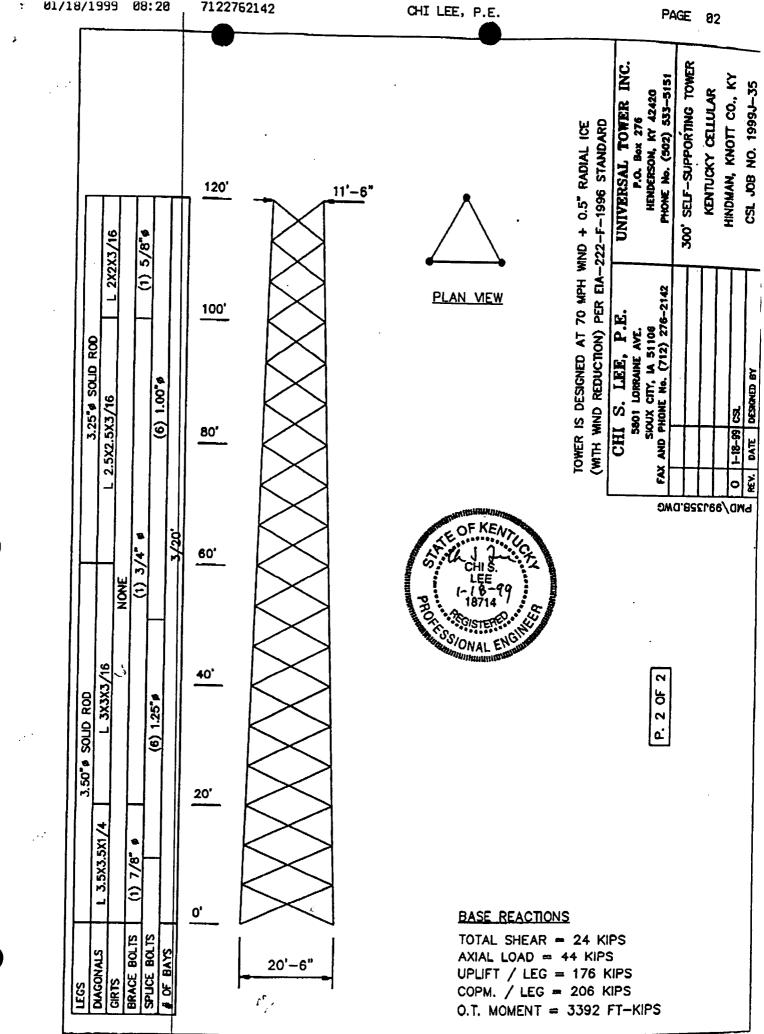


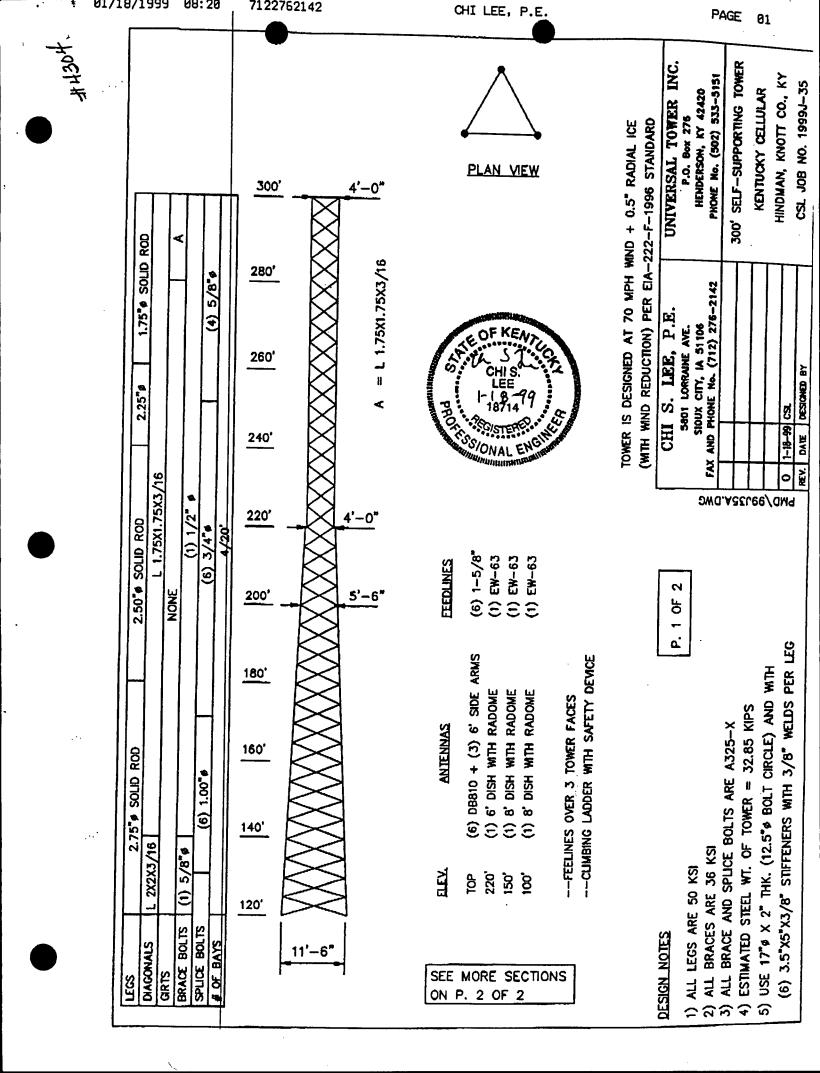
# UNIVERSAL TOWER, INC. P.O. BOX 276 HENDERSON, KY. 42419-0276

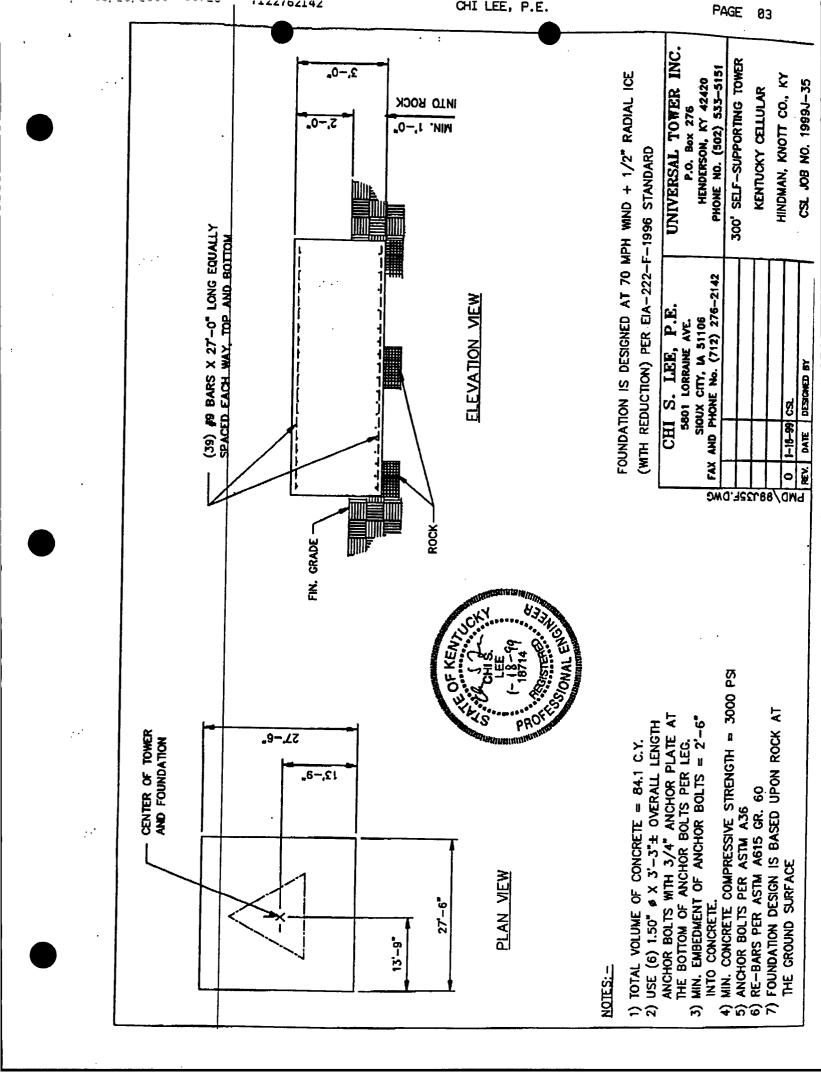
# 300' SELF-SUPPORTING TOWER CUSTOMER: KENTUCKY CELLULAR LOCATION: BETHANY, BREATHITT CO., KY.

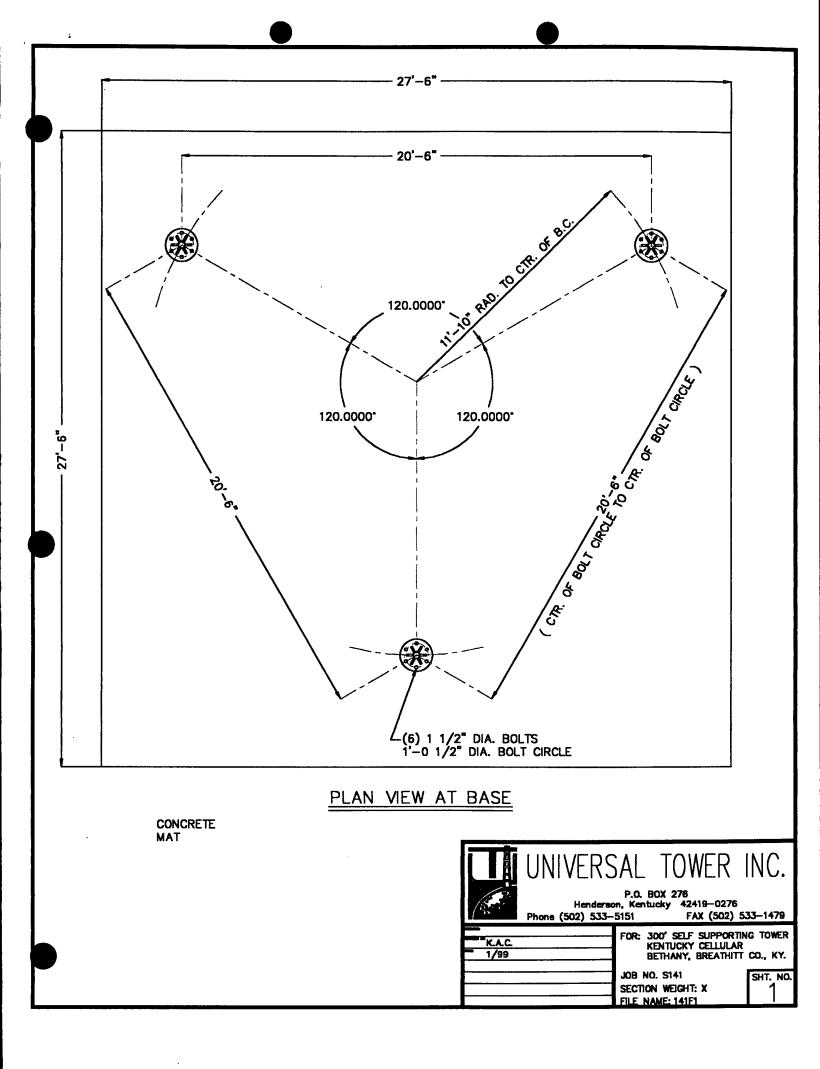


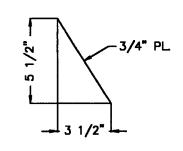
JOB NO.: S-141 DATE: 1/99



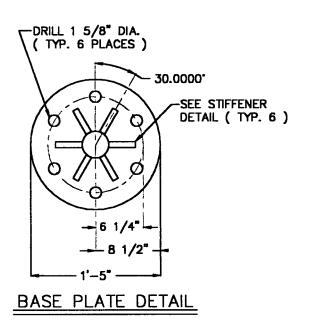


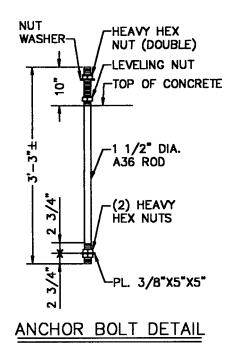






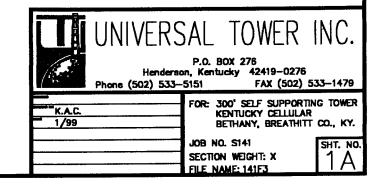
# STIFFENER DETAIL



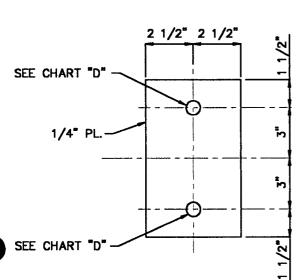


### NOTES:

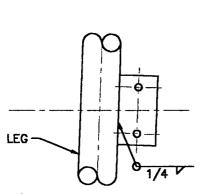
- 1. ALL ANCHOR BOLTS TO BE A-36.
- 2. ALL NUTS TO BE HEAVY HEX.
- 3. AFTER ALL BOTTOM SECTION COLUMNS ARE SET. FILL IN SPACE BETWEEN BASE
- PLATE & CONCRETE PIER WITH HIGH DENSITY GROUT.



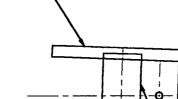
SEE CHART L	,	1	1/2				
			-				
INTERMEDIATE BRACE PLATE							
PIECE MARK	"D"	PIECE MARK	"D"	<sup>00</sup> ل۳			
I-BRPS1	15/16*	T-BRPS1	15/16"	6"			
I-BRPS2	13/16"	T-BRPS2	13/16"	6"			
I-BRPS3	13/16"	T-BRPS3	13/16"	6"			
1-BRPS4	13/16"	T-BRPS4	13/16"	6 1/2"			
I-BRPS5	13/16*	T-BRPS5	13/16"	6 1/2"			
I-BRPS6	11/16"	T-BRPS6	11/16"	6 1/2"			
I-BRPS7	11/16"	T-BRPS7	11/16"	6 1/2"			
I-BRPS8	9/16	T-BRPS8	9/16"	6 1/2"			
I-BRPS9	9/16"	T-BRPS9	9/16"	6 1/2 <b>"</b>			
I-BRPS10	9/16*	T-BRPS10	9/16"	6 1/2"			
I-BRPS11	9/16"	T-BRPS11	9/16"	6 1 <b>/2</b> "			
I-BRPS12	9/16*	T-BRPS12	9/16"	6 1 <b>/2</b> "			
I-BRPS13	9/16	T-BRPS13	9/16"	6 1/2"			
I-BRPS14	9/16"	T-BRPS14	9/16"	6 3/4"			
I-BRPS15	9/16"	T-BRPS15	9/16"	9*			



# INTERMEDIATE BRACE PLATE DETAIL

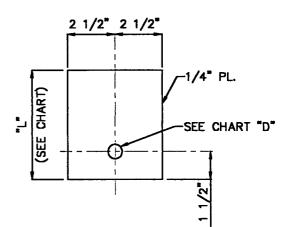


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### TOP SPLICE PLATES

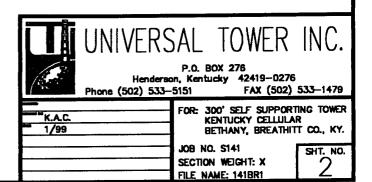
1/4 TOP BRACE PLATE DETAIL

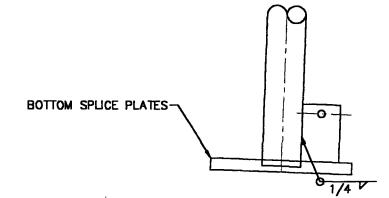


Q

L

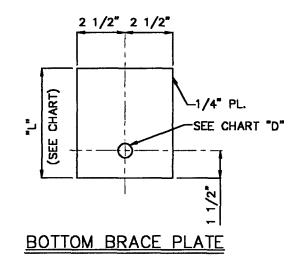
## INTERMEDIATE BRACE PLATE

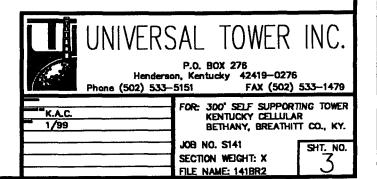




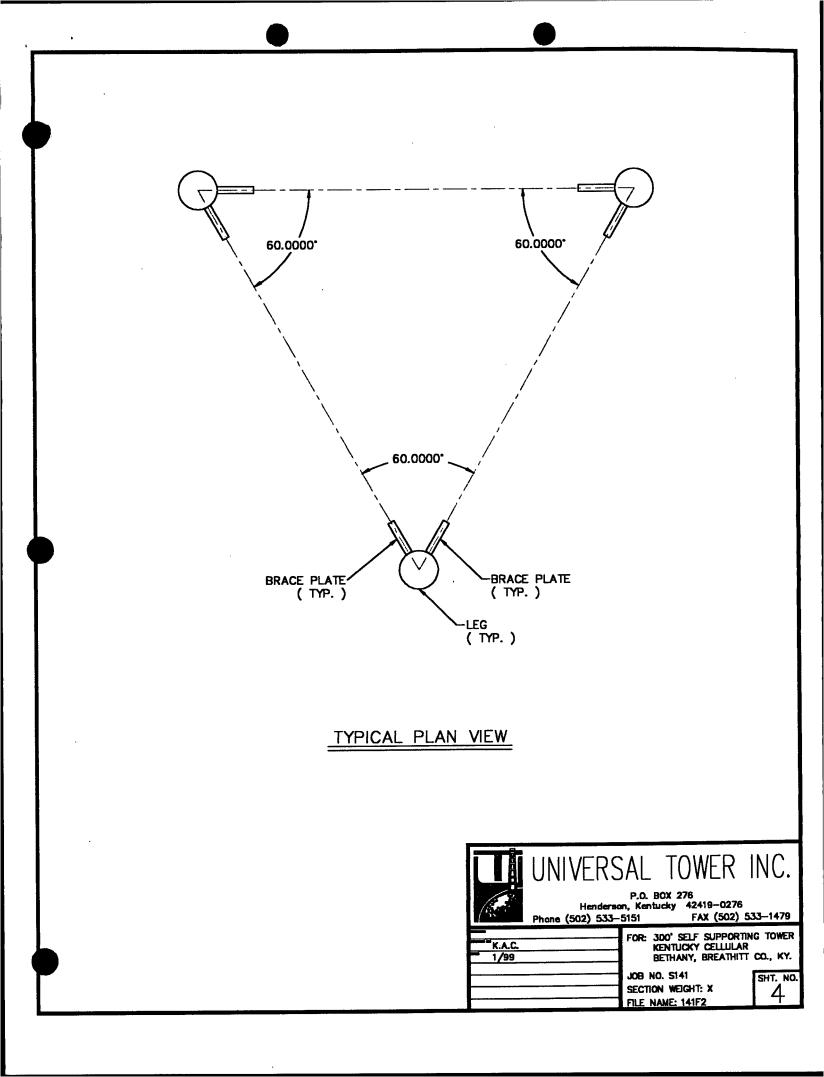
### BOTTOM BRACE PLATE DETAIL

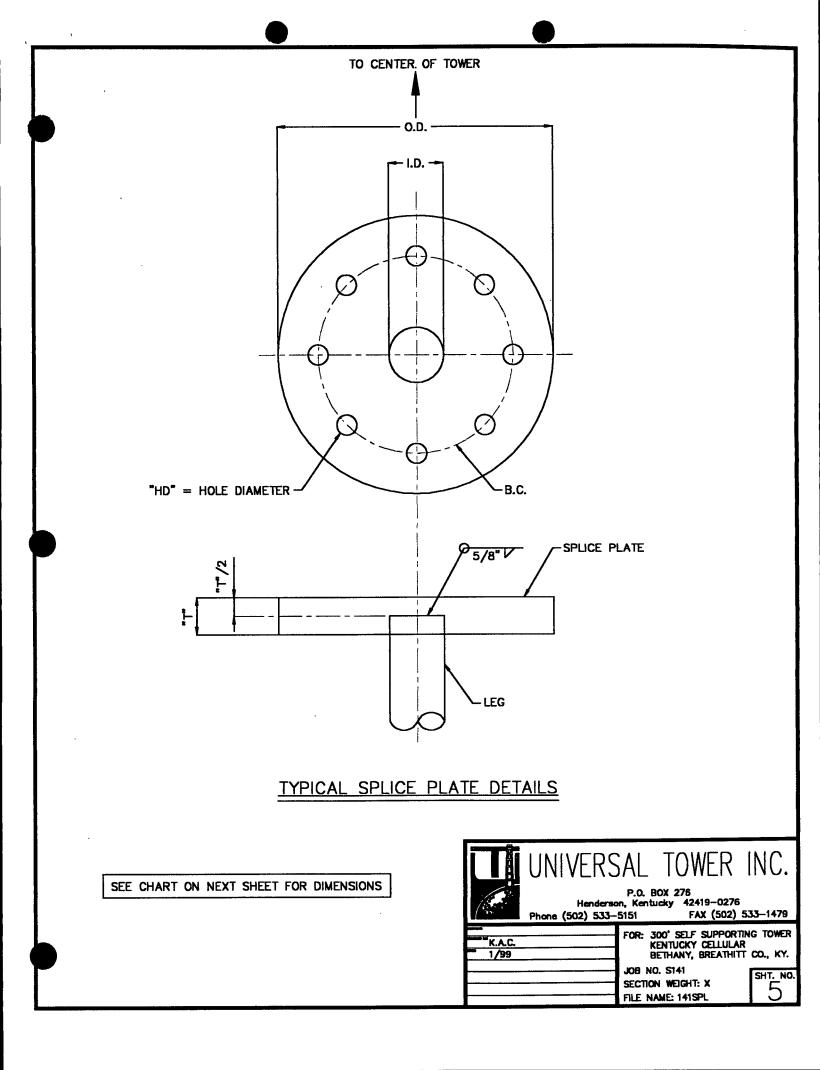
PIECE MARK	"D"	"L"
L-BRPS1	15/16*	9"
L-BRPS2	13/16"	6"
L-BRPS3	13/16"	6"
L-BRPS4	13/16"	6 1/2"
L-BRPS5	13/16"	6 1/2"
L-BRPS6	11/16"	6 1/2"
L-BRPS7	11/16"	6 1/2"
L-BRPS8	9/16"	6 3/4"
L-BRPS9	9/16"	6 3/4 <b>"</b>
L-BRPS10	9/16"	6 1/2"
L-BRPS11	9/16"	6 1/2"
L-BRPS12	9/16"	6 1/2"
L-BRPS13	9/16"	6 1/2"
L-BRPS14	9/16"	6 1/2"
L-BRPS15	9/16"	6 3/4 <b>"</b>





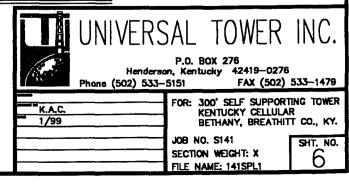
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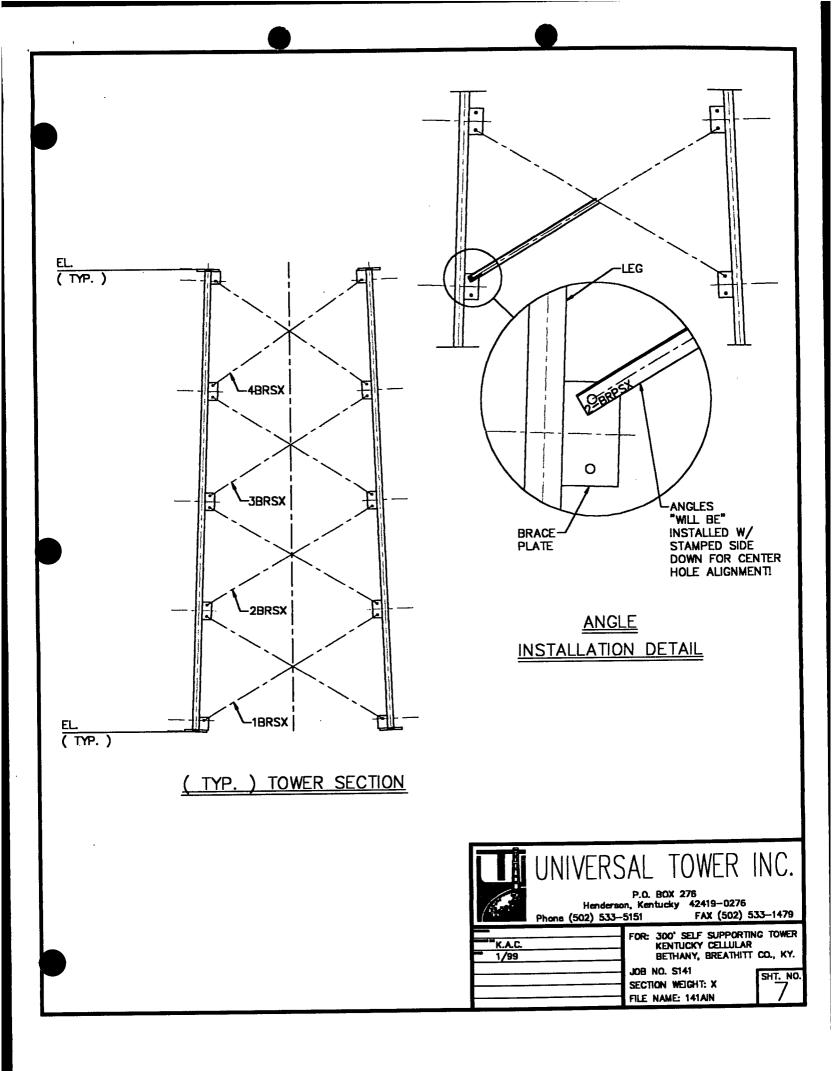


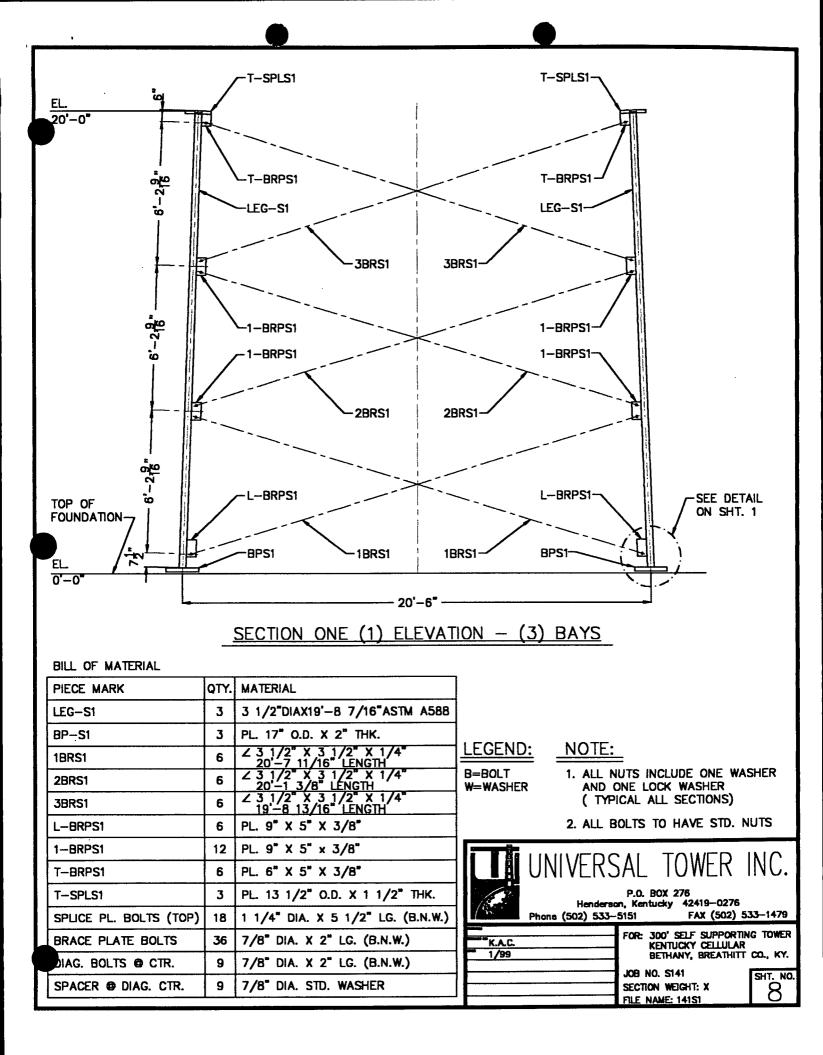


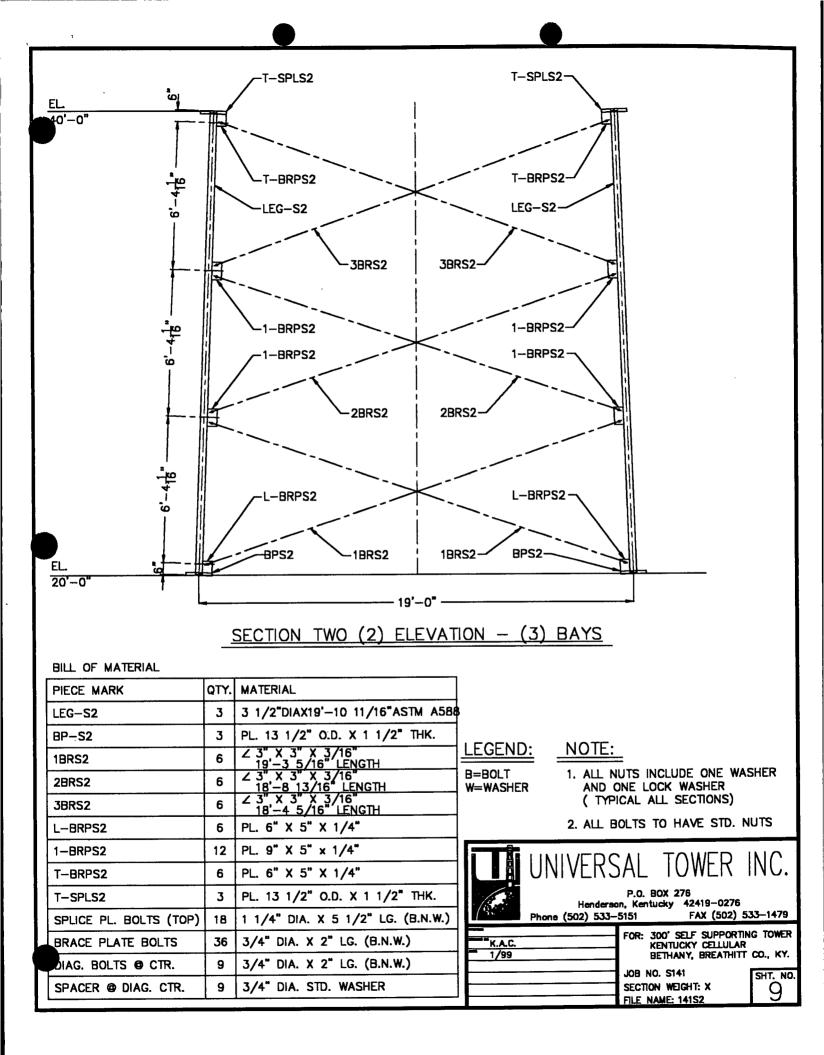
			FLANG	<u>E_LIST</u>			
PIECE MARK	QTY.	0.D.	I.D.	"T"	# OF HOLES	"HD"	B.C.
BEARING PL.	3	17"	7"	3/4"	6	1 3/4"	12 1/2"
TEMPLATE	3	17"	7 <b>"</b>	1/4"	6	1 3/4"	12 1/2"
BASE PLATE	3	17"	N.A.	2"	6	1 5/8"	12 1/2"
TSPLS1	3	13 1/2"	3 5/8"	1 1/2"	6	1 3/8"	10"
B-SPLS2	3	13 1/2"	3 5/8"	1 1/2"	6	1 3/8"	10"
T-SPLS2	3	13 1/2"	3 5/8"	1 1/2"	6	1 3/8"	10"
B-SPLS3	3	13 1/2"	3 5/8*	1 1/2"	6	1 3/8"	10"
T-SPLS3	3	13 1/2"	3 5/8"	1 1/2"	6	1 3/8"	10"
B-SPLS4	3	13 1/2"	3 3/8"	1"	6	1 3/8"	10"
T-SPLS4	3	11 1/2"	3 3/8"	1"	6	1 1/8"	7"
B-SPLS5	3	11 1/2"	3 3/8"	1"	6	1 1/8"	7*
T-SPLS5	3	11 1/2"	3 3/8"	1"	6	1 1/8"	7*
B-SPLS6	3	11 1/2"	3 3/8"	1"	6	1 1/8"	7*
T-SPLS6	3	11 1/2"	3 3/8"	1"	6	1 1/8"	7"
B-SPLS7	3	11 1/2"	2 7/8"	1"	6	1 1/8"	7"
T-SPLS7	3	11 1/2"	2 7/8"	1"	6	1 1/8"	7"
B-SPLS8	3	11 1/2"	2 7/8"	1"	6	1 1/8"	7*
T-SPLS8	3	11 1/2"	2 7/8"	1"	6	1 1/8"	7*
B-SPLS9	3	11 1/2"	2 7/8"	1"	6	1 1/8"	7*
T-SPLS9	3	10"	2 7/8"	1"	6	7/8"	6"
B-SPLS10	3	10"	2 5/8"	1"	6	7/8"	6"
T-SPLS10	3	10"	2 5/8"	1"	6	7/8"	6"
B-SPLS11	3	10"	2 5/8"	1"	6	7/8"	6"
T-SPLS11	3	10"	2 5/8"	1*	6	7/8"	6*
B-SPLS12	3	10"	2 5/8"	1"	6	7/8"	6"
T-SPLS12	3	10"	2 5/8*	1"	6	7/8"	6"
B-SPLS13	3	10"	2 3/8"	1"	6	7/8"	6"
T-SPLS13	3	10*	2 3/8"	1"	6	3/4"	6"
B-SPLS14	3	10"	1 7/8"	1*	4	3/4"	6"
T-SPLS14	3	7 <b>°</b>	1 7/8"	3/4"	4	3/4*	4"
B-SPLS15	3	7" <u>SPLICE</u>	1 7/8"	3/4"	4	3/4"	4°

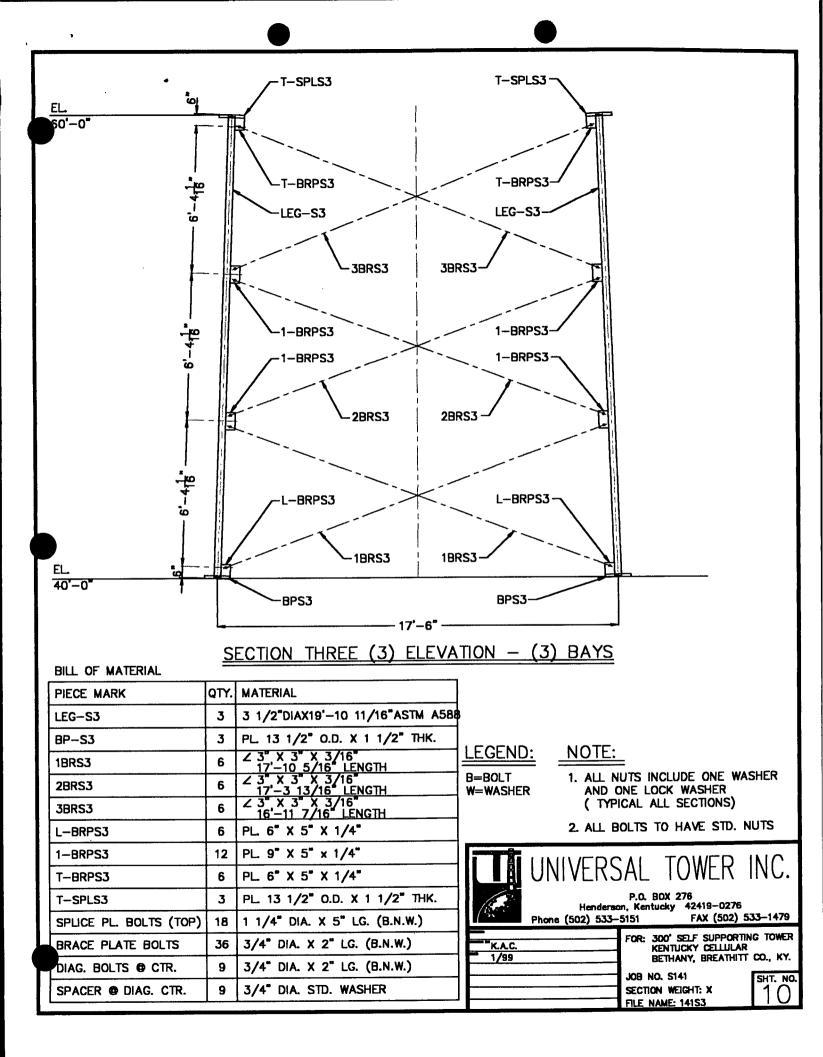
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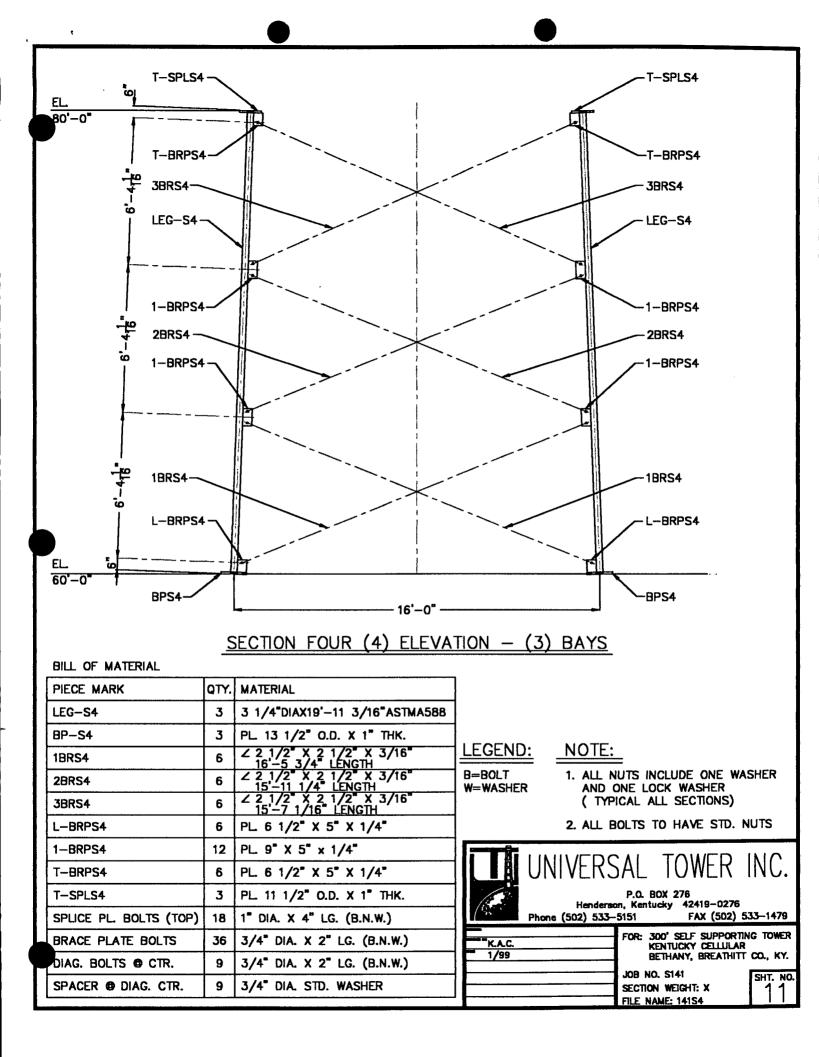


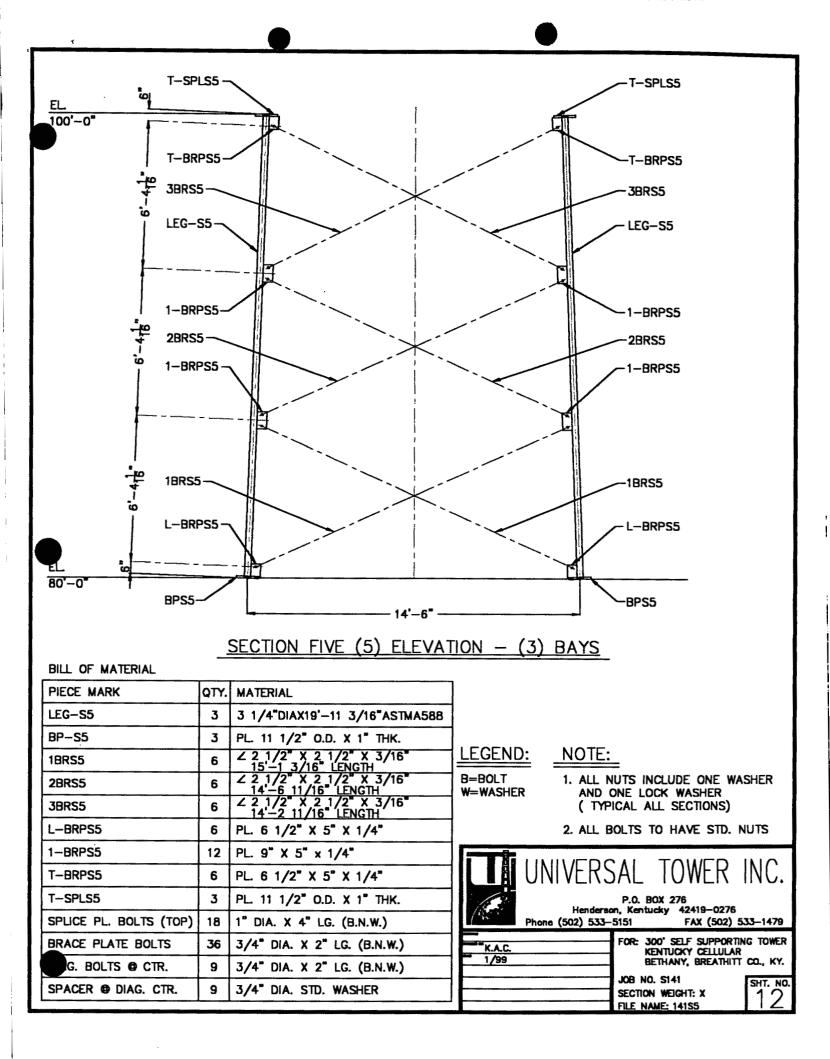


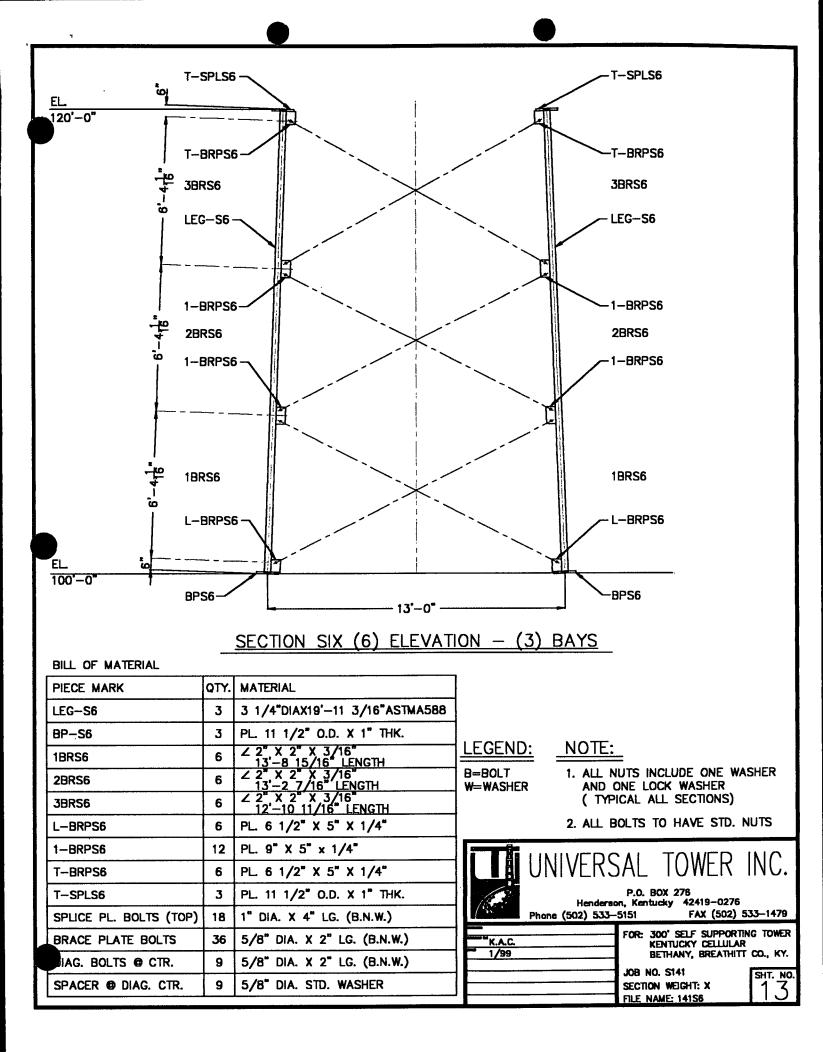


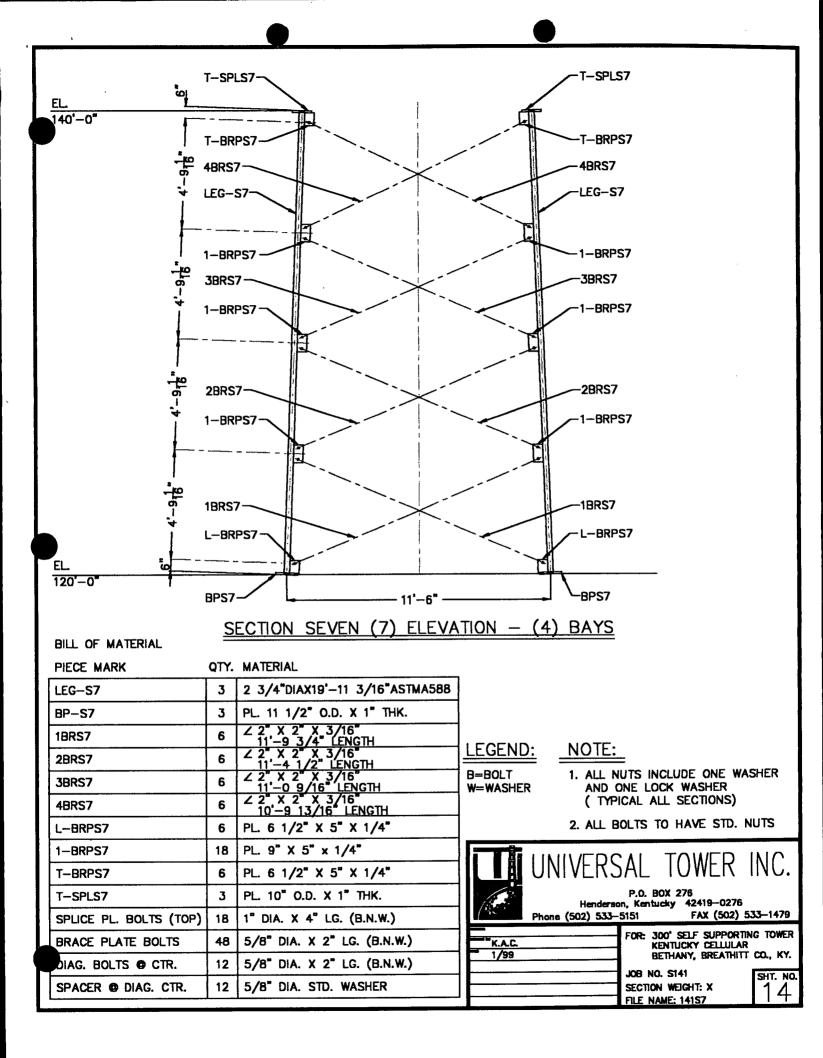


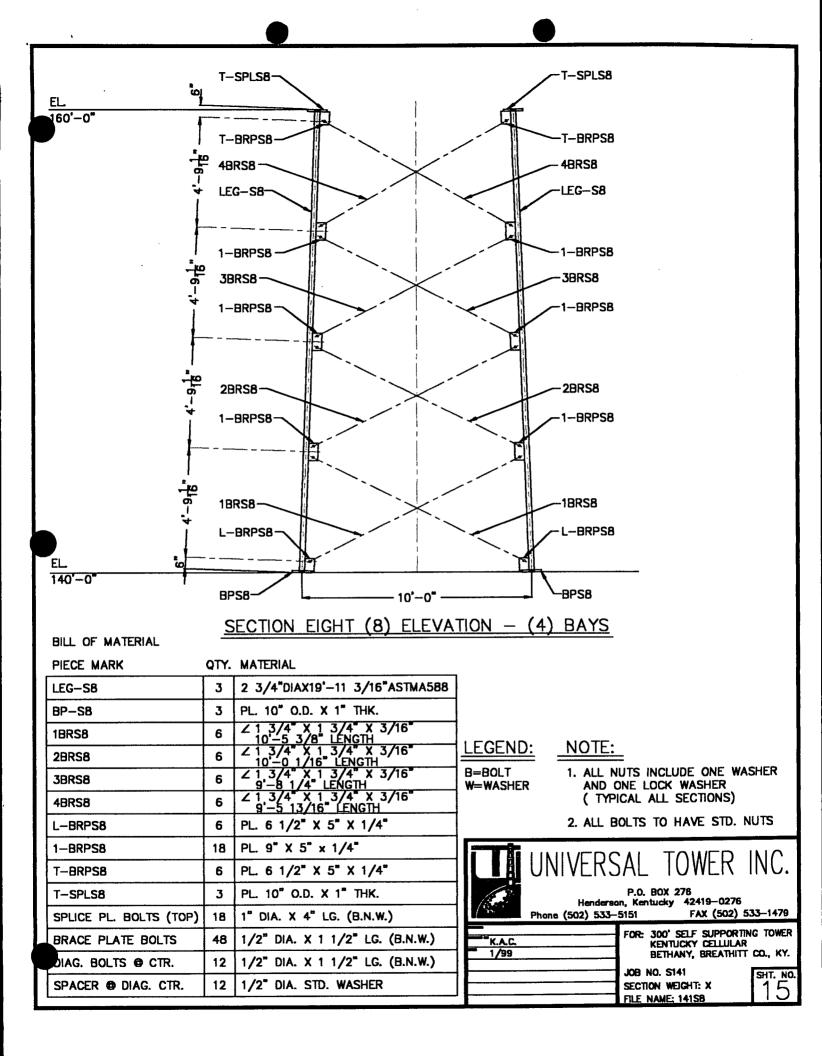


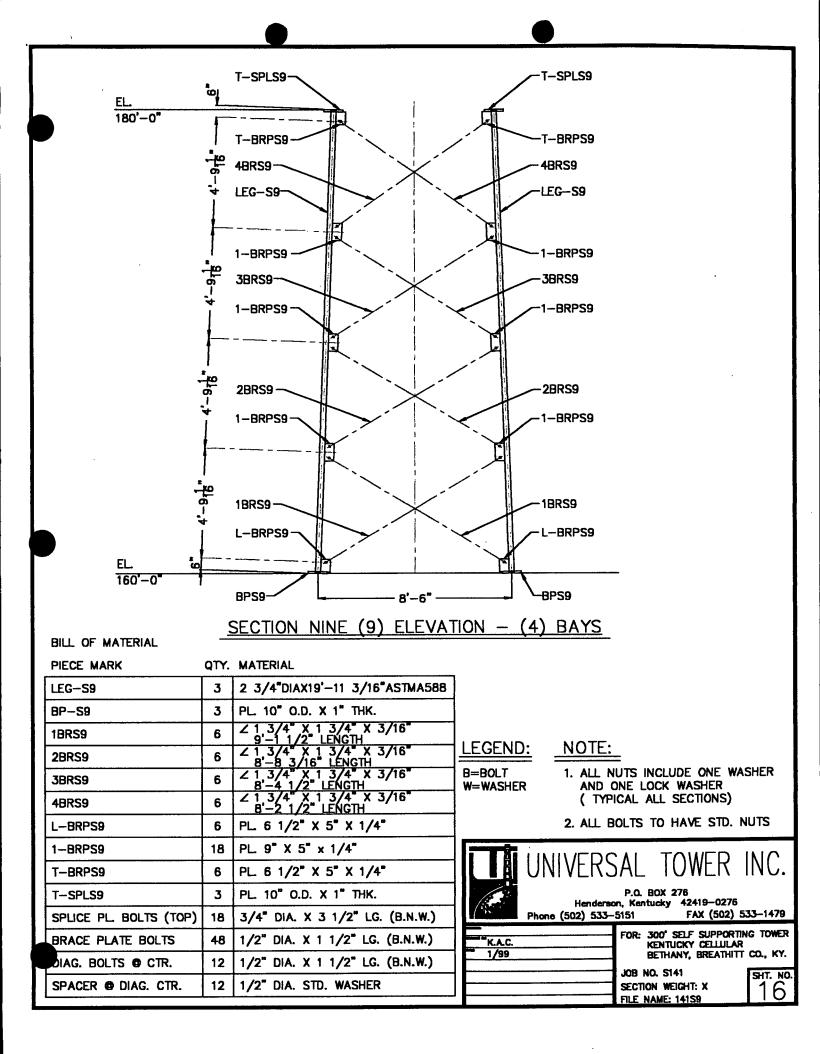


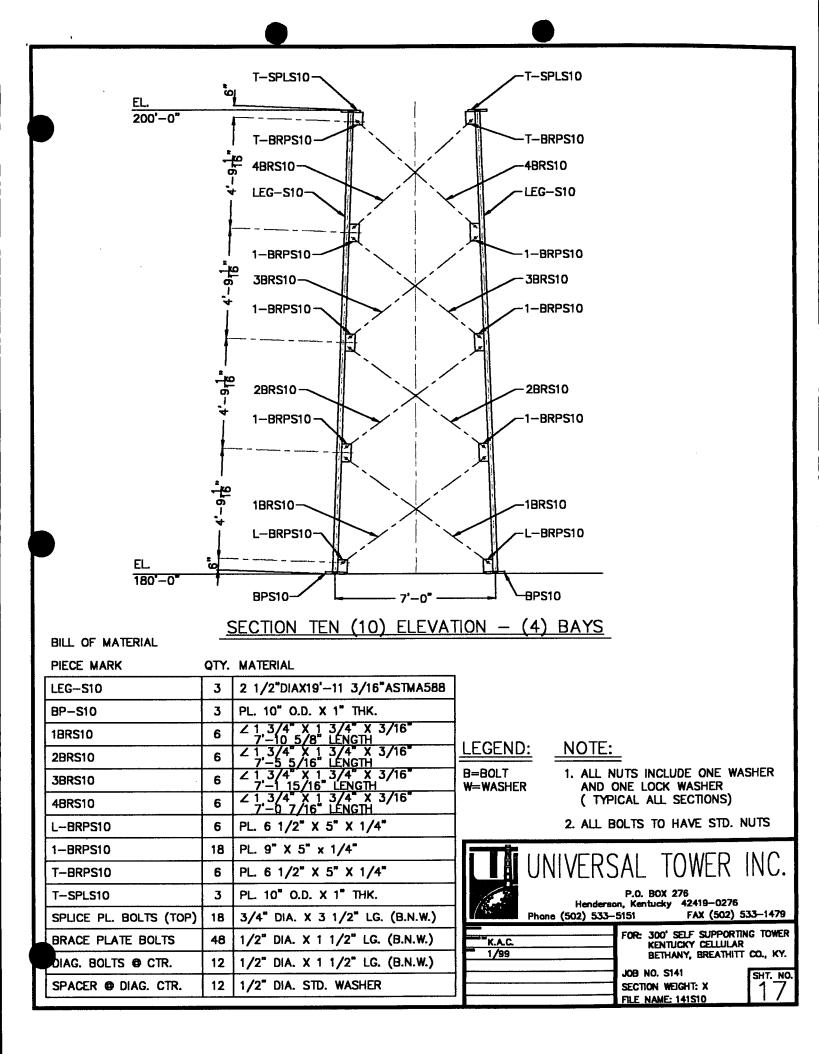


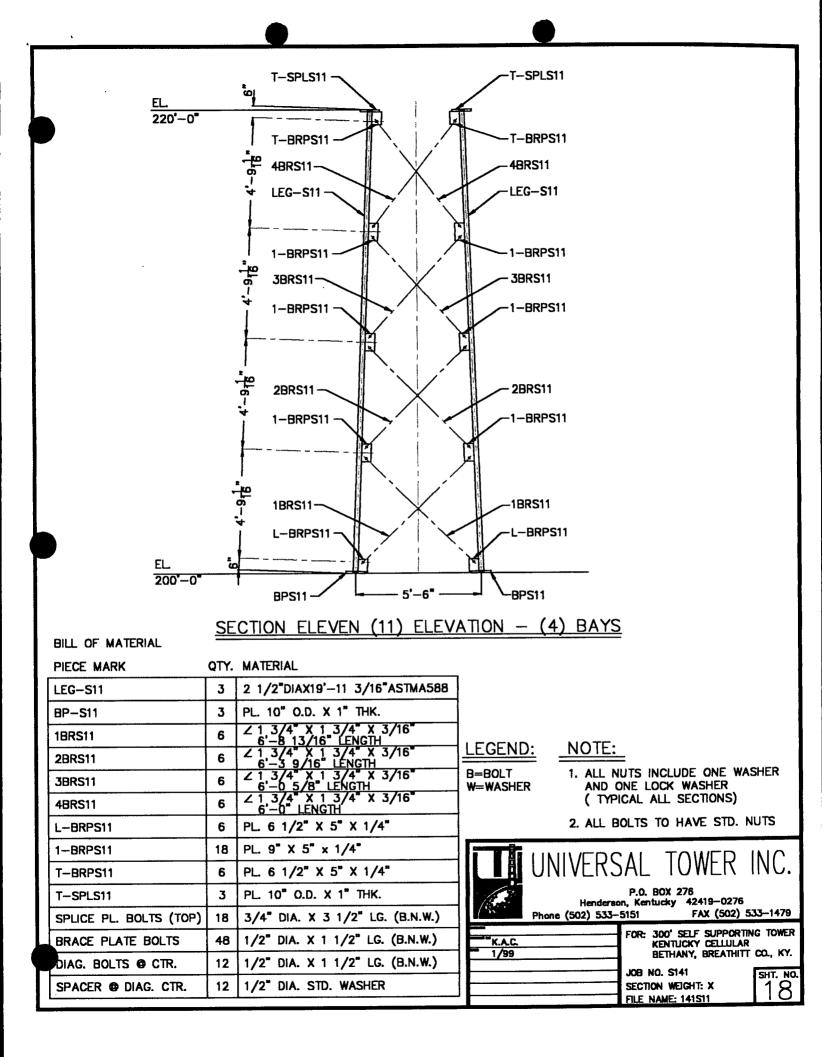


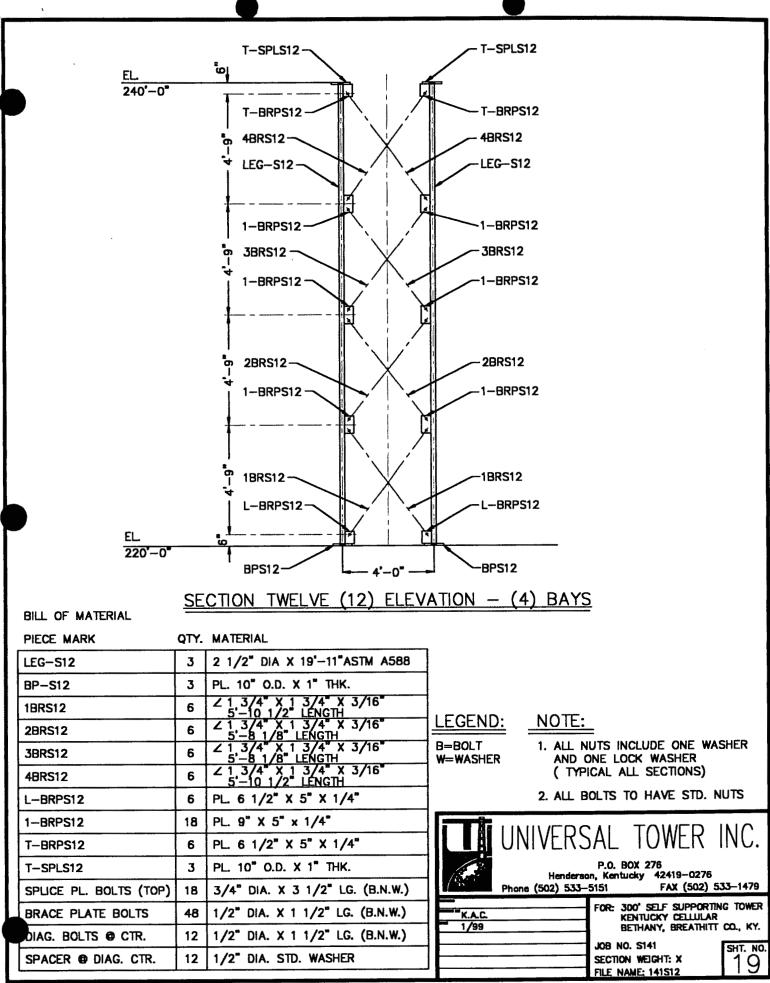


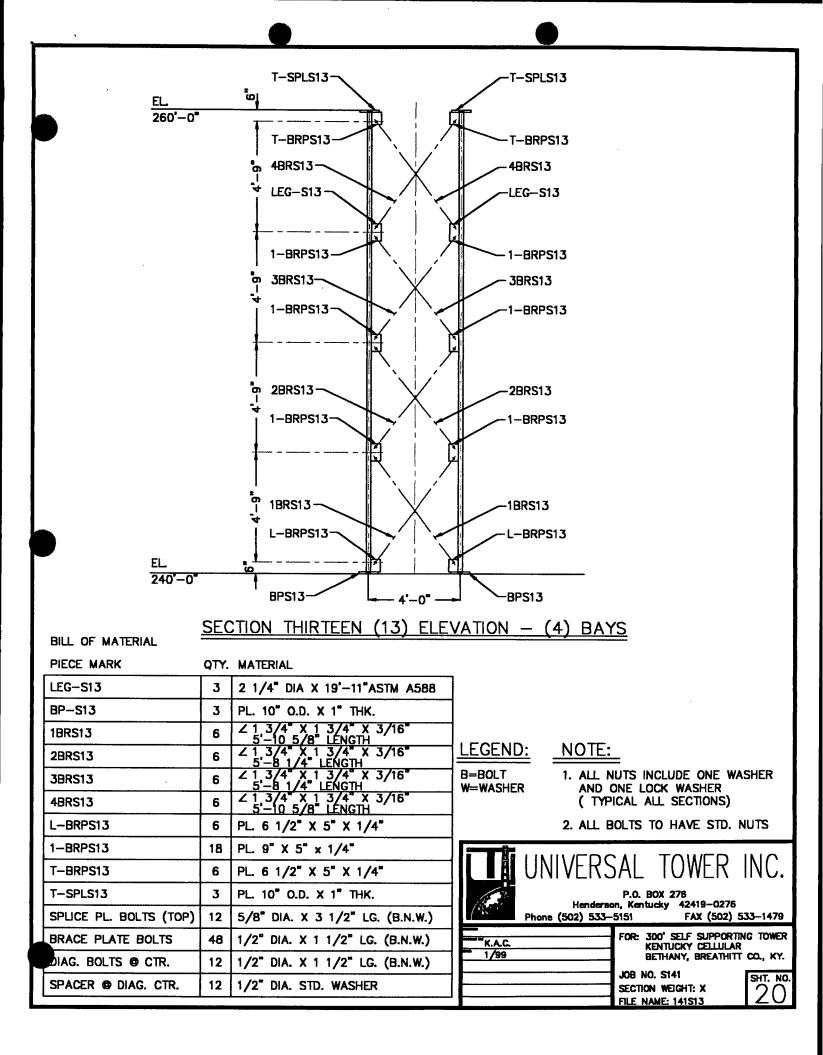


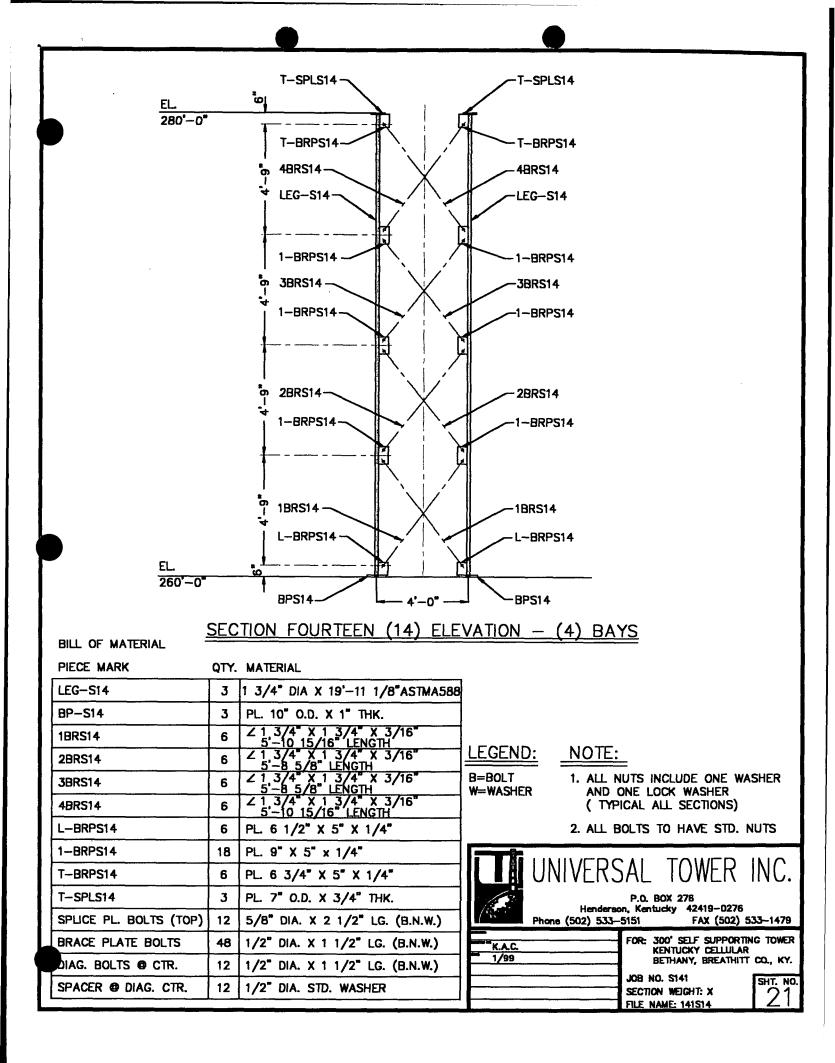


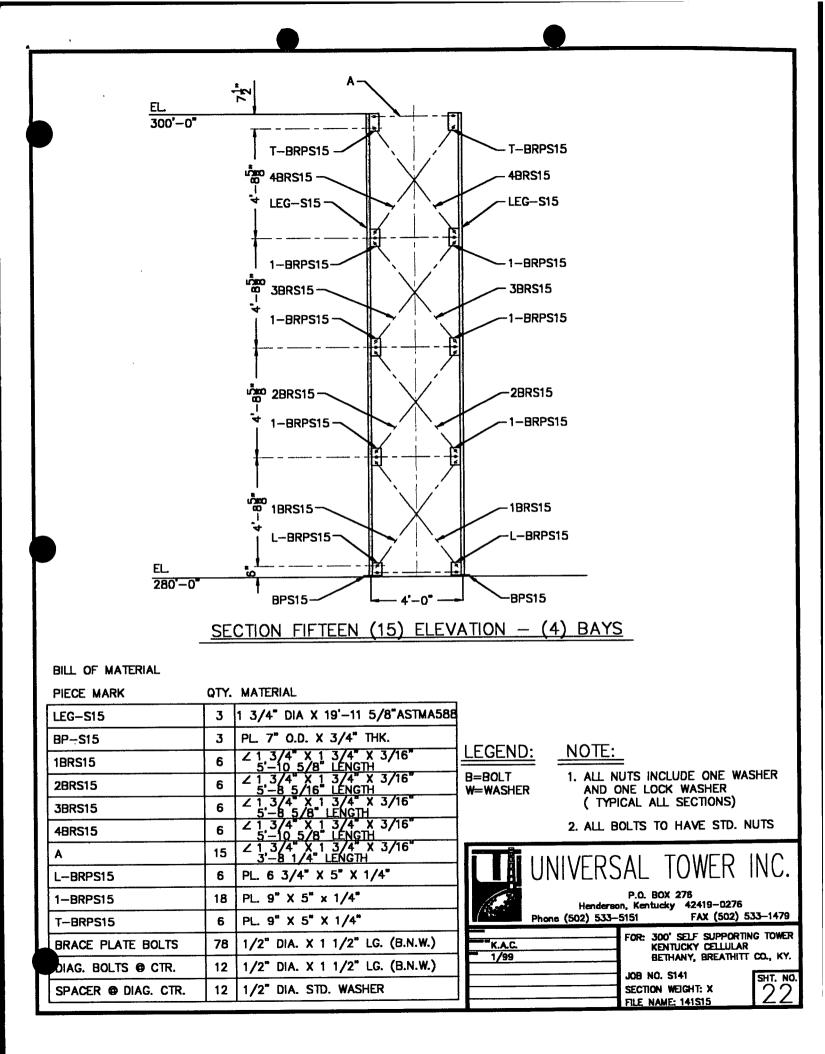






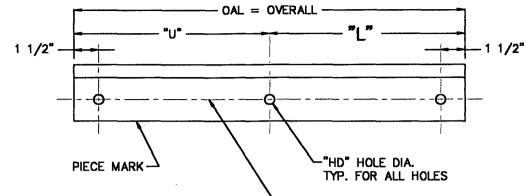






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# USE "L" MEASUREMENT FOR CENTER HOLE



CENTER LINE OF VERTICAL LEG-

ι,

#### DIAGONAL BRACING TYPICAL DETAILS

			<b>(6)</b> E	EACH BRA	ACE REQU	JIRED		
PIECE MARK	OAL	"U"	"L"	"HD"	PIECE MARK	OAL	<b>"</b> U <b>"</b>	"L"
1BRS1	20'-7 11/16"	10'-5 1/4"	10'-2 7/16"	15/16*	1 <b>BRS10</b>	7'-10 5/8"	4'-0 9/16"	3'-10 1/16"
2BRS1	20'-1 3/8"	10'-2 1/16"	9'-11 3/8"	15/16"	28RS10	7'-5 5/16"	3'-9 7/8"	3'-7 1/2"
3BRS1	19'-8 13/16"	9'-11 13/16"	9'-9"	15/16"	38RS10	7'-1 15/16"	3'-8 3/16"	3'-5 3/4"
1BRS2	19'-3 5/16"	9'-9 1/8"	9'-6 3/16"	13/16"	48RS10	7'-0 7/16"	3'-7 9/16"	3'-4 7/8"
2BRS2	18'-8 13/16"	9'-5 13/16"	9'-3 1/16"	13/16"	1BRS11	6'-8 13/16"	3'-5 13/16"	3'-3"
3BRS2	18'-4 5/16"	9'-3 5/8"	9'-0 11/16"	13/16"	28RS11	6'-3 9/16"	3'-3 1/8"	3'-0 7/16"
1BRS3	17'-10 5/16"	9'-0 5/8"	8'-9 11/16"	13/16"	<b>39RS11</b>	6'-0 5/8"	3'-1 11/16"	2'-10 7/8"
BRS3	17'-3 13/16"	8'-9 5/16"	8'-6 1/2"	13/16"	48RS11	6'-0"	3'-1 5/8"	2'-10 3/8"
BRS3	16'-11 7/16"	8'-7 3/16"	8'-4 1/4"	13/16"	18RS12	5'-10 1/2"	2'-11 1/4"	2'-11 1/4"
1BRS4	16'-5 3/4"	8'-4 3/8"	8'-1 7/16"	13/16"	2BRS12	5'-8 1/8"	2'-10 1/16"	2'-10 1/16"
	15'-11 1/4"	8'-1 1/16"	7'-10 3/16"	13/16"		5'-8 1/8"	2'-10 1/16"	2'-10 1/16"
38RS4	15'-7 1/16"	7'-11"	7'-8"	13/16"		5'-10 1/2"	2'-11 1/4"	2'-11 1/4"
1BRS5	15'-1 3/16"	7'-8 1/8"	7'-5 1/8"	13/16"	18RS13	5'-10 5/8"	2'-11 5/16"	2'-11 5/16"
	14'-6 11/16"	7'-4 3/4"	7'-1 7/8"	13/16"	28RS13	5'-8 1/4"	2'-10 1/8"	2'-10 1/8"
3BRS5	14'-2 11/16	7'-2 7/8"	6'-11 13/16"	13/16"		5'-8 1/4"	2'-10 1/8"	2'-10 1/8"
1BRS6	13'-8 15/16"	7'-0"	6'-8 15/16"	11/16"	48RS13	5'-10 5/8"	2'-11 5/16"	2'-11 5/16"
2BRS6	13'-2 7/16"	6'-8 11/16"	6'-5 3/4"	11/16"	1BRS14	5'-10 5/16"	2'-11 1/2"	2'-11 1/2"
3BRS6	12'-10 11/16"	6'-6 7/8"	6'-3 3/4"	11/16"	28RS14	5'-8 5/8"	2'-10 5/16"	2'-10 5/16"
	11'-9 3/4"	5'-11 15/16"	5'-9 3/4"	11/16"		5'-8 5/8"	2'-10 5/16"	2'-10 5/16"
2BRS7	11'-4 1/2"	5'-9 5/16"	5'-7 1/4"	11/16*	48RS14	5'-10 5/16"	2'-11 1/2"	2'-11 1/2"
3BRS7	11'-0 9/16"	5'-7 5/16"	5'-5 1/4"	11/16"	1BRS15	5'-10 5/8"	2'-11 5/16"	2'-11 5/16"
4BRS7	10-9 13/16"	5'-6"	5'-3 13/16"	11/16"	2BRS15	5'-8 5/16"	2'-10 1/8"	2'-10 1/8"
1BRS8	10'-5 3/8"	5'-3 13/16"	5'-1 9/16"	9/16"	3BRS15	5'-8 5/16"	2'-10 1/8"	2'-10 1/8"
2BRS8	10'-0 1/16"	5'-1 1/8"	4'-11"	9/16"	48RS15	5'-10 5/8"	2'-11 5/16"	2'-11 5/16"
3BRS8	9'-8 1/4"	4'-11 3/16"	4'-9 1/16"	9/16*				
		4'-10 1/16"	4'-7 3/4"	9/16"	A	3'-8 1/4"	1'-10 1/8"	1'-10 1/8"
1BRS9	9'-1 1/2"	4'-7 15/16"	4'-5 9/16"	9/16"				
2BRS9	8'-8 3/16"	4'-5 13/16"	4'-3"	9/16	1			
	8'-4 1/2"	4'-3 3/8"	4'-1 1/8"	9/16"			IVFRSAL	TOWED
	8'-2 1/2"	4'-2 7/16"	4'-0"	9/16"			NIVENJAL	
							P.O. Henderson, Ken	BOX 276 tucky 42419-027

A FACE DRACE DECLIDED

UNIVERS	SAL TOW	ER INC.
Henderse Phone (502) 533-	P.O. BOX 276 on, Kentucky 4241 5151 FAJ	9-0276 x (502) 533-1479
K.A.C. 1/99	KENTUCKY	SUPPORTING TOWER CELLULAR BREATHITT CO., KY.
	JOB NO. 5141 SECTION WEIGHT: FILE NAME: 141A1	

"HD"

9/16

9/16

9/16"

9/16 9/16"

9/16"

9/16\* 9/16"

9/16"

9/16

9/16

9/16

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9/16" 9/16

9/16"

9/16"

9/16

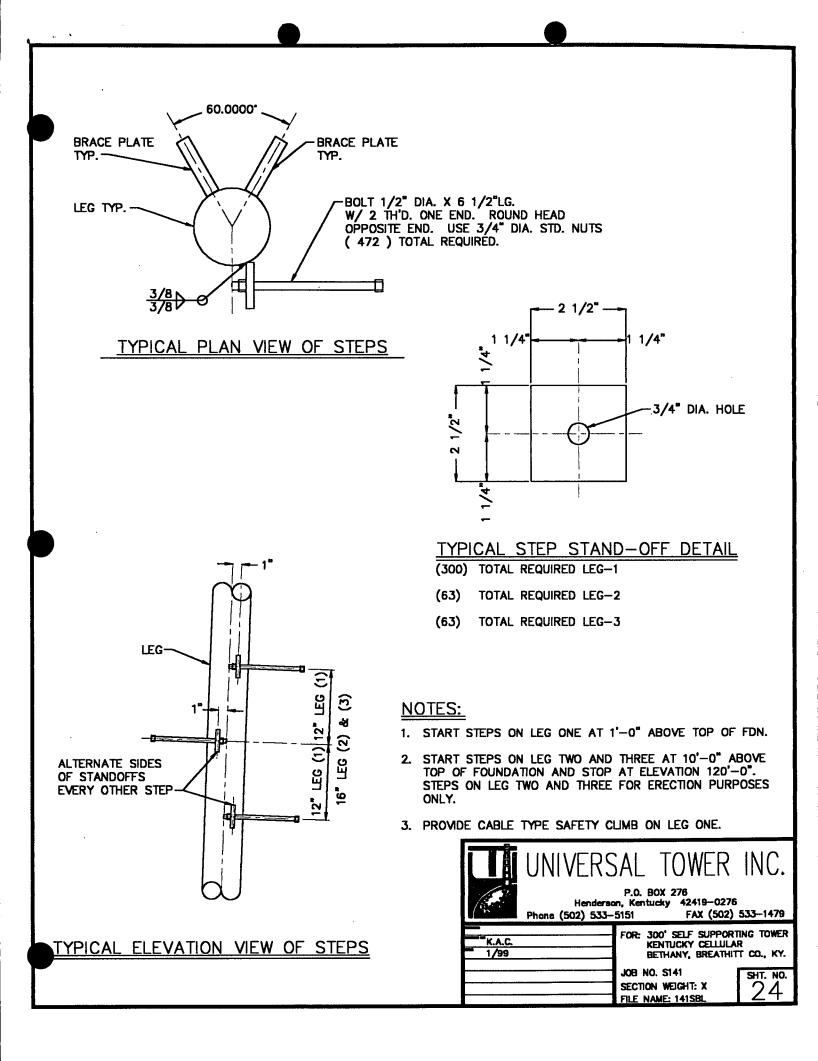
9/16"

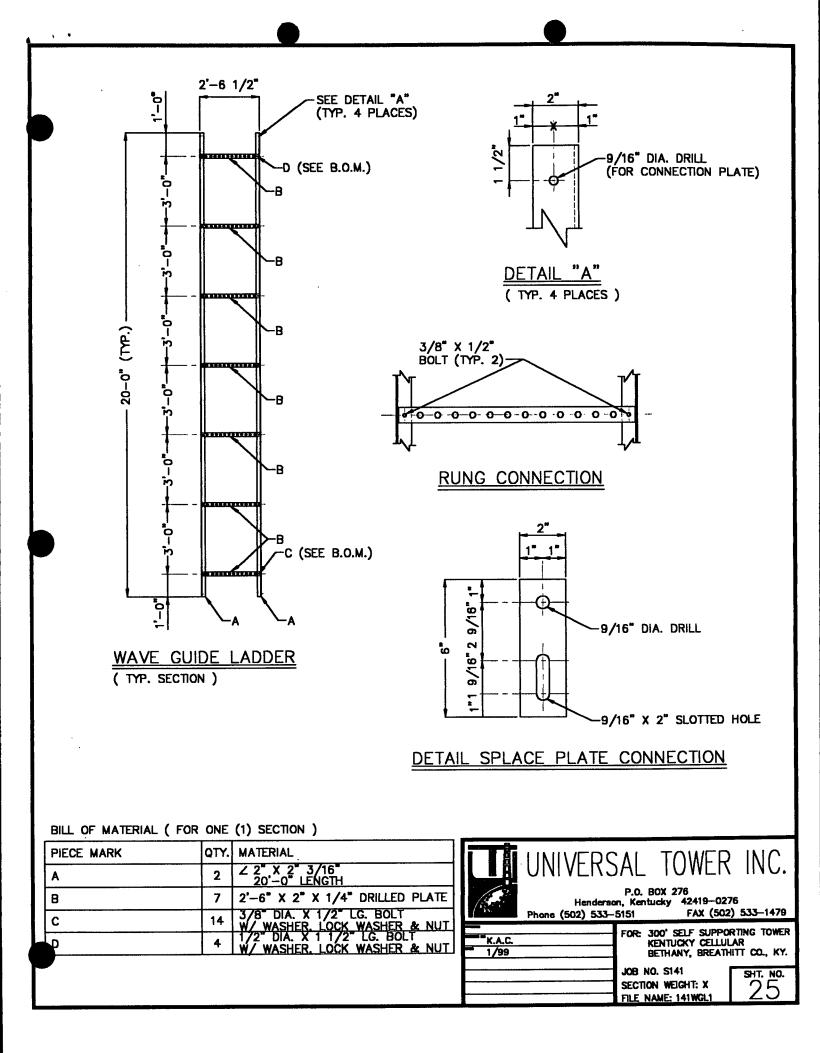
9/16"

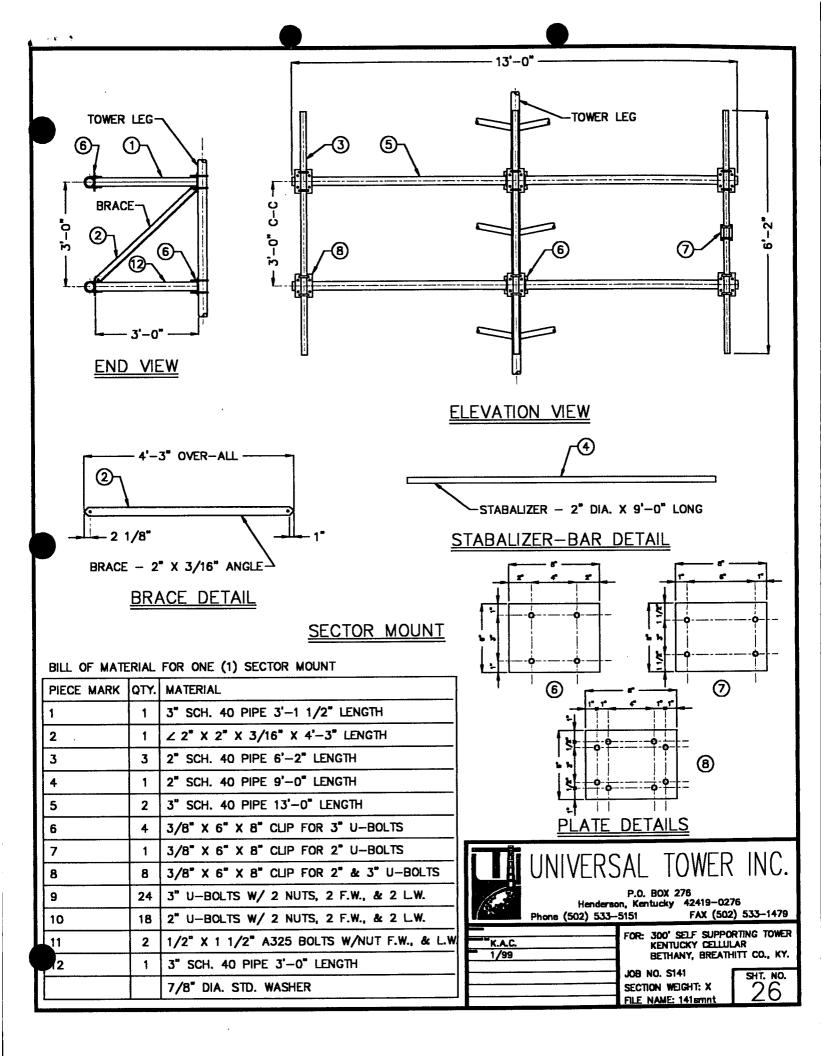
9/16"

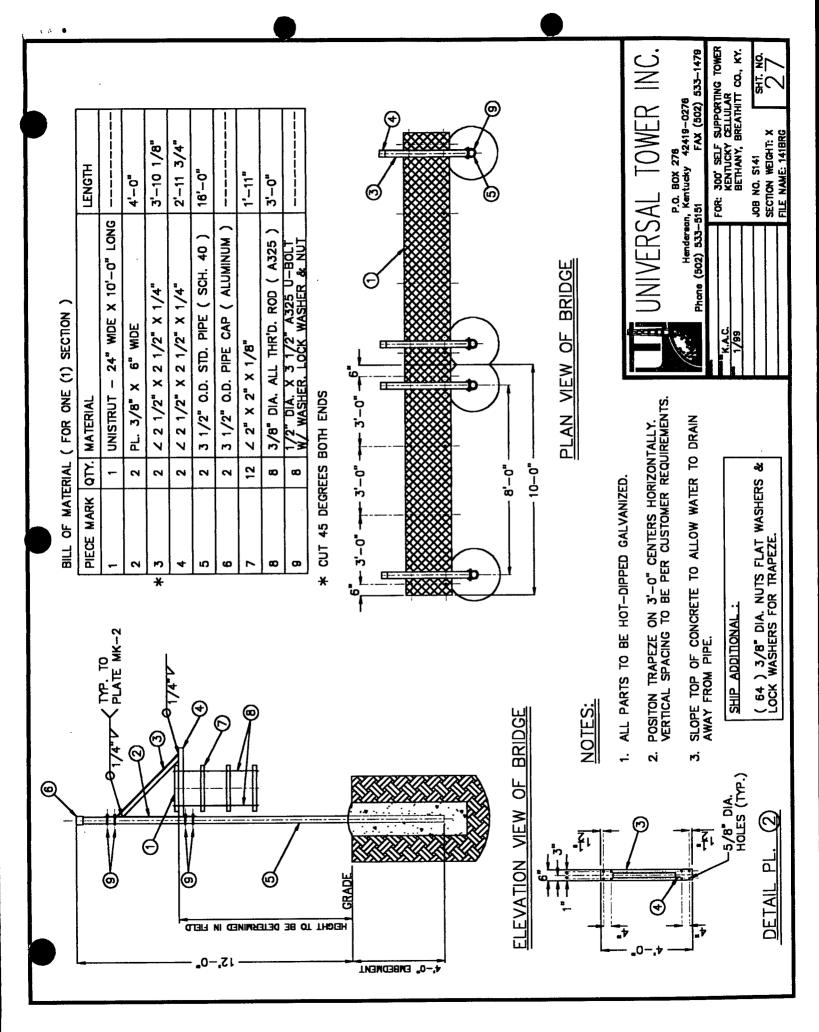
9/16" 9/16

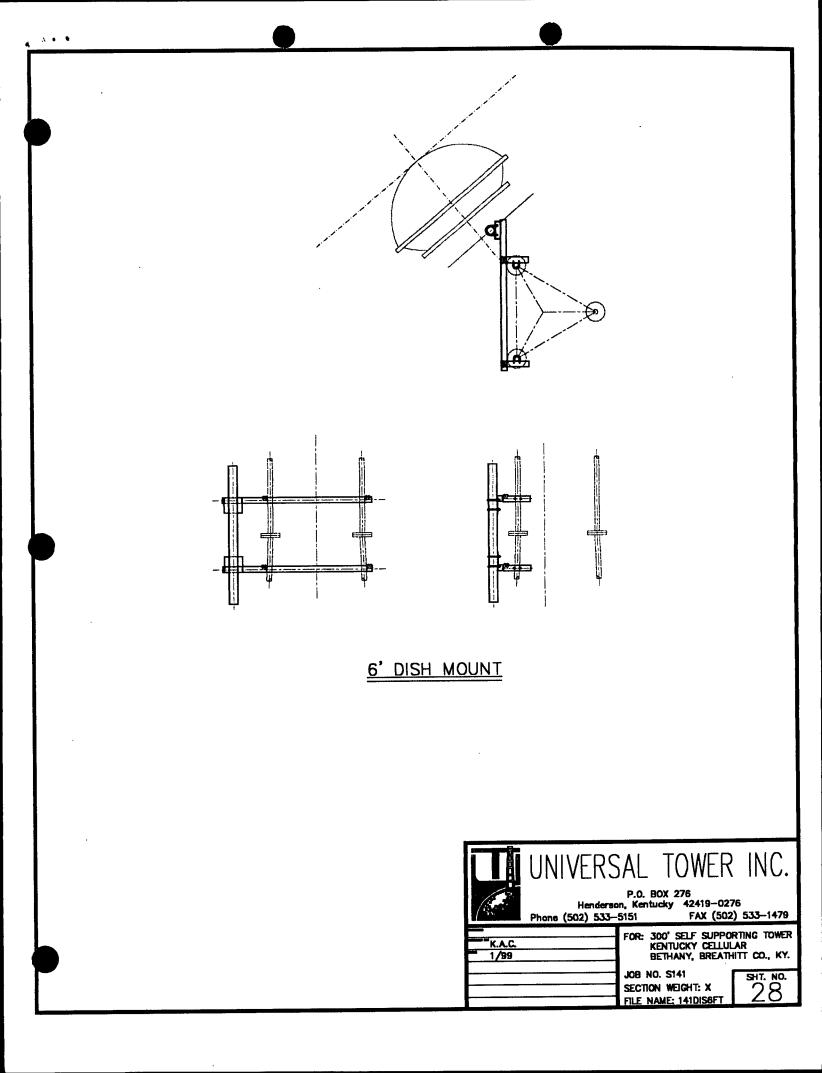
9/16"

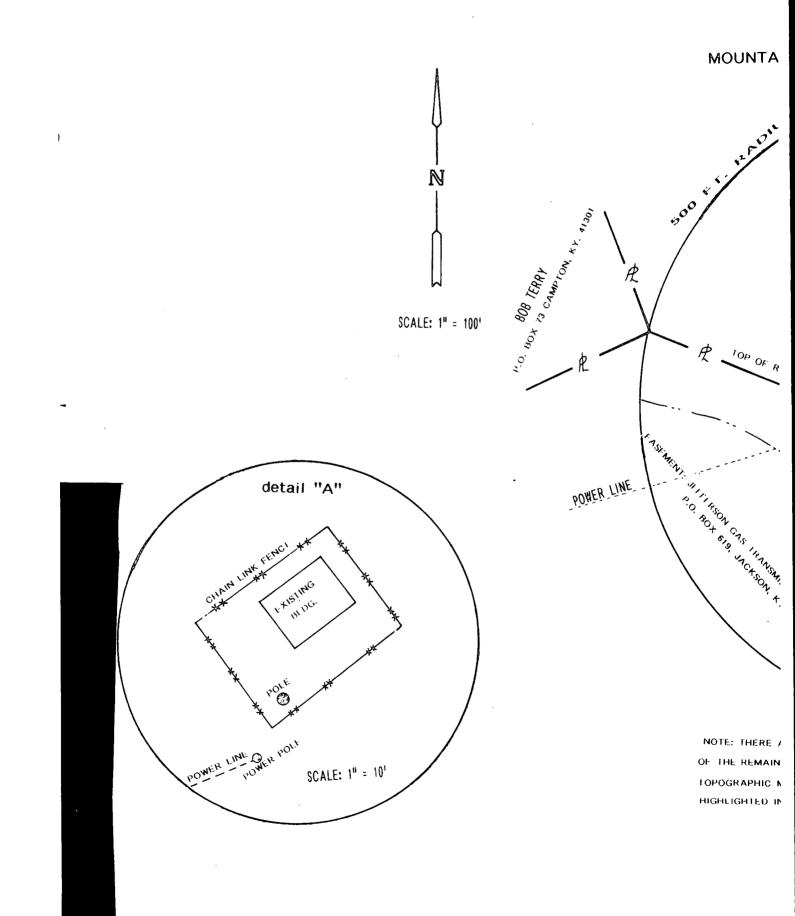






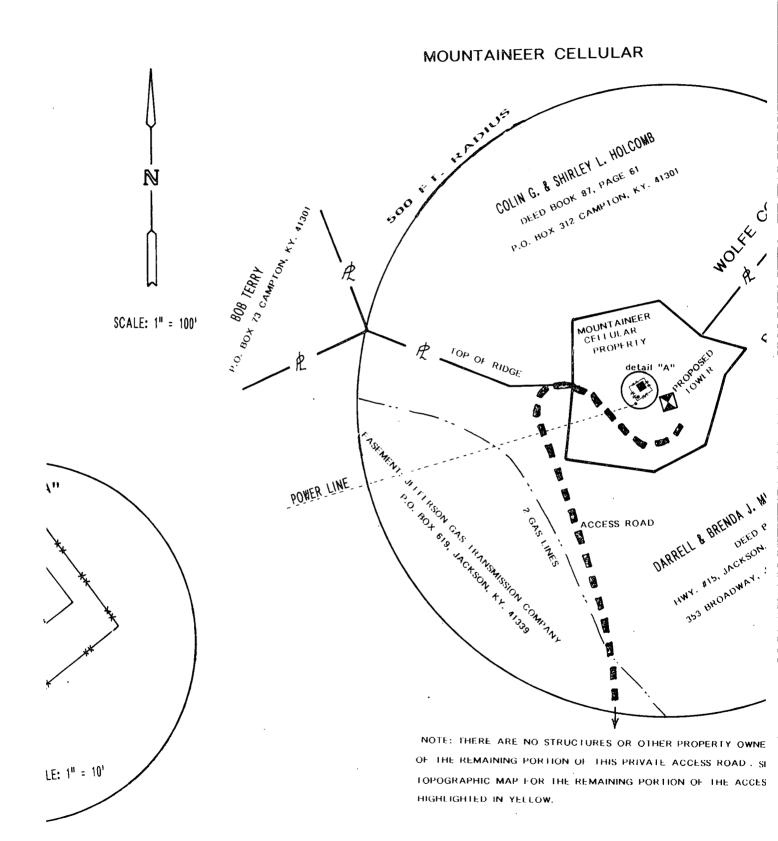






#### BEIHANY IUWER

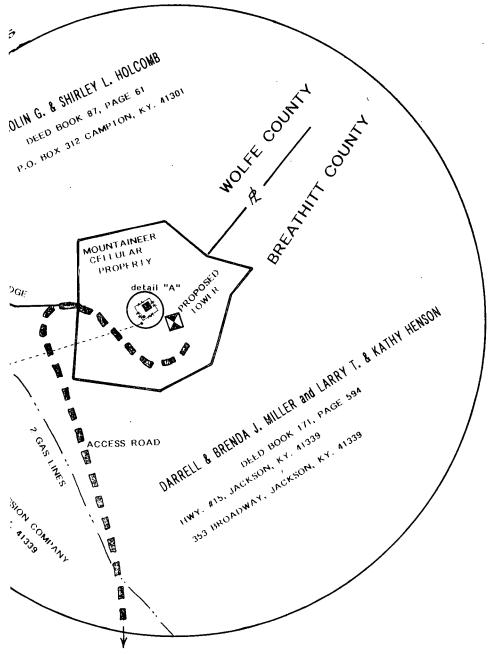
# SITE DEVELOPMENT PLAN



#### TOWER J

#### OPMENT PLAN

NEER CELLULAR



ARE NO STRUCTURES OR OTHER PROPERTY OWNERS WITHIN 200 FEET ING PORTION OF THIS PRIVATE ACCESS ROAD. SEE THE FOLLOWING 1AP FOR THE REMAINING PORTION OF THE ACCESS ROAD, WHICH IS I YELLOW.

3/5/99 RANDALL L. COLEMAN P.E.# 13100



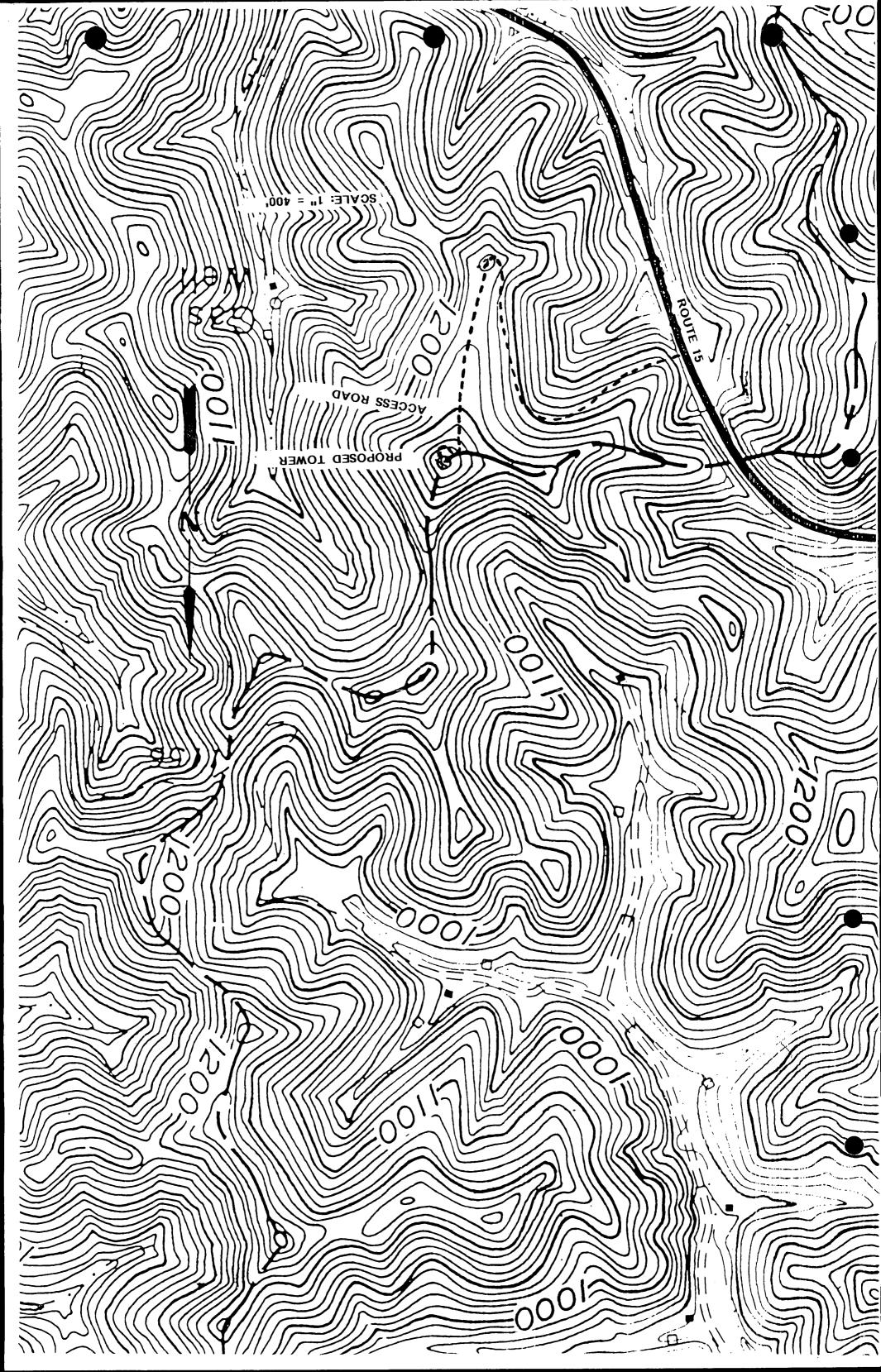


EXHIBIT G

### LIST OF PROPERTY OWNERS WITHIN 500 FEET OF PROPOSED TOWER

.

Darrell & Brenda Miller 746 Lakeside Dr. Jackson, KY 41339

Larry & Kathy Henson 128 Turnip Rd. Jackson, Ky 41339

Colin & Shirley Halcomb P.O. Box 312 Campton, Ky 41301

Bob Terry P.O. Box 73 Campton, Ky 41301 BETHANY TOWER

# VERTICAL PROFILE SCETCH

## MOUNTAINEER CELLULAR

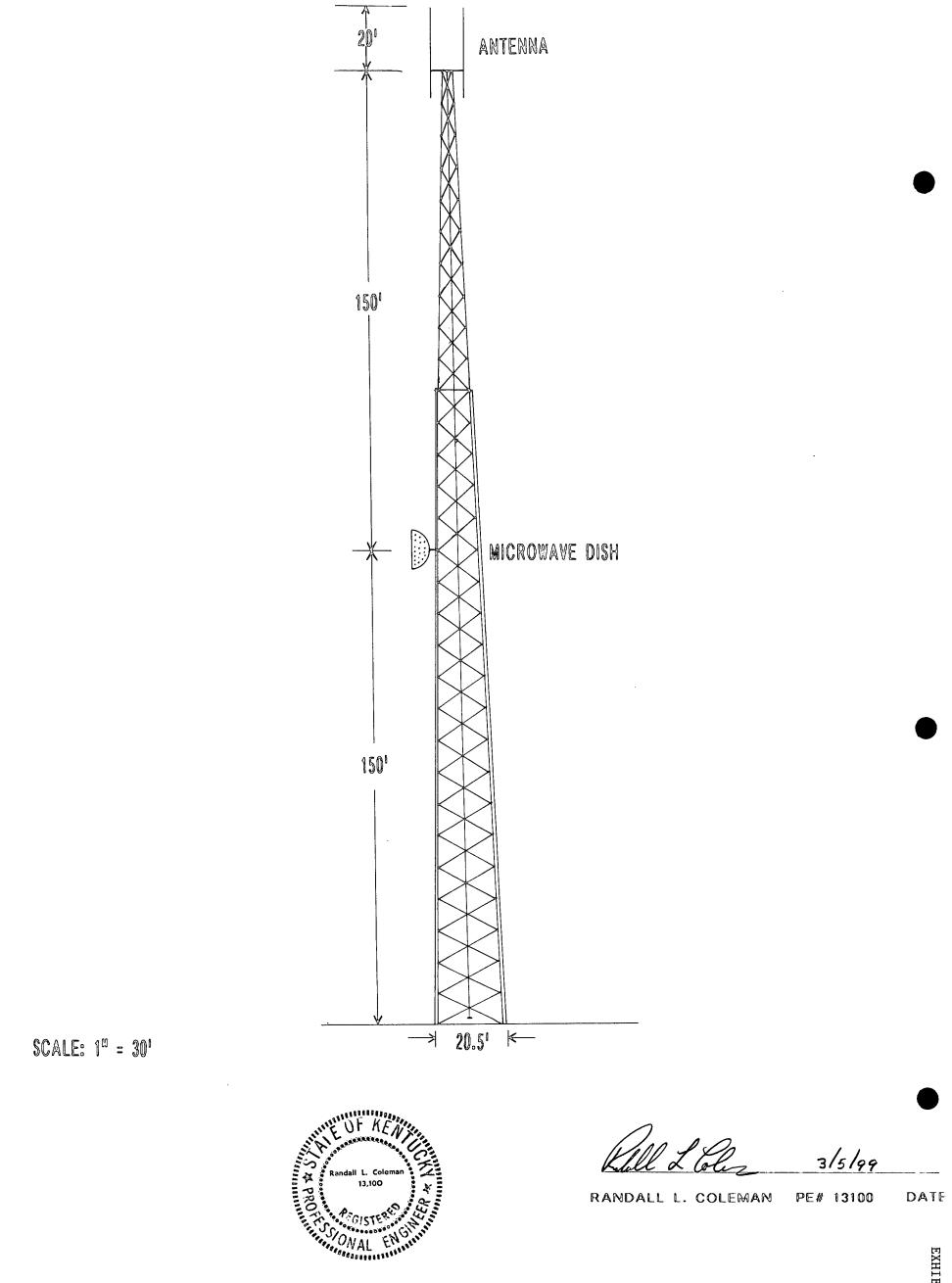
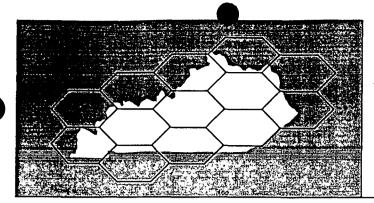


EXHIBIT н





### Mountaineer Cellular General Partnership P. O. Box 1148 • Hindman, Kentucky 41822 Phone: (606) 785-9550

April 1, 1999

Darrell & Brenda Miller 746 Lakeside Dr. Jackson, KY 41339

RE: Public Notice-Public Service Commission of Kentucky, Case No. 99-080

Dear Mr. & Mrs. Miller:

Mountaineer Cellular Limited Liability Company, dba Kentucky Cellular has applied to the Public Service Commission for a Certificate of Public Convenience and Necessity to construct and operate a new facility to provide cellular radio telecommunication service. The facility will include a 300 foot tower, with attached antennas extending upward for a total height of 320 feet, and an equipment shelter to be located near Bethany, KY near the Breathitt/Wolfe County line. A map showing the location of the proposed new facility is enclosed. This notice is being sent pursuant of KRS 100.324.

The commission invites your comments regarding the proposed construction. You also have the right to intervene in this matter. Your initial communication to the Commission must be received by the Commission 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, Post Office Box 615, Frankfort, Kentucky 40602. Please refer to Case No. 99-080 in your correspondence.

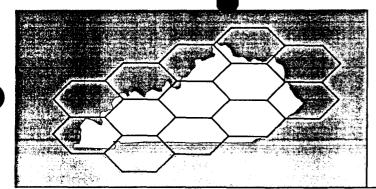
Sincerely,

William K. Grigsby

Manager

WKG/lw





## Mountaineer Cellular General Partnership P. O. Box 1148 • Hindman, Kentucky 41822

Phone: (606) 785-9550

April 1, 1999

Larry & Kathy Henson 128 Turnip Rd. Jackson, KY 41339

RE: Public Notice-Public Service Commission of Kentucky, Case No. 99-080

Dear Mr. & Mrs. Henson:

Mountaineer Cellular Limited Liability Company, dba Kentucky Cellular has applied to the Public Service Commission for a Certificate of Public Convenience and Necessity to construct and operate a new facility to provide cellular radio telecommunication service. The facility will include a 300 foot tower, with attached antennas extending upward for a total height of 320 feet, and an equipment shelter to be located near Bethany, KY near the Breathitt/Wolfe County line. A map showing the location of the proposed new facility is enclosed. This notice is being sent pursuant of KRS 100.324.

The commission invites your comments regarding the proposed construction. You also have the right to intervene in this matter. Your initial communication to the Commission must be received by the Commission within 20 days of the date of this letter as shown above.

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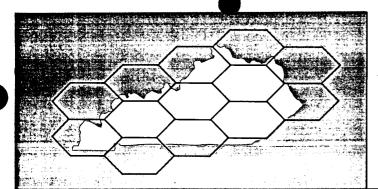
Sincerely,

William K Grigsby

William K. Grigsby Manager

WKG/lw





## Mountaineer Cellular General Partnership P. O. Box 1148 • Hindman, Kentucky 41822 Phone: (606) 785-9550

April 1, 1999

Colin & Shirley Halcomb P.O. Box 312 Campton, Ky 41301

RE: Public Notice-Public Service Commission of Kentucky, Case No. 99-080

Dear Mr. & Mrs. Halcomb:

Mountaineer Cellular Limited Liability Company, dba Kentucky Cellular has applied to the Public Service Commission for a Certificate of Public Convenience and Necessity to construct and operate a new facility to provide cellular radio telecommunication service. The facility will include a 300 foot tower, with attached antennas extending upward for a total height of 320 feet, and an equipment shelter to be located near Bethany, KY near the Breathitt/Wolfe County line. A map showing the location of the proposed new facility is enclosed. This notice is being sent pursuant of KRS 100.324.

The commission invites your comments regarding the proposed construction. You also have the right to intervene in this matter. Your initial communication to the Commission must be received by the Commission 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, Post Office Box 615, Frankfort, Kentucky 40602. Please refer to Case No. 99-080 in your correspondence.

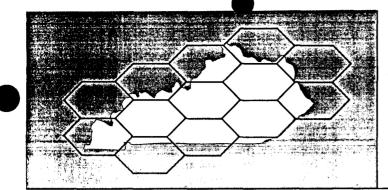
Sincerely,

William & Drigon

Manager

WKG/lw





## Mountaineer Cellular General Partnership P. O. Box 1148 • Hindman, Kentucky 41822

Phone: (606) 785-9550

April 1, 1999

Bob Terry P.O. Box 73 Campton, Ky 41301

RE: Public Notice-Public Service Commission of Kentucky, Case No. 99-080

Dear Mr. Terry:

Mountaineer Cellular Limited Liability Company, dba Kentucky Cellular has applied to the Public Service Commission for a Certificate of Public Convenience and Necessity to construct and operate a new facility to provide cellular radio telecommunication service. The facility will include a 300 foot tower, with attached antennas extending upward for a total height of 320 feet, and an equipment shelter to be located near Bethany, KY near the Breathitt/Wolfe County line. A map showing the location of the proposed new facility is enclosed. This notice is being sent pursuant of KRS 100.324.

The commission invites your comments regarding the proposed construction. You also have the right to intervene in this matter. Your initial communication to the Commission must be received by the Commission 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, Post Office Box 615, Frankfort, Kentucky 40602. Please refer to Case No. 99-080 in your correspondence.

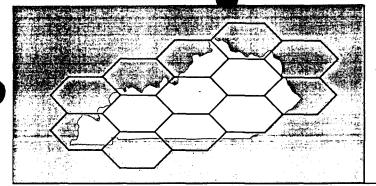
Sincerely,

William! Mugay

William K. Grigsby Manager

WKG/lw





## Mountaineer Cellular General Partnership

P. O. Box 1148 • Hindman, Kentucky 41822 Phone: (606) 785-9550

EXHIBIT J

April 1, 1999

County Judge Executive Dr. Robert E. Cornett 1137 Main St. Jackson, KY 41339

RE: Public Notice-Public Service Commission of Kentucky, Case No. 99-080

Dear Judge Cornett:

Mountaineer Cellular Limited Liability Company, dba Kentucky Cellular has applied to the Public Service Commission for a Certificate of Public Convenience and Necessity to construct and operate a new facility to provide cellular radio telecommunication service. The facility will include a 300 foot tower, with attached antennas extending upward for a total height of 320 feet, and an equipment shelter to be located near Bethany, KY near the Breathitt/Wolfe County line. A map showing the location of the proposed new facility is enclosed. This notice is being sent pursuant of KRS 100.324.

The commission invites your comments regarding the proposed construction. You also have the right to intervene in this matter. Your initial communication to the Commission must be received by the Commission 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, Post Office Box 615, Frankfort, Kentucky 40602. Please refer to Case No. 99-080 in your correspondence.

Sincerely, illion K Higgs

William K. Grigsby Manager

WKG/lw

EXHIBIT K

Pursuant to KAR 5:001, Section 9(2):

Mountaineer Cellular Limited Liability Company will finance the subject construction with earned surplus in its General Fund.

Estimated Cost of Construction \$92,000.00 Annual Operational Expense of Tower \$11,900.00

#### DEED

This Deed of Conveyance, made and entered into this <u>25</u> day of <u>April</u>, 1998, by and between DARRELL MILLER and his wife, BRENDA J. MILLER, residents of 7<u>464aks,deD</u>, Jackson, Kentucky 41339; and LARRY T. HENSON and his wife, KATHY HENSON, residents of <u>123 Texap 24</u>, Jackson, Kentucky 41339, parties of the first part (hereinafter "Grantors"); and MOUNTAINEER CELLULAR GENERAL PARTNERSHIP, a Kentucky partnership having a mailing address of P. O. Box 1148, Hindman, Kentucky 41822, party of the second part (hereinafter "Grantee"),

#### WITNESSETH:

That said Grantors, for and in consideration of the sum of FIVE THOUSAND DOLLARS (\$5,000.00), of which Twenty-five Dollars was previously paid under that certain Option Agreement dated November 6, 1997, the remainder being paid upon the execution hereof, the receipt and adequacy of all of which is hereby acknowledged, have bargained and sold and by these presents do hereby bargain, sell, grant and convey unto Grantee, its successors and assigns forever, a tract of land lying and being in Breathitt County, Kentucky, and more particularly described as follows:

Lying and being in the head of Frozen Creek and bounded as follows:

Beginning on a #4 rebar on top of a high knob in the head of Frozen Creek on the Wolfe, Breathitt County line, east of Route 15, Latitude is 37 39 04 and the Longitude is 83 26 20, and being a corner to Colin and Shirley Halcomb, witness a #4 rebar on the center of the ridge SW 10 42 05, 75.55 feet; thence with the county line and the Halcomb line along the center of the ridge NE 23 with the county 00 00,  $6\overline{1}.48$  feet to a #4 rebar; thence NE 40 32 45, 40.42 feet to a #4 rebar at the base of a twelve inch hickory; thence down the hill SE 73 41 11, 78.42 feet; thence around the side of the hill SW 40 32 45, 50.00 feet; thence SW 16 45 112.04 feet; thence SW 62 42 27, 41, 94.59 feet; thence NW 81 42 22, 142.97 feet; thence up the hill NE 05 26 10, 115.00 feet to a #4 rebar at the base of a thirty inch chestnut oak on top of the

CARDINE STREET STREET STREET

ridge at the Halcomb line, witness a #4 rebar on the center of the ridge NW 89 46 25, 102.67 feet; thence with Halcomb's line and the center of the ridge SE 84 33 50, 69.64 feet to a #4 rebar; thence SE 86 31 00, 84.73 feet to the beginning, containing 0.75 acres.

SOURCE OF TITLE: Being a part of the same property conveyed to the Grantors by deed from Willie Dixon dated February 24, 1972 and recorded in Deed Book 122, page 469 in the Breathitt County Clerk's Office.

<u>RIGHT OF WAY AND EASEMENT</u>: For the consideration paid herein, Grantors further grant and convey to Grantee, its successors and assigns, a permanent right of way and easement across Grantors' adjacent properties for (i) the construction of a roadway for ingress to and egress from the above-described property, and (ii) the running of utility lines across said properties for connection with the Grantee's communications tower. The property affected by this easement is the same as that cited in the source of title above.

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

IN TESTIMONY WHEREOF, witness the signatures of Grantors on this the day and year first above written.

5.00 TAPpd 8-6-98

**GRANTORS**: DARRELL MILL BREND KATHY HENSON

#### CERTIFICATE OF PARTIES

We, the undersigned Grantors and Grantee, do hereby certify, pursuant to KRS Chapter 382, that the above stated consideration in the amount of \$5,000.00 is the true, correct and full consideration paid for the property herein conveyed. We further certify our 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.

**GRANTORS**: .20 DARRELL MILLER <u> 22 0 22</u> 1. BRENDA J. MILLER MXXXX LX Ú KATHY HENSON : V

GRANTEE:

MOUNTAINEER CELLULAR GENERAL PARTNERSHIP

By: K. GRIGSBY WĬĬ Managing Partner

STATE OF KENTUCKY ) SS COUNTY OF <u>Breathet</u>

I hereby certify that the foregoing deed was produced to me and duly acknowledged before me by DARRELL MILLER and his wife, BRENDA J. MILLER, parties thereto, to be their act and deed, and that the foregoing Certificate of Parties was duly subscribed and sworn to before me by DARRELL MILLER and his wife, BRENDA J. MILLER, on this the  $\underline{-24}$  day of  $\underline{Ceptic}$ , 1998.

Konda K. Caleman Notary Public

My commission expires 10 - 8 - 2002.

STATE OF KENTUCKY ) SS COUNTY OF  $\beta$  (a.thuff)

I hereby certify that the foregoing deed was produced to me and duly acknowledged before me by LARRY T. HENSON and his wife, KATHY HENSON, parties thereto, to be their act and deed, and that the foregoing Certificate of Parties was duly subscribed and sworn to before me by LARRY T. HENSON and his wife, KATHY HENSON, on this the 24 day of Ceptif, 1998.

4

Linde: R. Celeman

My commission expires  $\underline{\mathcal{J}}_{\underline{\mathcal{U}}} = \underline{\mathcal{J}} = \underline{\mathcal{Z}} \underline{\mathcal{U}} \underline{\mathcal{U}}^{\underline{\mathcal{U}}}$ .

STATE OF KENTUCKY ) )SS COUNTY OF KNOTT )

I hereby certify that the foregoing Certificate of Parties was duly subscribed and sworn to before me by William K. Grigsby, managing partner of Mountaineer Cellular General Partnership, on this the  $27^{(1)}$  day of Apcil, 1998.

Notary Public

My commission expires  $\frac{(c/7/2cc)}{c}$ .

STATE OF KENTUCKY ) )SS COUNTY OF BREATHITT)

I, TONY G. WATTS, Clerk of Breathitt County, do hereby certify that the foregoing instrument was on the  $\frac{6^{-L}}{6^{-L}}$  day of  $\underline{1000}$ , 1998, lodged in my office for record and that it, the foregoing, and this my certificate have been duly recorded in my said office in Deed Book <u>187</u>, page <u>309</u>.

Witness my hand on this the 6 day of lug. 1998.

TONY G. WATTS, CLERK By: Stelle Robinson D.C.

This instrument prepared without examination of title by:

ohu Coll ROBIN JOHNSON COLLINS

ATTORNEY AT LAW P.O. BOX 176 LACKEY, KY 41643 BUC 2 ULD 2 DUU 2

This Deed of Conveyance, made and entered into this 25th day of \_\_\_\_, 1998, by and between COLIN K. April HALCOMB and his wife, SHIRLEY L. HALCOMB, residents of P.O. Box 312, Campton, Kentucky 41301, parties of the first part (hereinafter "Grantors"), and MOUNTAINEER CELLULAR GENERAL PARTNERSHIP, a Kentucky partnership having a mailing address O. Box 1148, Hindman, Kentucky 41822, party of the of P. second part (hereinafter "Grantee"),

DEED

AUG 0.6 1548

WOLFE COUNTY CLERK S. KENNETH LINDON

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Ken Strikov

#### WITNESSETH:

That said Grantors, for and in consideration of the sum TWO THOUSAND FIVE HUNDRED DOLLARS (\$2,500.00), of which of Twenty-five Dollars was previously paid under that certain Option Agreement dated November 11, 1997, the remainder being paid upon the execution hereof, the receipt and adequacy of all of which is hereby acknowledged, have bargained and sold and by these presents do hereby bargain, sell, grant and convey unto Grantee, its successors and assigns forever, a tract of land lying and being in Wolfe County, Kentucky, and more particularly described as follows:

> Lying and being in the head of Sewell Fork of Spring Branch and bounded as follows:

> Beginning on a #4 rebar on top of a high knob in the head of Sewell Branch on the Wolfe, Breathitt County line, east of Route 15, Latitude is 37 39 04 and the Longitude is 83 26 20, and being a corner to Miller and Henson property, witness a #4 rebar on the center of the ridge SW 10 42 05, 75.55 feet; thence with the county line and the Miller and Henson line along the center of the ridge NW 86 31 00, 84.73 feet to a #4 rebar; thence NW 84 33 50, 69.64 feet to a #4 rebar at the base of a thirty inch diameter chestnut oak, witness a #4 rebar on the center of the ridge NW 89 46 25, 102.67 feet; thence leaving the ridge line and going down the hill NE 00 13 35, 100.00 feet; thence around the side of the hill NE 77 50 06, 143.18 feet; thence up the hill SE 49 27 15, 84.00 feet to a #4 rebar at the base of

a twelve inch hickory on the top of the ridge and the county line and a corner to Miller and Henson; thence with the center of the ridge SW 40 32 45, 40.42 feet to a #4 rebar; thence SW 23 00 00, 61.48 feet to the beginning, containing 0.5 acres.

SOURCE OF TITLE: Being a part of the same property conveyed to the Grantors by deed from William Sewell and Connie Sewell dated April 20, 1991 and recorded in Deed Book 87, page 61 in the Wolfe County Clerk's Office.

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

IN TESTIMONY WHEREOF, witness the signatures of Grantors on this the day and year first above written.

**GRANTORS**:

SHIRLEY HALCOMB

#### CERTIFICATE OF PARTIES

We, the undersigned Grantors and Grantee, do hereby certify, pursuant to KRS Chapter 382, that the above stated consideration in the amount of \$2,500.00 is the true, correct and full consideration paid for the property herein conveyed. We further certify our 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.

**GRANTORS**:

talent HALCOMB

**GRANTEE**:

MOUNTAINEER CELLULAR GENERAL PARTNERSHIP

By: Managing Partner

STATE OF KENTUCKY ) SS COUNTY OF (1)

I hereby certify that the foregoing deed was produced to me and duly acknowledged before me by COLIN K. HALCOMB and his wife, SHIRLEY L. HALCOMB, parties thereto, to be their act and deed, and that the foregoing Certificate of Parties was duly subscribed and sworn to before me by COLIN K. HALCOMB and his wife, SHIRLEY L. HALCOMB, on this the  $A_{4}$  day of  $a_{4}$ , 1998.

Linda, K. Coleman Notary Public

My commission expires <u>10-8-2000</u>.

STATE OF KENTUCKY ) )SS COUNTY OF KNOTT )

I hereby certify that the foregoing Certificate of Parties was duly subscribed and sworn to before me by William K. Grigsby, managing partner of Mountaineer Cellular General Partnership, on this the  $27^{+1}$  day of <u>April</u>, 1998.

Susan Hall Howard Notary Public

My commission expires  $(\ell/7/2001)$ .

STATE OF KENTUCKY ) )SS COUNTY OF WOLFE )

I, Corine C. Woolums, Clerk of Wolfe County, do hereby certify that the foregoing instrument was on the \_\_\_\_\_ day \_\_\_\_, 1998, lodged in my office for record and of that it, the foregoing, and this my certificate have been duly recorded in my said office in Deed Book <u>رمع</u>, page 201.

Witness my hand on this the \_\_\_\_\_ day of \_\_\_\_\_, 1998.

-CORINE\_C- WOOLUMS, CLERK

D.C. By: \_\_\_\_\_

This instrument prepared without examination of title by:

Collin ()ROBIN JOHNSON COLLINS ATTORNEY AT LAW P.O. BOX 176

LACKEY, KY 41643

STATE OF KENTUCKY COUNTY OF WOLFE I, S. Kenneth Lindon, Clerk of Wolfe County for the 1, 5. Kenneth Lindon, Clerk of Wolle County for the County and State eforesaid, do hereby certify that the for going instrument was on the \_\_\_\_\_ day of \_\_\_\_\_. 10 \_\_\_\_, lodged in my office for record, whereupon the same with the foregoing and this certificate have been duly

19\_98 Given under my hand, this the 6 day of 0 Clerk

A:4894MC

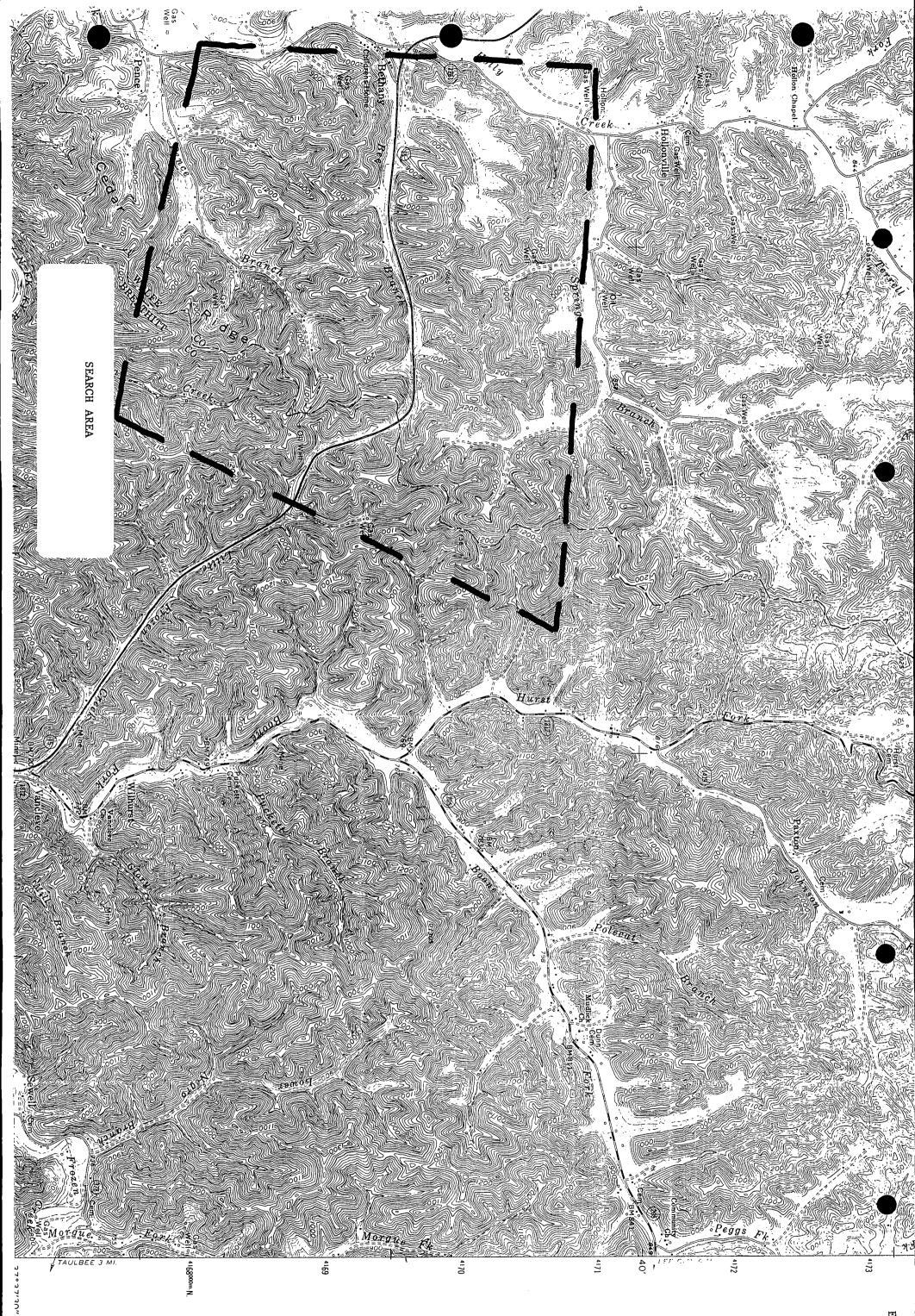
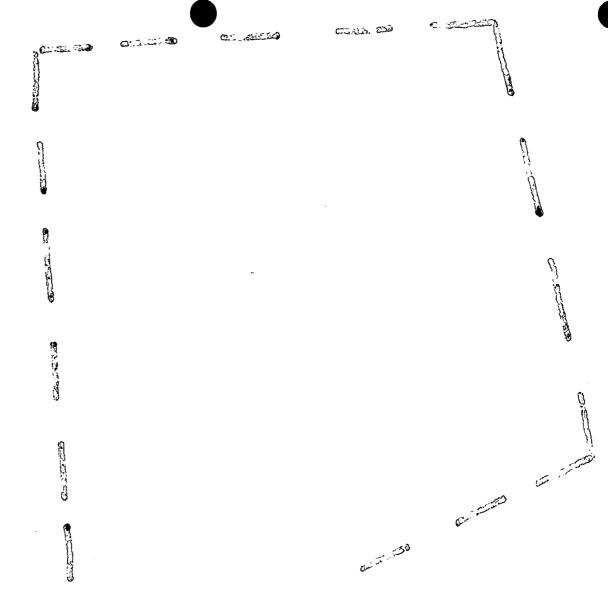


EXHIBIT M



Contra Contra

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EXHIBIT N

#### PUBLIC NOTICE

Notice is hereby given that Mountaineer Cellular Limited Liability Company, dba Kentucky Cellular has applied to the Kentucky Public Service Commission to construct a 300' self-supporting tower 2.1 miles Northwest of Vancleve, KY. The exact location is 37° 30' 13" and 84° 06' 48". Any comments can be directed to the Executive Director of the Public Service Commission, 730 Schenkel Lane, Box 615, Frankfort, KY 40602. Please refer to Case No. 99-080

#### NOTICE OF INTENT TO FILE A CELL SITE APPLICATION

# RECEIVED MAR 1 1 1999

PUBLIC SERVICE COMMISSION

March 8, 1999

Stephanie Bell Secretary of the Commission Kentucky Public Service Commission P.O. Box 615 730 Schenkel Lane Frankfort, KY 40601

RE: Case Number 99-080

Dear Ms. Bell:

This letter is to confirm my request for a case number on March 8, 1999. The application is on behalf of Mountaineer Cellular Limited Liability Company, for a cell site located at Bethany in Jackson, Kentucky. I was given Case Number 99-080. We intend to file the application no later than April 9, 1999, and we understand that the case number assigned to us in this matter may be reassigned if we have not submitted an application by this date. If there are any questions, you may contact William Grigsby at 606-785-9550. I thank you for your attention in this matter.

Sincerely, William K. Grigsby

WKG/lw