### CASE NUMBER: 99-445

KENTUCK Construe	ct	A-445 B-445 BEA BELLSOUTH MOBILITY, WESTEL-MILWAUKEE, BSC DAD {HWY 11} - MT. STERLING, MONTGOMERY COUNTY	PAGE
AND KEI PUBLIC COMMUN MT. STI IN THE IN THE IN THE	NTUCKY CGSA, CONVENIENCE ICATIONS FACI ERLING, KY WIRELESS COM	MUNICATIONS LICENSE AREA H OF KENTUCKY DNTGOMERY	
SEQ	ENTRY		
NBR	DATE	REMARKS	
0001	11/10/1999	Application.	
0002		Acknowledgement letter.	
M0001		CAROL MCLAUGHLIN CITIZEN-REQUEST FOR INTERVENTION	
M0002		DAVID ROBERTS CITIZEN-REQUEST FOR INTERVENTION	
0003	12/02/1999	Copy of Carol R. McLaughlin's intent to intervene sent to Lloyd McCarthy et. al.	
M0004	12/02/1999	WILLIAM PECK CITIZEN-LETTER OF CONCERN TO CELL SITE LOCATION	
0004		Copy of Jim Weldon's letter sent to Lloyd McCarthy et. al re: protest.	
0005		Response to Jim Weldon.	
M0003	12/03/1999		
0006	12/13/1999	Order scheduling 3/2 hearing; notices of intent due 12/23 or hearing cancelled	
M0005		CROWN COMMUNICATIONS DAVID PIKE-FIRST AMENDMENT TO APPLICATION	
M0006	12/21/1999		
M0007	01/25/2000		PPO
0007	01/26/2000		
M0008	01/27/2000	CROWN COMMUNICATIONS DAVID PIKE-RESPONSE TO ORDER OF 12-31-99 POTENTIAL ALTERNATIVE SIT	'ES A
M0009	02/10/2000		
M0010	02/14/2000		
M0011	02/18/2000		
0008	02/28/2000	Order rescheduling 3/2 hearing to 3/16	
0009	03/09/2000	Order cancelling 3/16/2000 hearing and continuing matter generally.	
M0012	01/04/2001		

0010 01/17/2001 FINAL ORDER; APPLICATION WITHDRAWN WITHOUT PREJUDICE

.



COMMONWEALTH OF KENTUCKY PUBLIC SERVICE COMMISSION 211 SOWER BOULEVARD POST OFFICE BOX 615 FRANKFORT, KY. 40602 (502) 564-3940

### CERTIFICATE OF SERVICE

RE: Case No. 1999-445 KENTUCKY CGSA, INC., DBA BELLSOUTH MOBILITY, WESTEL-MILWAUKEE, BSC

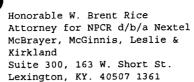
I, Stephanie Bell, Secretary of the Public Service Commission, hereby certify that the enclosed attested copy of the Commission's Order in the above case was served upon the following by U.S. Mail on January 17, 2001.

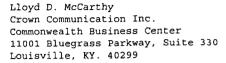
See attached parties of record.

tenhare

Secretary of the Commission

SB/sa Enclosure Steve Skinner Manager of External Affairs Kentucky CGSA,Inc.,dba Bellsouth Mobility,Westel-Milwaukee,BSCC of IN 1100 Peachtree Street Room 809 Atlanta, GA. 30309





Richard Guittar Director-Operations/Engineering BellSouth Mobility 1650 Lyndon Farms Court Louisville, KY. 40223

Honorable David A. Pike Attorney for Crown Communication Inc Pike Legal Group 1578 Highway 44E, Suite 6 P. O. Box 369 Shepherdsville , KY. 40165 0369

Honorable Sam McNamara Attorney for Kentucky CGSA, Inc. McNamara & Jones 315 High Street P.O. Box 916 Frankfort, KY. 40602

David Roberts Crown Castle USA Inc. Kentucky Region 11001 Bluegrass Parkway, Suite 330 Louisville, KY. 40299

Carol R. McLaughlin 1227 Country Heights Drive Mt. Sterling, KY. 40353

### COMMONWEALTH OF KENTUCKY

### BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

THE APPLICATION OF CROWN COMMUNICATION ) INC. AND KENTUCKY CGSA, INC. FOR ISSUANCE ) OF A CERTIFICATE OF PUBLIC CONVENIENCE ) AND NECESSITY TO CONSTRUCT A WIRELESS ) COMMUNICATIONS FACILITY AT LEVEE ROAD ) (HWY 11), MT. STERLING, KY 40355 ) IN THE WIRELESS COMMUNICATIONS LICENSE ) AREA; IN THE COMMONWEALTH OF KENTUCKY ) IN THE COUNTY OF MONTGOMERY ) SITE NAME: MT. STERLING )

CASE NO. 99-445

### ORDER

On November 10, 1999, Crown Communication, Inc. and Kentucky CGSA, Inc., d/b/a BellSouth Mobility, Inc. (collectively, the "Applicants") filed an application with the Commission requesting a Certificate of Public Convenience and Necessity to construct and operate a wireless telecommunications facility at Levee Road, Highway 11, Mt. Sterling, Montgomery County, Kentucky. On March 7, 2000, the Applicants moved to continue generally the public hearing to enable them to make additional collocation analyses to determine whether the needs of the providers could be met by an alternate facility in the vicinity. The motion was granted.

On January 4, 2001, the Applicants filed a motion to withdraw their application without prejudice. The Commission finds that the motion to withdraw should be granted.

Accordingly, IT IS HEREBY ORDERED that this application be withdrawn without prejudice.

Done at Frankfort, Kentucky, this 17th day of January, 2001.

By the Commission

ATTEST:

SO

**Executive Director** 

### COMMONWEALTH OF KENTUCKY BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF CROWN COMMUNICATION INC. AND KENTUCKY CGSA, INC. FOR ISSUANCE OF A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO CONSTRUCT A WIRELESS COMMUNICATIONS FACILITY AT LEVEE ROAD (HWY. 11), MT. STERLING, KY 40355 IN THE WIRELESS COMMUNICATIONS LICENSE AREA IN THE COMMONWEALTH OF KENTUCKY IN THE COUNTY OF MONTGOMERY

SITE NAME: MT. STERLING SITE NUMBER: KY274

### \*\*\*\*\*\*

### MOTION TO WITHDRAW APPLICATION WITHOUT PREJUDICE

Come Crown Communication Inc. ("Crown"), and Kentucky CGSA, Inc., d/b/a BellSouth Mobility, ("Provider"), as a licensed public utility in the Commonwealth of Kentucky, hereinafter jointly referred to as "Applicants", by counsel, and move the Kentucky Public Service Commission ("PSC") to withdraw from its consideration the Application for Certificate of Public Convenience and Necessity, submitted by the Applicants in this action. Applicants further move the PSC to grant such withdrawal without prejudice.

WHEREFORE, the Applicants, by counsel, move the PSC to GRANT this Motion to Withdraw its Application in the within action, without prejudice, and to issue all appropriate Orders and Notices in the within action.

RECEIVE JAN 04 2001 PUBLIC SERVICE

CASE NO.: 99-445

### **CERTIFICATE OF SERVICE**

I hereby certify that a copy of the within was mailed, postage prepaid, to: Carol R.

McLaughlin, 1227 Country Heights Drive, Mt. Sterling, KY 40353; and David Roberts,

35 West High Street, Mt. Sterling, KY 40353 on January <u>4</u>, 2001.

Respectfully submitted,

David A. Pike Christopher L. King Pike Legal Group 1578 Highway 44E, Suite 6 Post Office Box 369 Shepherdsville, KY 40165-0369 Telephone: (502) 955-4400 Telefax: (502) 543-4410 E-mail: pikelegal@aol.com ATTORNEYS FOR CROWN COMMUNICATION INC.

and

Sam McNamara McNamara & Jones P.O. Box 916 Frankfort, KY 40602 ATTORNEY FOR KENTUCKY CGSA, INC.



COMMONWEALTH OF KENTUCKY PUBLIC SERVICE COMMISSION 211 SOWER BOULEVARD POST OFFICE BOX 615 FRANKFORT, KY. 40602 (502) 564-3940

March 9, 2000

To: All parties of record

RE: Case No. 1999-445

We enclose one attested copy of the Commission's Order in the above case.

Sincerely

Stephanie Bell Secretary of the Commission

SB/sh Enclosure Steve Skinner Manager of External Affairs Kentucky CGSA, Inc., dba Bellsouth Mobility, Westel-Milwaukee, BSCC of IN 1100 Peachtree Street Room 809 Atlanta, GA 30309

Lloyd D. McCarthy Crown Communication Inc. Commonwealth Business Center 11001 Bluegrass Parkway, Suite 330 Louisville, KY 40299

Richard Guittar Director-Operations/Engineering BellSouth Mobility 1650 Lyndon Farms Court Louisville, KY 40223

Honorable David A. Pike Attorney for Crown Communication Inc Pike Legal Group 200 South Buckman Street P. O. Box 369 Shepherdsville , KY 40165 0369

Honorable Sam McNamara Attorney for Kentucky CGSA, Inc. McNamara & Jones 315 High Street P.O. Box 916 Frankfort, KY 40602

David Roberts Crown Castle USA Inc. Kentucky Region 11001 Bluegrass Parkway, Suite 330 Louisville, KY 40299

Carol R. McLaughlin 1227 Country Heights Drive Mt. Sterling, KY 40353



### COMMONWEALTH OF KENTUCKY

### BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

THE APPLICATION OF CROWN COMMUNICATION	)
INC. AND KENTUCKY CGSA, INC. FOR ISSUANCE	)
OF A CERTIFICATE OF PUBLIC CONVENIENCE	)
AND NECESSITY TO CONSTRUCT A WIRELESS	)
COMMUNICATIONS FACILITY AT LEVEE ROAD	)
(HWY 11), MT. STERLING, KY 40355	)
IN THE WIRELESS COMMUNICATIONS LICENSE	)
AREA; IN THE COMMONWEALTH OF KENTUCKY	)
IN THE COUNTY OF MONTGOMERY	)
SITE NAME: MT. STERLING	)

CASE NO. 99-445

### <u>ORDER</u>

Motion having been made, and the Commission having been sufficiently advised,

IT IS HEREBY ORDERED that the hearing in this case originally scheduled for

March 16, 2000 is cancelled and the matter is continued generally.

Done at Frankfort, Kentucky, this 9th day of March, 2000.

By the Commission

ATTEST:

Shale

Executive Director

### COMMONWEALTH OF KENTUCKY BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF CROWN COMMUNICATION INC. AND KENTUCKY CGSA, INC. FOR ISSUANCE OF A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO CONSTRUCT A WIRELESS COMMUNICATIONS FACILITY AT LEVEE ROAD (HWY. 11), MT. STERLING, KY 40355 IN THE WIRELESS COMMUNICATIONS LICENSE AREA IN THE COMMONWEALTH OF KENTUCKY IN THE COUNTY OF MONTGOMERY

SITE NAME: MT. STERLING SITE NUMBER: KY274

### \* \* \* \* \* \* \* \* \* \* \*

### MAR 07 2000

RECEIVED

PUBLIC SERVICE

CASE NO.: 99-445

### MOTION TO GENERALLY CONTINUE PUBLIC HEARING DATE

Come Crown Communication Inc. ("Crown"); and Kentucky CGSA, Inc., d/b/a BellSouth Mobility, Inc. ("Provider"), as a licensed public utility in the Commonwealth of Kentucky; hereinafter jointly referred to as "Applicants", by counsel, and move the Kentucky Public Service Commission ("PSC") to continue the public hearing currently scheduled for March 16, 2000 at 9:00 AM generally, subject to a possible renewed Motion to schedule this administrative action for hearing. This Motion is made to enable the Applicants to do additional collocation analysis in order to determine whether the needs of providers can be met by an alternate facility in the vicinity. A preliminary investigation of this alternative has demonstrated that additional investigation is warranted. This collocation analysis cannot be completed prior to the scheduled March 16, 2000 public hearing. WHEREFORE the Applicants, by counsel, urge the PSC to enter all necessary Orders or docket notations continuing the public hearing in this administrative action generally, subject to any renewed Motion to schedule this administrative action for public hearing. The Applicants propose to report the status of this case within ninety (90) days of the entry of any PSC Order continuing the scheduled hearing.

### **CERTIFICATE OF SERVICE**

I hereby certify that a copy of the within was mailed, postage prepaid, to: Carol R. McLaughlin, 1227 Country Heights Drive, Mt. Sterling, KY 40353; and David Roberts, 35 West High Street, Mt. Sterling, KY 40353 on March 1, 2000.

Respectfully submitted,

Devid A. Pike Pike Legal Group 200 S. Buckman Street Post Office Box 369 Shepherdsville, KY 40165-0369 Telephone: (502) 955-4400 Telefax: (502) 543-4410 E-Mail: pikelegal@aol.com ATTORNEY FOR CROWN COMMUNICATION INC.

and

Sam McNamara McNamara & Jones P.O. Box 916 Frankfort, KY 40602 ATTORNEY FOR KENTUCKY CGSA, INC.

### COMMONWEALTH OF KENTUCKY BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

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FEB 1 8 2000

PUBLIC SERVICE COMMISSION

CASE NO.: 99-445

APPLICATION OF CROWN COMMUNICATION INC. AND KENTUCKY CGSA, INC. FOR ISSUANCE OF A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO CONSTRUCT A WIRELESS COMMUNICATIONS FACILITY AT LEVEE ROAD (HWY. 11), MT. STERLING, KY 40355 IN THE WIRELESS COMMUNICATIONS LICENSE AREA IN THE COMMONWEALTH OF KENTUCKY IN THE COUNTY OF MONTGOMERY

SITE NAME: MT. STERLING SITE NUMBER: KY274

### \* \* \* \* \* \* \* \* \* \* \* \*

### MOTION TO CONTINUE PUBLIC HEARING DATE (APPROXIMATE TWO WEEK DELAY FOR COLLOCATION ANALYSIS)

Come Crown Communication Inc. ("Crown"); and Kentucky CGSA, Inc., d/b/a BellSouth Mobility, Inc. ("Provider"), as a licensed public utility in the Commonwealth of Kentucky; hereinafter jointly referred to as "Applicants", by counsel, and move the Kentucky Public Service Commission ("PSC") to continue the public hearing currently scheduled for March 2, 2000 at 9:00 AM approximately two weeks to a future date and time certain. This Motion is made to enable the Applicants to do additional collocation analysis in order to determine whether the needs of providers can be met by an alternate facility in vicinity. This collocation analysis cannot be completed prior to the scheduled March 2, 2000 public hearing.

WHEREFORE the Applicants, by counsel, urge the PSC to enter all necessary Orders or docket notations postponing the public hearing in this administrative action from March 2, 2000 approximately two weeks to a future date and time certain.

### CERTIFICATE OF SERVICE

I hereby certify that a copy of the within was mailed, postage prepaid, to: Carol R.

McLaughlin, 1227 Country Heights Drive, Mt. Sterling, KY 40353; and David Roberts, 35

West High Street, Mt. Sterling, KY 40353 on February 18, 2000.

• • • • • •

Respectfully submitted,

David K. Pike

Pike Legal Group 200 S. Buckman Street Post Office Box 369 Shepherdsville, KY 40165-0369 Telephone: (502) 955-4400 Telefax: (502) 543-4410 E-Mail: pikelegal@aol.com ATTORNEY FOR CROWN COMMUNICATION INC.

and

Sam McNamara McNamara & Jones P.O. Box 916 Frankfort, KY 40602 ATTORNEY FOR KENTUCKY CGSA, INC. COMMONWEALTH OF KENTUCKY BEFORE THE PUBLIC SERVICE COMMISSION



CASE NO.: 99-445

In the Matter of:

APPLICATION OF CROWN COMMUNICATION INC. AND KENTUCKY CGSA, INC. FOR ISSUANCE OF A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO CONSTRUCT A WIRELESS COMMUNICATIONS FACILITY AT LEVEE ROAD (HWY. 11), MT. STERLING, KY 40355 IN THE WIRELESS COMMUNICATIONS LICENSE AREA IN THE COMMONWEALTH OF KENTUCKY IN THE COUNTY OF MONTGOMERY

SITE NAME: MT. STERLING SITE NUMBER: KY274

\* \* \* \* \* \* \* \* \* \* \*

NOTICE OF SECOND AMENDMENT OF APPLICATION (REDUCE TOWER HEIGHT)

Come Crown Communication Inc. ("Crown"), and Westel-Milwaukee Company, Inc., d/b/a BellSouth Mobility, Inc. ("Provider"), as a licensed public utility in the Commonwealth of Kentucky, hereinafter jointly referred to "Applicants", by counsel, and tender this Notice of Second Amendment of Application originally filed in this administrative action on November 10, 1999. This Notice of First Amendment of Application is submitted to reduce the height of the proposed Wireless Communications Facility ("WCF"). The original Application filed with the Kentucky Public Service Commission ("PSC") on November 10, 1999 ("Application") is amended as follows:

1. Paragraph 6 of the Application is amended so as to replace the third sentence of the paragraph with the following text: "The proposed WCF will consist of a 200-foot self-supporting tower, with an approximately 20-foot lightning arrestor attached to the top for a total height of 220 feet." All other provisions of Paragraph 6 of the original

Application remain unchanged.

2. Exhibit B to Application is amended so as to replace the existing Exhibit B with the attached "Replacement Exhibit B," being an amended site development plan for the new height of the proposed WCF. All other provisions of Exhibit B of the original Application remain unchanged.

3. Exhibit C to Application is amended so as to replace the existing Exhibit C with the attached "Replacement Exhibit C," being the new tower and foundation design for the new height of the proposed WCF. All other provisions of Exhibit C of the original Application remain unchanged.

4. Exhibit F to Application is amended so as to replace the existing Exhibit F with the attached "Replacement Exhibit F," being an approval from the Federal Aviation Administration ("FAA") for the new height of the proposed WCF. All other provisions of Exhibit F of the original Application remain unchanged.

5. Exhibit G to Application is amended so as to replace the existing Exhibit G with the attached "Replacement Exhibit G," being an approval from the Kentucky Airport Zoning Commission (KAZC") for the new height of the proposed WCF. All other provisions of Exhibit G of the original Application remain unchanged.

6. Exhibit H to Application is amended so as to supplement the existing Exhibit H with the attached "Supplemental Exhibit H," being a supplemental geotechnical report for the new WCF configuration. All other provisions of Exhibit H of the original Application remain unchanged.

7. All other provisions of the rest of the original Application remain unchanged.

WHEREFORE, the Applicants, by counsel, urge the PSC to enter all necessary notations or Orders to give effect to this Notice of Second Amendment of Application (Reduce Tower Height).

### **CERTIFICATE OF SERVICE**

I hereby certify that a copy of the within was mailed, postage prepaid, to: Carol R. McLaughlin, 1227 Country Heights Drive, Mt. Sterling, KY 40353; and David Roberts, 35 West High Street, Mt. Sterling, KY 40353 on February 14, 2000.

Respectfully submitted,

David Á. Pike Pike Legal Group 200 S. Buckman Street Post Office Box 369 Shepherdsville, KY 40165-0369 Telephone: (502) 955-4400 Telefax: (502) 543-4410 E-Mail: pikelegal@aol.com ATTORNEY FOR CROWN COMMUNICATION INC.

and

Sam McNamara McNamara & Jones P.O. Box 916 Frankfort, KY 40602 ATTORNEY FOR KENTUCKY CGSA, INC.

### REPLACEMENT EXHIBIT B

REPLACEMENT EXHIBIT C

					GIRTS		SECTION
CECTION	EI FVATION	FACE SIZE	LEGS	DIAGONALS	HORIZONTALS	CLIMBING	≥ I
	0' = 20'	14' - 12.75'	4	L 2-1/2 x 2-1/2 x 1/4	N/A	NOTE: 3	4150
c a	20' - 40'	12.75' - 11.5'	4	L 2-1/2 x 2-1/2 x 1/4	N/A	NOTE: 3	4000
	40' - 60'	11.5' - 10.25'	3-3/4	L 2-1/2 x 2-1/2 x 3/16	N/A	NOTE: 3	3400
	60' - 80'	10.25' - 9'	3-1/2	L 2 x 2 x 1/4	N/A	NOTE: 3	3050
5	80' - 100'	9' - 7.75'	3-1/2	L 2 x 2 x 3/16	N/A	NOTE: 3	2850
	100' - 120'	775' - 6.5'	3-1/4	L 2 x 2 x 3/16	N/A	NOTE: 3	2525
	120' - 140'	65' - 5.25'	3	L 2 x 2 x 3/16	N/A	NOTE: 3	2225
	140' - 160'	5 25' - 4'	3	L 2 x 2 x 3/16	N/A	NOTE: 3	2200
-	160' - 180'	4,	2-3/4	1-1/8 S.R.	1-1/8 S.R.	NOTE: 3	2175
-   -	180' - 200'	-4	2-3/4	1-1/8 S.R.	1-1/8 S.R.	NOTE: 3	2175

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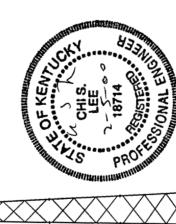
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180' ---

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200' ---



- 100' -- 7.75'

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- 120' -- 6.5'

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- 5.25

140

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- 160' ---

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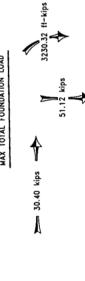
	LINE	1-5/8	1-5/8	1-5/8	EW52	1-5/8	
VIION	ELEVATION	<b>0</b> 10P	<b>6</b> 180'	<b>0</b> 160'	0 140'	0 120'	
ANTENNA INFORMATION	ANTENNA	(12) ALP9011	(12) ALP9011	(12) ALP9011	(2) 8' HP DISH	(12) ALP9011	

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DESIGN & DRAWING NOTES:

- 2) TOWER STRUCTURE IS DESIGNED IN ACCORDANCE WITH ANSI/EIA-222-F STANDARDS FOR A BASIC WIND SPEED OF 70 MPH WITH 1/2" ICE. 1) SOME DETAIL HAS BEEN OMITTED FOR CLARITY OF ILLUSTRATION.
  - - 3) STEP BOLTS ARE PROVIDED.
- 4) ALL LEG & LEG FLANGE PLATE MATERIAL IS ASTM A-572 GRADE 50 (Fy  $^{2}$  50 ksi). All other material is astm ab6 (Fy  $^{2}$  36 ksi).
  - 5) SECTIONS A H ARE 3-BAY X-BRACED (74" BAYS) SECTIONS I J ARE 6-BAY X-BRACED (38-1/2" BAYS)
- 7) (8) 1-1/8" # ASTM A449 ANCHOR BOLTS REQUIRED PER LEG.

		OTHER STTEID. MT. STERLING D.T.
2 7	4	K Y 2 7 4 TOWER STOCK #: CT - S - 200 - 75 - 51 - 00
Complete Manufacturer Of	Inclurer Towers	CENTRAL TOWER, INC. DECENVE ST. NEWRINGH INDIA, JEED (12) SECTORS
REVISIONS	ВҮ тығ.	Ele
		STTE MONTGOMERY CO., KY, FOR CROWN CASTLE PROI NO SS-577
		DATE: 2-4-00 SCALE: NO DRAWING NO.
		1-1/2-22 INAME: SS-577-1 (SS-577-1)



- 20' -- 12.75'

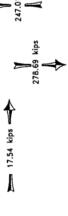
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0' --- 14' -----

SECT.

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- 60' -- 10.25'

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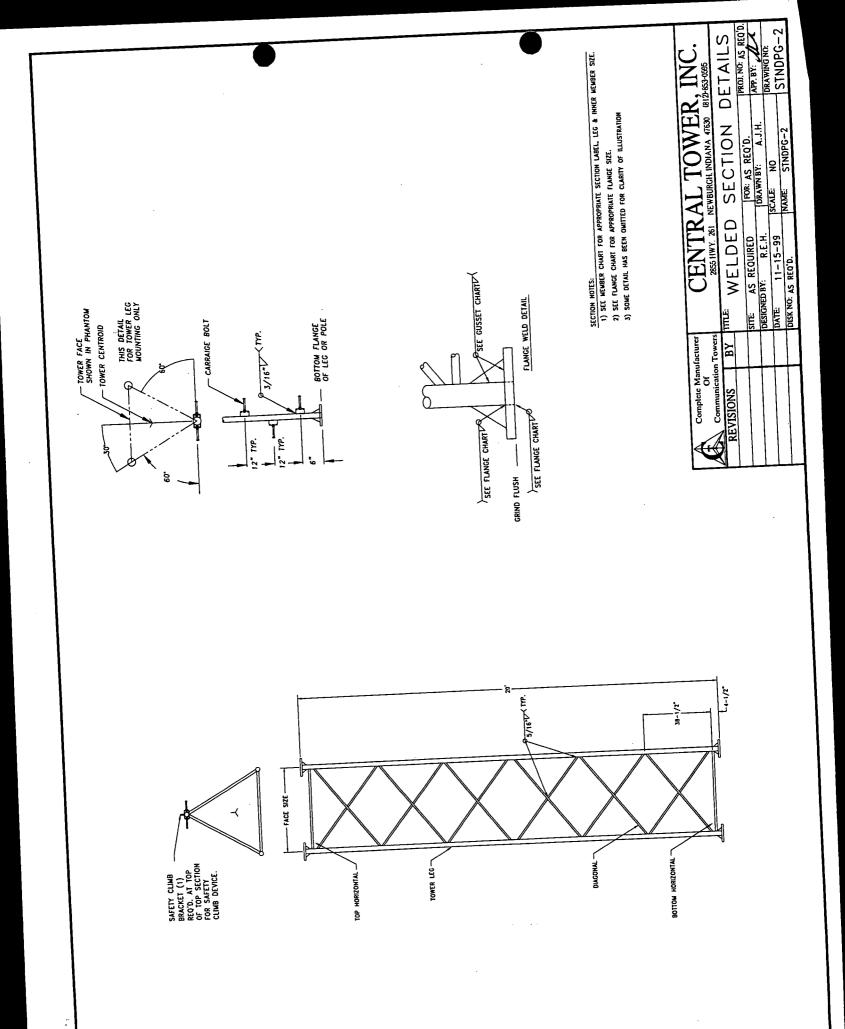


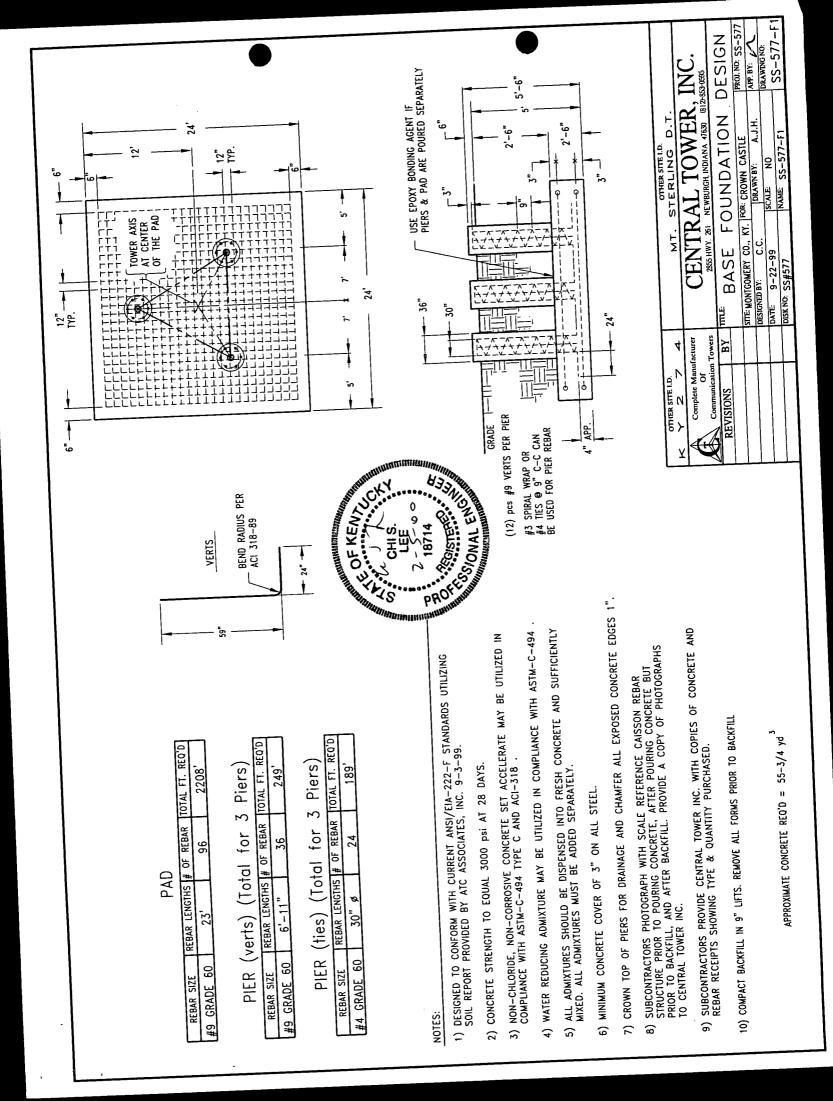












# **TEMPLATE DESIGN**

Base Size (In Feet) :

14.000

Job No. : ss-577 Site Location : Montgomery CO., KY.

	# Req'd	0
tion	Cut Length" (Ft.)	12
Support Angle Information	Ö	0.25
Support A	Description (Angle)	×
	Descri	x 2.5
		2.5

	# Req'd	~
Bearing Plate Information	<b>Bolt Circle</b>	9.5
Plate Info	<b>Bolt Drill</b>	1.25
Bearing	# Holes	Ø
	Outer Dia.	12

"A" (in.) Embed. Depth "B" (in.) 7.5 61.5
eq'd
Anchor Bolt Information Bolt Diameter LGTH. (in) #R 1.125 69 2
Material Type ASTM A449

PLEASE CHECK THE DISTANCE FROM OUTER MOST BOLT HOLES (BOLTS FARTHEST FROM THE TOWER CENTER). ANGLES SUPPLIED ARE FOR APPROXIMATE BOLT LOCATION ONLY.

8.23 inches . 14 feet OUTER BOLT DISTANCE SHOULD BE

Securing Plate Information

3	
Bolt Urill Bolt Ulicie #104-0	Template Assembly
Bolt Urlii 1.1875	Template
# Holes	

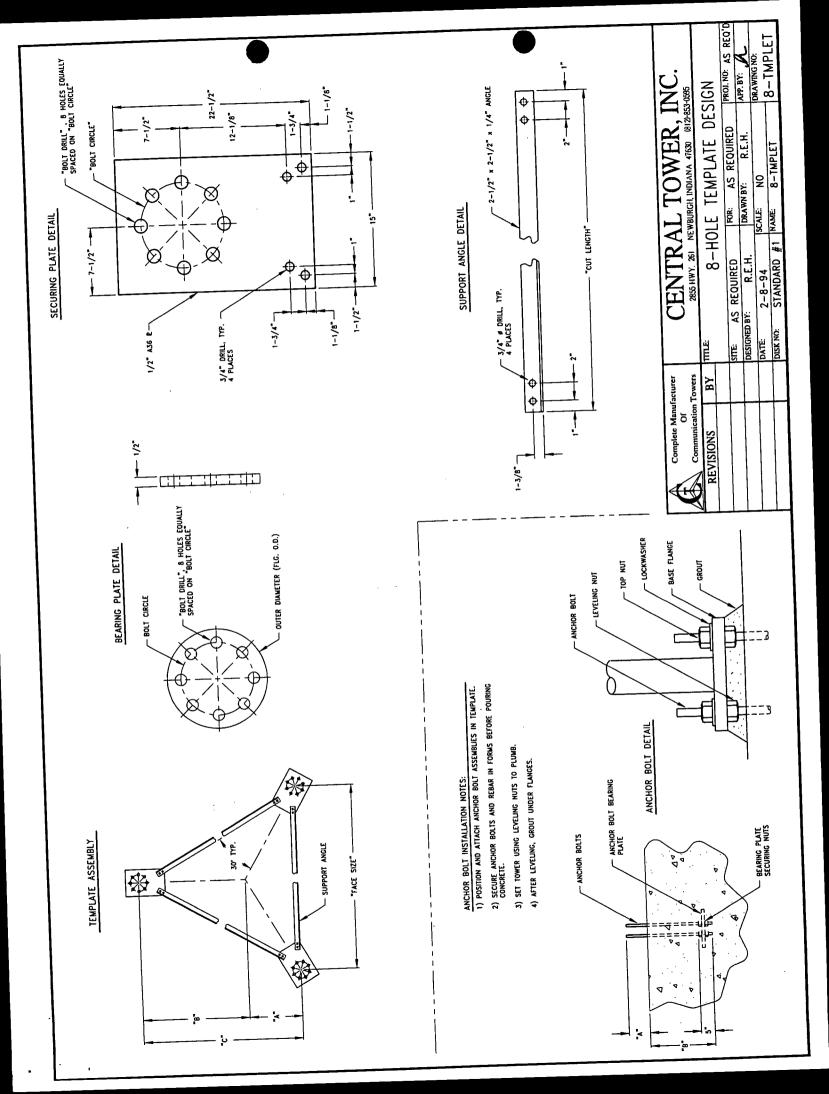


"C" (ft) 12.124

"B" (ft)

"A" (ft) 4.041

Face Size

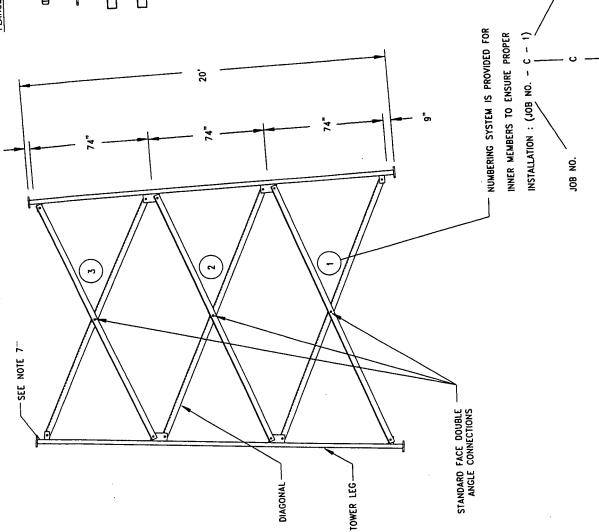


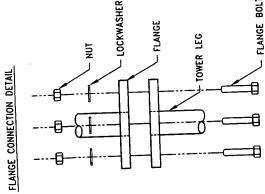


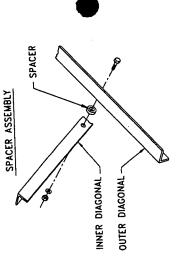
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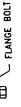


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- 2) SOME DETAIL HAS BEEN OMITTED FOR CLARITY OF ILLUSTRATION.
  - 3) SEE SHIPMENT LIST FOR BOLT SIZES & LOCATIONS.
- 4) ALL INNER MEMBER CONNECTIONS ARE SINGLE ANGLE CONNECTIONS UNLESS NOTED OTHERWISE.
- 5) INSIDE DIAGONAL INSTALL INSTRUCTIONS. INSIDE DIAGONALS TO BE INSTALLED FIRST. (INSIDE TOWER FACE) BOLTS ARE TO BE INSTALLED FROM THE INSIDE OF THE TOWER SO THAT THE THREADS ARE PRO-TRUDING TOWARDS THE OUTSIDE OF THE TOWER FACE.
- 6) OUTSIDE DIAGONAL INSTALL INSTRUCTIONS. OUTSIDE DIAGONALS TO BE INSTALLED LAST. (OUTSIDE TOWER FACE) BOLTS ARE TO BE INSTALLED FROM THE OUTSIDE OF THE TOWER SO THAT THE THREADS ARE PRO-TRUDING TOWARDS THE INSIDE OF THE TOWER FACE.
- 7) SECTION LABELING SYSTEM IS TO BE USED FOR PROPER IDENTIFICATION OF ALL SECTIONS AND TO ENSURE PROPER INSTALLATION. LEG MEMBERS WILL BE STAMPED WITH APPROPRIATE SECTION LETTER AT TOP OF LEG.

				T TANKED I	
Complete Manufacturer	acturer		CENTRY	CENTRAL JUWER INC.	ز.
Commication Towers	Towch		ZCCIIMI, ZGI N	250 HWY. 261 NEWBURGH INDIANA (1630 GID-627450	011111
REVISIONS		зшн	X-RAY-X	3-RAY-X INSTALLATION DRAWING	DRAWING
				Tent of another	PROLNO: AS REO'D
		211E	AS REQUIRED	COUNCY	APP. BY: 2
		DESIGNED BY:	BY: W.Z.	DRAWN BY: R.E.H.	Te A WHAT MAN
		DATE	5-27-97		T-DAY-IND
		DAX NO:	INSTALL #9	INSTALL #9 NAME: 3-BAY-IND	

LOCATION

SECTION



Job No. : SS-577

Site Location : Montgomery CO., KY.

								Leo	Dimens	ion Infor	ramtion							
					_	<u> </u>					Bo	ttom Flang	e	Te	op Flange		#	Grounding
Continu	]	Stock L	aa Ni	imbai	ne l	Leg Type	Leg Size	Legt	"A" (in.)	"B" (in.)	O. D. (in.)	Angle	Tilt (in.)	O. D. (in.)	Angle	Tilt (in.)	Req'd	Tab Req'd
Section					MU	SR	<u> </u>	N/A	240	9	12	2.07	0.4375	10	N/A	0.0000	3	Y
A	A	400	50	88					240		10	N/A	0.0000	10	N/A	0.0000	3	N
в	S	400	50	88	NH	SR	4	N/A				N/A	0.0000	10	N/A	0.0000	3	N
C	S	375	50	88	NH	SR	3.75	N/A	240	9	10				N/A	0.0000		N
	S	350	50	88	NH	SR	3.5	N/A	240	9	10	N/A	0.0000	10				
	- C	350	50	88	NH	SR	3.5	N/A	240	9	10	N/A	0.0000	10	N/A	0.0000	3	N
E	0							N/A	240	0	10	N/A	0.0000	10	N/A	0.0000	3	N
F	S	325	50	88	NH	SR	3.25			+- <u>-</u>		N/A	0.0000	10	N/A	0.0000	3	N
G	S	300	50	88	NH	SR	3	N/A	240	9	10					0.3750		N
H	Δ	300	50	88	NH	SR	3	N/A	240	9	10	N/A	0.0000	10	2.07	0.3750	1	<u></u>

Note 1: For Grounding Tab, - Enter Yes Or No (Y, N).

SS-577

### LEG PLATES

Job No. :

Site Location : Montgomery CO., KY.

		Leg Pi	late Dimensio	on Informat	ion	
				<u> </u>	1	Minimum
Section	"A"	"B"	"C"	Req'd	Drill Size	Weld
A	2.4375	2.5625	0.50	24	0.9375	0.3125
B	2,4375	2.5625	0.50	24	0.9375	0.3125
	2.5625	2.4375	0.50	24	0.9375	0.3125
<u>D</u>	2.5625	2.4375	0.50	24	0.9375	0.3125
F	2.5625	2.4375	0.50	24	0.9375	0.3125
F	2.5625	2.4375	0.50	24	0.9375	0.3125
G	2.5625	2.4375	0.50	24	0.9375	0.3125
H	2.5625	2.4375	0.50	24	0.9375	0.3125

Note 1: "A" Dimension For 4" o Leg & Above = 2-7/16" (2.4375).

Note 2: "A" Dimension For 3-3/4" o Leg & Bellow = 2-9/16" (2.5625) .

### **SPACERS**

Job No. :

SS-577

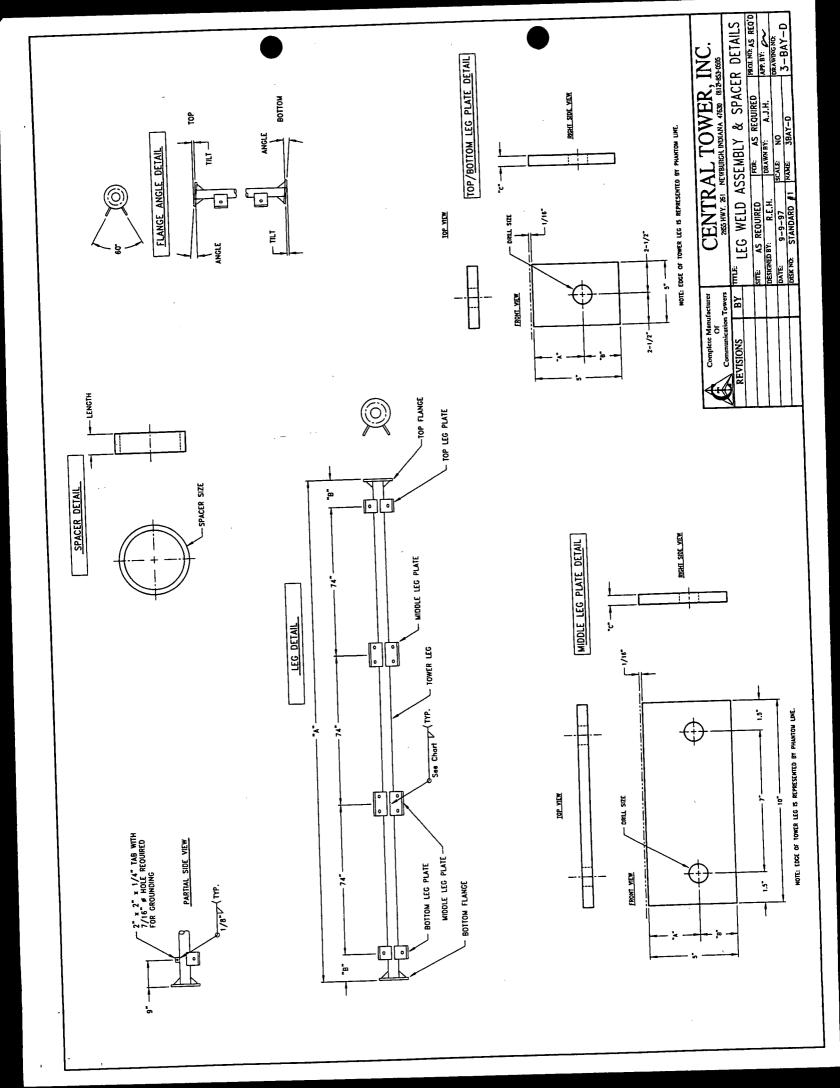
Site Location :

Montgomery CO., KY.

	Spacer In	formation	
[			#
Section	Spacer Size	Length	Req'd
A	1" Sch. 40	0.5	9
В	1" Sch. 40	0.5	9
C	1" Sch. 40	0.5	9
D	1" Sch. 40	0.5	9
E	1" Sch. 40	0.5	9
F	1" Sch. 40	0.5	9
G	1" Sch. 40	0.5	9
н	1" Sch. 40	0.5	9

Note 1: Use 1" sch 40 Pipe For 1" o Bolts & Under.

Note 2: Use 1-1/2" sch 40 Pipe For 1-1/8" o Bolts & Over.



## FLANGE DETAIL CHART

TOWER HT. 200 JOB NO. SS-577

,

LOCATION Montgomery CO., KY.

nection)	THOMA -	LENGIA	69.00	3.75			3.73	120	3.73	L T	3./3		3./3		3.75		3./5	3 76	0.10	9 7E	0.0		AN		
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		ELEV	-	, , , ,	70		40		99		80		100		120		140		160		180		200		
	~	WELD/SIZE	N/A		N/A	A/N	N/A	NA	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A		
	OUT. FILLET	WEID		0000.0	0.5000	0.5000	0.5000	0.5000	0.5000	0.5000	0.5000	0.5000	0.5000	0.5000	0.5000	0.5000	0.5000	0.5000	0.5000	0.5000	0.5000	0.5000	0.5000		
	I IN BEVEL	WELD/SIZE		NIA	NIA	N/A	N/A	N/A	N/A	N/A	A/N	A/A	A/A	VIN	ANN A	A/N	A/N	N/A	N/A	NA	NA	N/A	N/A		
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			с В		00.8	7.50	7.50	7.50	7.50	7.50	7.50	7.50	7.50	7.50	7.50	7.50	7.50	7.50	7.50	7.50	7.50	7.50	7.50	7.50	
			0	5	12.00	10.00	10.00	10.00	10.00	10.00	10.00	10.00	10.00	10.00	10.00	10.00	10.00	10.00	10.00	10.00	10.00	10.00	10.00	10.00	
	•				4.125	4.125	4.125	4.125	3.875	3.875	3.625	3.625	3.625	3.625	3.375	3.375	3.125	3.125	3.125	3.125	2.875	2.875	2.875	2.875	
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BASE (FT.) 14

# **GUSSET DETAIL CHART**

14

FACE WIDTH (FT.)

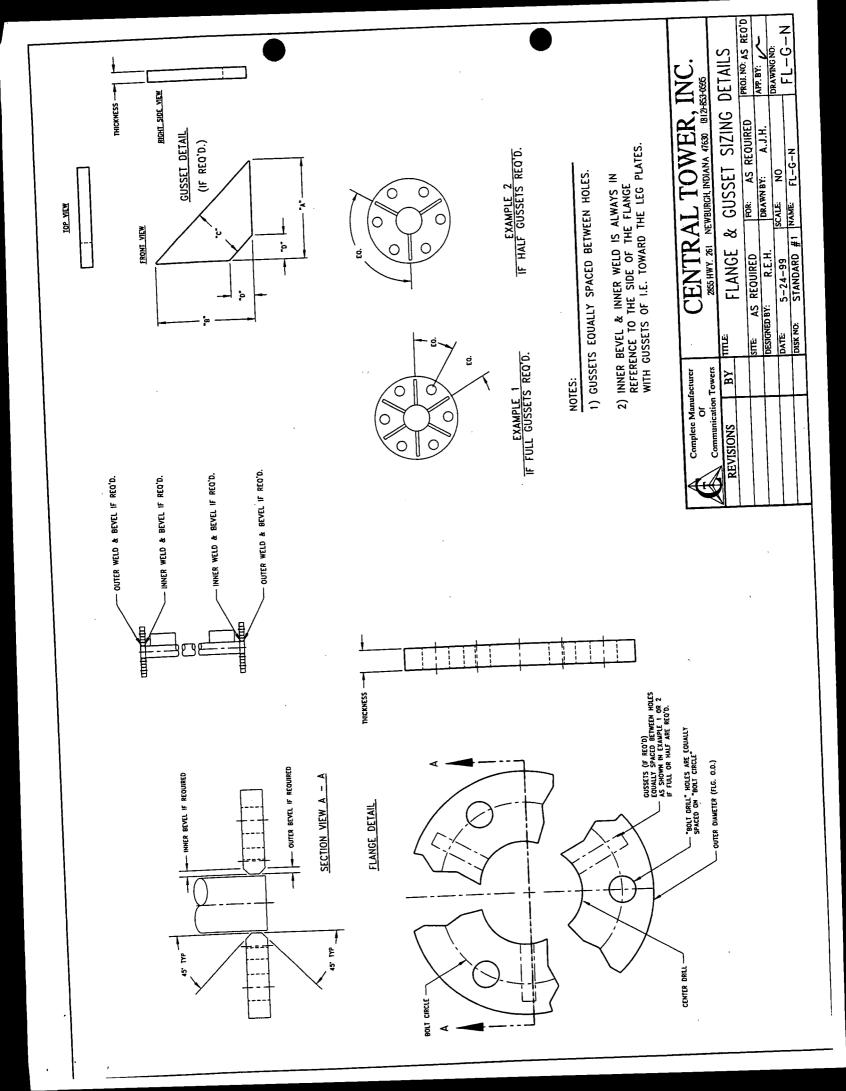
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TOWER HT. 200 JOB NO. SS-577

.

LOCATION Montgomery CO., KY.

ANGLE (BLT - GUS)	30	30	30	30	30	30	30	30	30	30	30	30	30	30	30	30	30	30	30	
GUS / BOLT (CLR) 0.33	0.43	0.43	0.43	0.43	0.43	0.43	0.43	0.43	0.43	0.43	0.43	0.43	0.43	0.43	0.43	0.43	0.43	0.43	0.43	
GUS / FLG (CLR) 1.00	0.50	0.50	0.50	0.63			0.75	0.75			0.88	1.00			1.00	1.13	1.13	1.13	1.13	
H/F/N WELD F 0.3125	F 0.3125	E 0 3125	E 0.3125	E 0.3123	E 0.3125	E 0.3125	E 0.3125	E 0.3125	+	E 0.3125	E 0.3125	E 0.3125	E 0.3125	+	╋	E 0.3125	E 0 3125	E 0.3120	E 0.3125	
TOTAL REQ'D H	00.41	10.00	18.00	18.00	18.00	18.00	10.00	18.00	18.00	18.00	18.00	18.00	18.00	18.00	10.00	10.00	18.00	18.00	18.00	18.00
H	+	-+	-+		5 0.73	-	+	+	+	-	-		5 0.73		+	+		1.25 0.73	-	1.25 0.73
		2.50 1.25	2.50 1.25	2.50 1.25	2.50 1.25	-	2.50 1.25	2.50 1.25			2.50 1.25		2.50 1.25	_	_	2.50 1.2	2.50 1.2	2.50 1.		2.50 1.
"A"	3.00	2.50	2.50	2.50	2.50	2.50	2.50	2.50	2.50	2.50	2.50	2.50	2.50	2.50	2.50	2.50	2.50	2.50	2.50	250
THICKNESS	0.375	0.375	0.375	0.375	0.375	0.375	0.375	0.375	0.375	0.375	0.375	0.375	0.375	0.375	0.375	0.375	0.375	0.375	0.375	0 275
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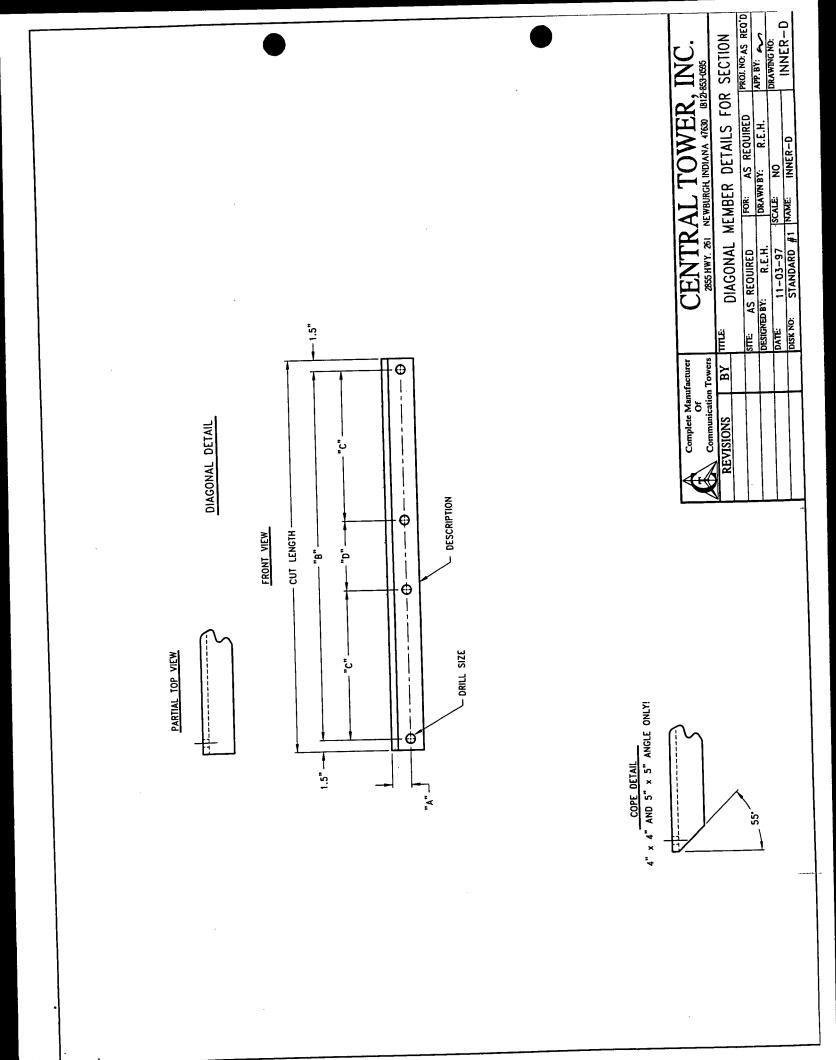
### DIAGONALS

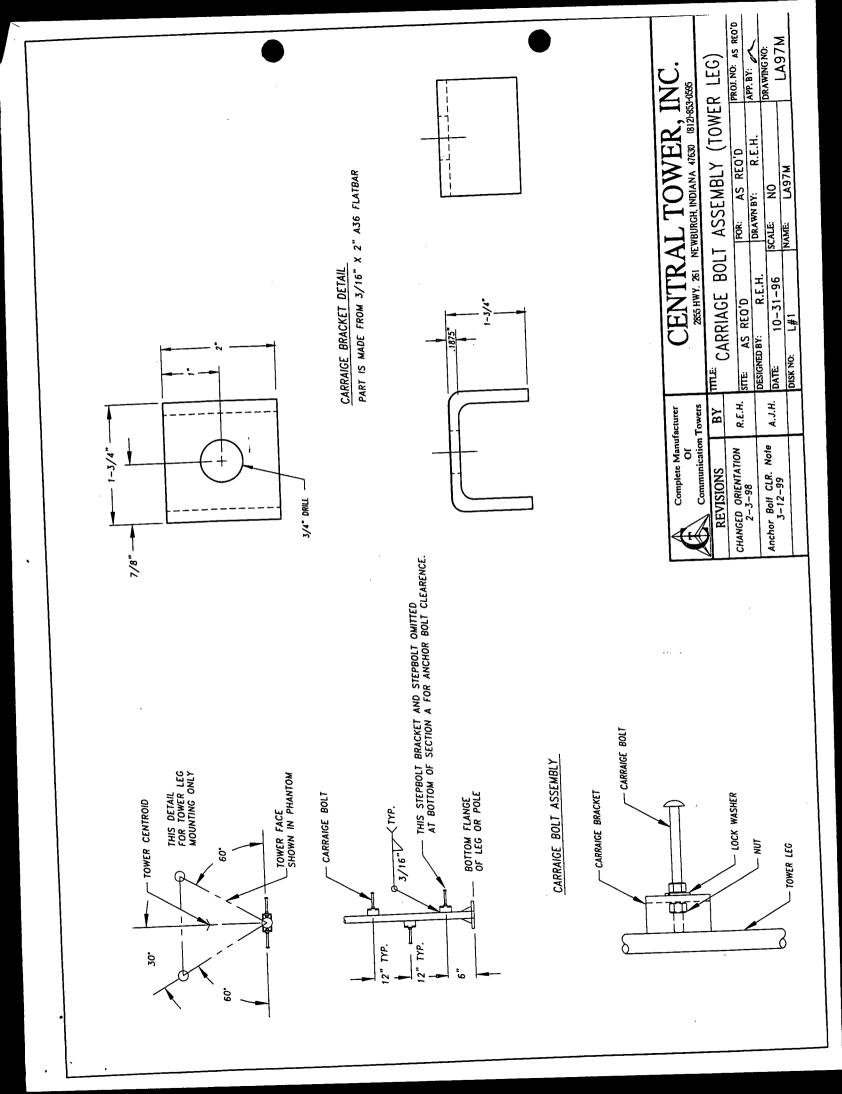
Job No. : SS-577

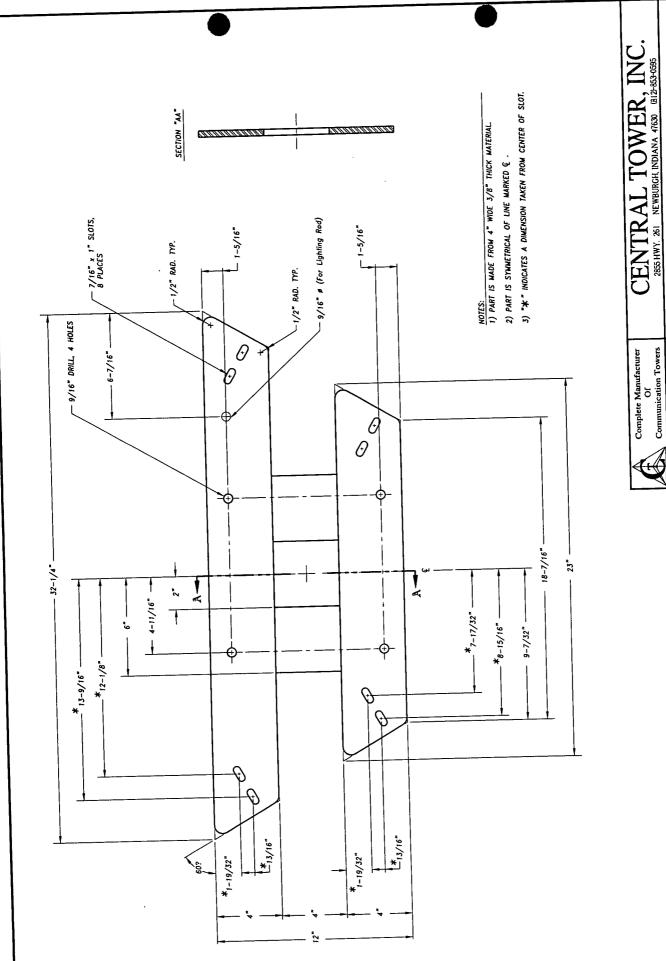
Site Location : Montgomery CO., KY.

Diagonal Dimension Information

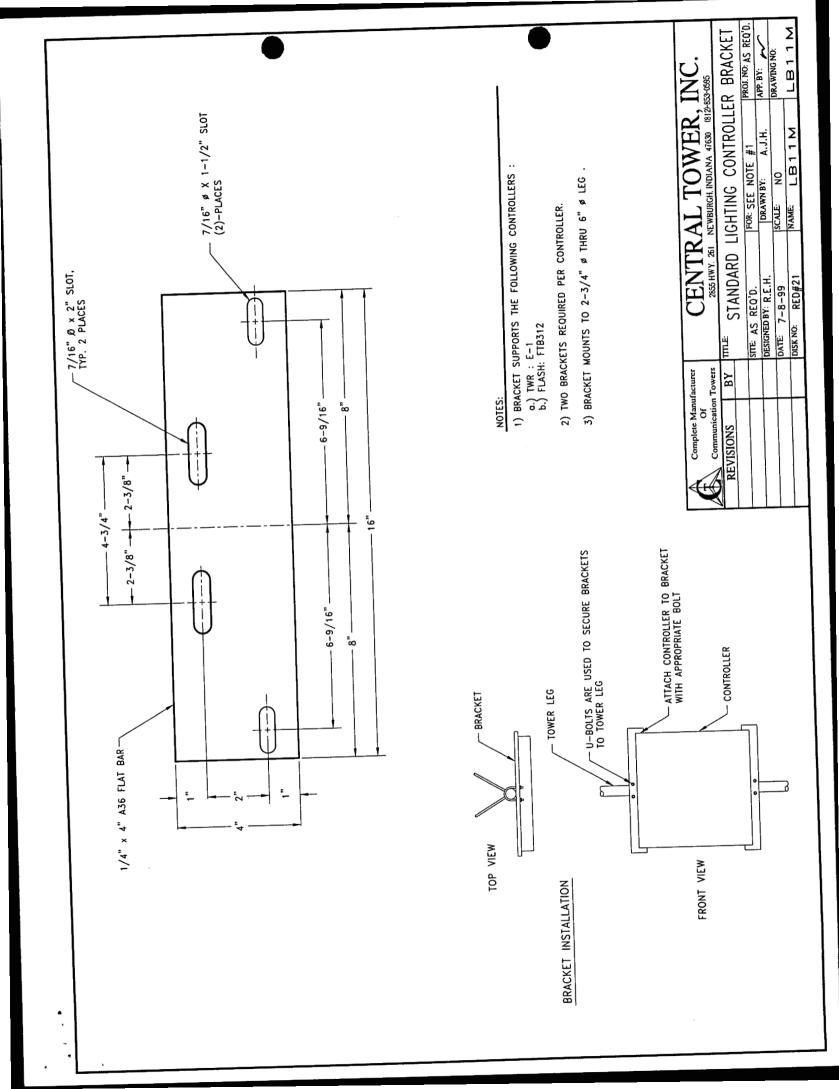
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	ם	2.42	9.29	VV C	44.7	2.46	2.33	2.50	2.52	2.39	2.57	2.61	2.47	2.68	2.73	2 59	2.83	2.00	0.7	3.08	3.20	04.0	3.00	3.48	3.71	3.63	4.26	
	<b>៉</b>	84.49	81.68	01.00	80.10	77.69	74.86	73.46	71.03	68.17	66.01	64.64	61 77	60.66	58.38	56 ED	20.00	04.01 F0 F1	10.70	49.04	40.33	47.01	44.18	43.74	41.93	39.16	39.02	
		474 30	111.00	+0.001	162.81	157.84	152.05	149.43	144.57	128 74	100.1	120.00	101.03	172 00	140.48	119.40	113.03	19.111	101.92	c0.201	100.94	97.23	91.43	90.96	87.57	81.96	82.30	21.22
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BCP10M PROJ. NO: N/A APP. BY: INSIDE BEACON MOUNT FOR: AS REQUIRED DRAWNBY: R.E.H. SCALE: NO BCP10M NAME B-STOCK #1 R.E.H. AS REQUIRED 7-19-94 DESIGNED BY: DISK NO: DATE SITE: Ë Communication Towers A.J.H. ВΥ Added HL for Lighting Rod REVISIONS



**REPLACEMENT EXHIBIT F** 

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

ISSUED DATE: 11/09/99

DAN BENNETT BELLSOUTH MOBILITY, INC 1650 LYNDON FARMS CT LOUISVILLE, KY 40223

PRIOR STUDY No: 99-A50-4007-0E DELLEVER. L DEC 1 3 1999 📗

Stoner Creek

AERONAUTICAL STUDY

No: 99-A50-4067-0E

LEX - SCK

\*\* DETERMINATION OF NO HAZARD TO AIR NAVIGATION \*\*

The Federal Aviation Administration has completed an aeronautical study under the provisions of 49 U.S.C., Section 44718 and, if applicable, Title 14 of the Code of Federal Regulations, part 77, concerning:

Description: 'NEW ANTENNA TOWER SEE ATTACHED FREQUENCIES Location: MT ZION KY Latitude: 38-03-12.01 NAD 83 Longitude: 084-03-45.20 281 feet above ground level (AGL) 1290 feet above mean sea level (AMSL) Heights:

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

-As a condition to this determination, the structure should be marked and/or lighted in accordance with FAA Advisory Circular 70/7460-1J, Obstruction Marking and Lighting, Chapters 4, 8(M-Dual), & 13.

-It is required that the enclosed FAA Form 7460-2, Notice of Actual Construction or Alteration, be completed and returned to this office any time the project is abandoned or:

W/A At least 10 days prior to start of construction (7460-2, Part I)

K Within 5 days after construction reaches its greatest height (7460-2, Part II)

-To coordinate frequency activation and verify that no interference is caused to FAA facilities, prior to beginning any transmission from the site you must contact VIRGIL VENZANT AT 901-291-3524.

-See attachment for additional condition(s) or information.

This determination expires on 05/09/01 unless:

. . '

- (a)
- extended, revised or terminated by the issuing office or the construction is subject to the licensing authority of (b) the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case the determination expires on the date prescribed by the FCC for completion of construction or on the date the FCC denies the application.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE POSTMARKED OR DELIVERED TO THIS OFFICE AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE.

(DNE)

-As a result of this structure being critical to flight safety, it is required that the FAA be kept apprised as to the status of this project. Failure to respond to periodic FAA inquiries could invalidate this determination.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, frequency(ies) or use of greater power will void this determination. Any future construction or alteration, including increase in heights, power, or the addition of other transmitters, requires separate notice to the FAA.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

A copy of this determination will be forwarded to the Federal Communications Commission if the structure is subject to their licensing authority.

If we can be of further assistance, please contact our office at 404-305-5581. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 99-ASO-4067-0E.

Wade Carpenter

Specialist, Airspace Branch

7460-2 Attached Attachment REPLACEMENT EXHIBIT G



Kentucky Airport Zoning Commissi **125 Holmes Street** Frankfort, KY 40622

(502) 564-4480 fax: (502) 564-7953 No.: AS-025-IOB-99-182

BSM 2 5660 LEX-SCK Stoner Creek

January 14, 2000

APPROVAL OF APPLICATION

APPLICANT: **BELLSOUTH MOBILITY** DAN BENNETT, RF ENGINEER **1650 LYNDON FARMS COURT** Louisville, KY 40223

SUBJECT: AS-025-IOB-99-182

STRUCTURE: Antenna Tower Mt. Zion, KY LOCATION: COORDINATES: 38°03'12.01"N / 84°03'45.2"W 281'AGL/1,290'AMSL HEIGHT:

The Kentucky Airport Zoning Commission has approved your application for a permit to construct (281'AGL/1,290'AMSL) Antenna Tower near Mt. Zion, KY 38°03'12"N, 84°03'45"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.

Dual obstruction lighting is required in accordance with 602 KAR 50:160.

Ronald Bland, Administrator

SUPPLEMENTAL EXHIBIT H



2815 Watterson Trail Louisville, Kentucky 40299 502.267.8355 Fax 502.267.8528

February 4, 2000

Crown Communications 11001 Bluegrass Parkway, Suite 330 Louisville, Kentucky 40299

Attention: Mr. Scott Farr

Re: Addendum to Geotechnical Engineering Study Proposed Mt. Sterling KY 274 Tower Levee Heights Subdivision Mt. Sterling, Kentucky ATC Project No. 13000.9E95

Gentlemen:

This letter addends the enclosed report originally submitted on September 3, 1999. The previously reported tower height of 150 feet has been changed to 200 feet. This does not affect any recommendations stated in the report.

Cordially, ATC Associates Inc. Elizabeth Stuber, MH = B = 9588 WARDER 9588 David L. Warder /T.S. David L. Warder, P.E. **Regional Geotechnical Engineer** 



GEOTECHNICAL ENGINEERING STUDY CROWN COMMUNICATIONS MT. STERLING KY 274 TOWER LEVEE HEIGHTS SUBDIVIION MT. STERLING, KENTUCKY ATC Project No. 13000.9E95



2815 Watterson Trail Louisville, Kentucky 40299 502.267.8355 Fax 502.267.8528

September 3, 1999

Crown Communications. 11001 Bluegrass Parkway, Suite 330 Louisville, Kentucky 40299

Attention: Mr. Scott Farr

Re: Geotechnical Engineering Study Proposed Mt. Sterling KY 274 Tower Levee Heights Subdivision Mt. Sterling, Kentucky ATC Project No. 13800.9E95

Gentlemen:

Transmitted herewith is our geotechnical engineering report for the referenced project as authorized in accordance with our January 15, 1998 proposal for environmental and geotechnical support services. This report contains our findings, an engineering interpretation of these findings with respect to the available project characteristics, and recommendations to aid design and construction of the tower foundations. We appreciate the opportunity to be of service to you on this project. If you have any questions regarding this report, please contact our office.

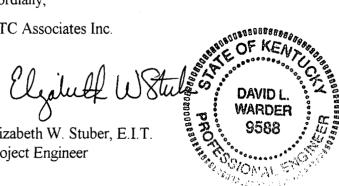
Cordially,

ATC Associates Inc.

Elizabeth W. Stuber, E.I.T. Project Engineer

Copies submitted:

(4) Mr. Scott Farr



Cullian M. Mitchelf

David L. Warder, P.E. **Regional Geotechnical Engineer** 

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# **APPENDIX**

SITE LOCATION PLAN GEOTECHNICAL BORING LOG SOIL SAMPLE CLASSIFICATION

#### GEOTECHNICAL ENGINEERING INVESTIGATION

Proposed Communications Transmission Tower Mt. Sterling KY 274 Tower Levee Heights Subdivision Mt. Sterling, Kentucky ATC Project No. 13000.9E95

#### 1. PURPOSE AND SCOPE

The purpose of this study was to determine the general subsurface conditions at the location of the proposed tower by drilling one soil test boring and to evaluate this data with respect to foundations concept and design for the proposed self-supporting tower. Also included is an evaluation of the site with respect to potential construction problems and recommendations dealing with quality control during construction.

## 2. PROJECT CHARACTERISTICS

Crown Communications is planning to construct a communications tower off of Levee Heights Road near the intersection of Hwy 686 in Mt. Sterling, Kentucky. The proposed tower location is shown on the Site Location Plan in the Appendix. At the time of our site investigation, the site was a open farm field. We assume that the tower will be supported on three legs situated in a triangular pattern and that each of the legs of the tower will be supported on a drilled pier or they will be supported on a common mat foundation bearing at a suitable depth below the existing ground surface. No foundation design loads have been provided for the proposed 150 foot self-supporting tower. We assume that the maximum downward load on the tower will not exceed about 300 kips/leg and that the maximum uplift and lateral forces will be in the range of about 200 kips/leg and about 25

ATC Associates Inc. Page 1

kips/leg, respectively. The development will also include a small equipment building near the base of the tower.

## 3. SUBSURFACE CONDITIONS

The subsurface conditions were explored by drilling one test boring at the proposed tower location, the center of which was staked in the field by the client. The Geotechnical Soil Test Boring Log, which is included in the Appendix, describes the materials and conditions encountered. A sheet defining the terms and symbols used on the boring log and explaining the Standard Penetration Test (SPT) procedure can also be found in the Appendix. The general subsurface conditions disclosed by the test boring are discussed in the following paragraphs.

About 10 inches of topsoil were encountered at the existing ground surface. Below the topsoil, the boring encountered apparently natural silty clay soil. The SPT N-value in the clayey soil ranged from 18 to 30 blows per foot indicating a very stiff consistency. Pocket penetrometer values used to estimate the unconfined compressive strength of cohesive soil ranged from approximately 3.5 to 6.0 tons per square. Auger refusal was encountered at about 8 feet below the existing ground surface. Auger refusal is the depth below which a test boring can no longer be advanced with hollow stem augers. A ten foot core run was made from 8 to 18 feet below the ground surface and revealed light to dark gray limestone that was continuous, hard and moderately weathered with thin shale partings.

Groundwater observations indicated the boring to be dry prior to beginning the coring operation. It must be noted, however, that short term water readings are not necessarily a reliable indication of the actual groundwater level. Furthermore, it must be emphasized that the groundwater level is generally not stationary, but will fluctuate seasonally.

ATC Associates Inc. Page 2

According to the Seismic Zone Map of the United States, Mt. Sterling, Kentucky is within Zone 1. In this system, Zone 3 is the most seismically active while Zone 0 has the lowest earthquake potential. Considering the subsurface conditions encountered at the site and Table 16-J in the 1997 Uniform Building Code, the soil-profile type is  $S_c$ .

## 4. FOUNDATION DESIGN RECOMMENDATIONS

The following design recommendations have been developed on the basis of the previously described project characteristics (Section 2.0) and subsurface conditions (Section 3.0). This office must be notified if the project description included herein is incorrect or if the proposed structure location is changed to establish if revisions to the following recommendations are necessary.

4.1. Tower

Our findings indicate that the proposed self-supporting tower legs can be supported on drilled piers or on a common mat foundation.

## 4.1.1. Drilled Pier

Drilled piers that bear in the silty clay soil encountered in the test boring below a depth of 2.5 feet can be designed for a net allowable end bearing pressure of 5,000 pounds per square foot. The net allowable end bearing pressure can be increased to 20,000 pounds per square foot for piers bearing in the underlying limestone formation The following table summarizes the recommended values for use in

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analyzing lateral and frictional resistance for the various strata encountered at the test boring. It is important to note that these values are estimated based on the standard penetration test results and material types, and were not directly measured. The values provided for undrained shear strength and total soil unit weight are ultimate values and appropriate factors of safety should be used in conjunction with these values. If the pier will bear deeper than 18 feet, a deeper boring should be drilled to determine the nature of the deeper bedrock.

Depth Below	Undrained	Angle of	Total Soil	Allowable Passive	Allowable
Ground	Shear	Internal	Unit	Soil Pressure,	Side Friction,
Surface, feet	Strength,	Friction,	Weight,	psf/one foot of depth	psf
	psf	Ø, degrees	pcf		
0 - 2.5	1,000	0	120	650 + 40D	0
2.5 - 8	2,000	0	120	1,400 + 40(D-2.5)	600
8 - 18	10,000	0	140	6,500 + 45(D-8)	2000

Note: D = Depth below ground surface (in feet) to point at which the passive pressure is calculated.

It is important that the drilled piers be installed by an experienced, competent drilled pier contractor who will be responsible for properly installing the piers in accordance with industry standards and generally accepted methods, without causing deterioration of the subgrade. The recommendations contained herein relate only to the soil-pier interaction and do not account for the structural design of the pier.

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## 4.1.2. Mat Foundation

As an alternative, the tower legs could be supported on a common mat foundation bearing at a depth of at least 2.5 feet in the very stiff silty clay. A net allowable bearing pressure of up to 4,000 pounds per square foot may be used. If the mat is extended to bear on sound bedrock, the net allowable bearing pressure can be increased to 20,000 pounds per square foot. These values may be increased by 30 percent for the maximum edge pressure under transient loads. Coefficient of friction values of 0.30 and 0.60 may be used between the concrete and the underlying clay and limestone, respectively. The passive pressures given for the drilled pier foundation may also be used to resist lateral forces.

It is important that the mat be designed with an adequate factor of safety with regard to overturning under the maximum deign wind load.

## 4.2. Equipment Building

The equipment building may be supported on shallow, spread footings bearing in the shallow natural silty clay soil and designed for a net allowable soil pressure of 4,000 pounds per square foot. The footings should be at least ten inches wide and should bear at a depth of at least 30 inches below final exterior grade to minimize the effects of frost action. All topsoil and frozen or excessively soft material must be removed beneath footings.

The floor slab for the new equipment building may be subgrade supported on a properly prepared subgrade. The slab should be designed and adequately reinforced to resist the loads proposed. The

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exposed subgrade should be carefully inspected by probing and testing as needed. Any organic material still in place, frozen or excessively soft soil and other undesirable materials should be removed.

Once the subgrade has been properly prepared and evaluated, fill may be placed to attain the desired final grade. Any non-organic, naturally occurring, non-expansive soils can be used for structural fill, including those encountered on this site, pending evaluation by the geotechnical engineer.

All engineered fill should be compacted to a dry density of at least 100 percent of the standard Proctor maximum dry density (ASTM D698). The compaction should be accomplished by placing the fill in about eight inch loose lifts and mechanically compacting each lift to at least the specified density. Field tests should be performed on each lift as necessary to insure that adequate compaction is being achieved.

Surface run-off water should be drained away from the building and not allowed to pond.

# 5. GENERAL CONSTRUCTION PROCEDURES AND RECOMMENDATIONS

It is possible that variations in subsurface conditions will be encountered during construction. Although only minor variations that can be readily evaluated and adjusted for during construction are anticipated, it is recommended the geotechnical engineer or a representative be retained to perform continuous inspection and review during construction of the soils-related phases of the



work. This will permit correlation between the test boring data and the actual soil conditions encountered during construction.

## 5.1. Foundation Excavation Inspection

If drilled piers are used, the material at the base of the drilled pier excavations should be inspected by the geotechnical engineer or qualified soil technician to insure that the piers will bear on satisfactory material. However, it is not necessary to directly inspect the material at the base of the drilled pier excavations. Rather, the inspection can be performed without entering the pier excavation by observing the drilling operations and auger cuttings throughout the entire length of the pier excavation to verify that the material at the bearing elevation is the material prescribed in Section 4.0. It is important that the pier excavations and subsurface conditions be monitored until the concrete is placed to verify that the otherwise competent soils are not adversely affected by improper construction methods or by groundwater seepage or surface water infiltration. If unsuitable conditions are encountered at the base of a pier excavation, the pier excavation should be extended to the bottom of such undesirable material and re-inspected. Unless it becomes necessary to enter the excavation, it should not be necessary to use temporary casing to prevent the sides of the pier excavations from caving. It is important that the concrete be placed in such a fashion as to prevent "necking" of the drilled pier. Unless the pier excavation is completely dry, the concrete must be placed by tremie.

If a mat foundation is used, the foundation excavation should be inspected by the geotechnical engineer or a qualified soils technician to insure that all undesirable material is removed and that the foundation will bear on satisfactory material as decried in Section 4.1. At the time of such

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inspection, it will be necessary to make hand auger borings or use a hand penetration device in the base of the foundation excavation to insure that the soils below the base are satisfactory for foundation support. The necessary depth of penetration will be established during inspection.

If undercutting is required in order to remove unsuitable materials at the tower foundation location, the foundation bearing elevation may be re-established by backfilling after all undesirable materials have been removed or the foundation can be placed at the lower depth. The undercut excavation beneath the foundation should extend to suitable bearing soils and the dimensions of the excavation base should be determined by imaginary planes extending outward and downward on a 2 (vertical) to 1 (horizontal) slope from the base perimeter of the foundation. The entire excavation should than be refilled with a well-compacted granular fill for soil bearing as described in Section 5.2 or lean concrete in the case of rock bearing. Special care should be exercised to remove any sloughed, loose or soft materials near the base of the excavation slopes with benches as necessary, to insure that no pockets of loose or soft materials will be left in place along the excavation slopes below the foundation bearing level.

Soils exposed in the base of the foundation excavation should be protected against any detrimental changes in conditions such as from disturbance, rain and freezing. Surface run-off water should be drained away from the excavation and not allowed to pond. If possible, all concrete should be placed that same day the excavation is made. If this is not practical, the excavation should be adequately protected

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# 5.2. Fill Compaction

All engineered fill placed adjacent to and above the tower foundation should be compacted to a dry density of at least 95 percent of the standard Proctor maximum dry density (ASTM D-698). This minimum compaction requirement should be increased to 100 percent for any fill placed below the tower foundation bearing elevation (provided the foundation is designed for soil bearing). Any fill placed beneath the tower foundation should be limited to well-graded sand and gravel or crushed stone. The compaction should be accomplished by placing the fill in about 8 inch (or less) loose lifts and mechanically compacting each lift to at least the specified minimum dry density. Field density test should be performed on each lift as necessary to insure that adequate moisture conditioning and compaction is being achieved. Only lean concrete should be used for backfill where rock bearing foundations will be used.

Compaction by flooding is not considered acceptable. This method will generally not achieve the desired compaction and the large quantities of water will tend to soften the foundation soils.

# 5.3. Construction Dewatering

No serious dewatering problems are anticipated. At the time of our investigation, the ground water level appeared to be below the anticipated excavation depths. However, depending upon seasonal conditions, some minor seepage into excavations may be experienced. It is anticipated that any such seepage can be handled by conventional dewatering methods such as pumping from the drilled pier excavations or from sumps in shallow foundation excavations.

## 6. FIELD INVESTIGATION

One soil test boring was drilled at the location established in the field by the project surveyor. Splitspoon samples were obtained by the Standard Penetration Test (SPT) procedure (ASTM D1586) in the test boring. The boring was extended to the auger refusal depth of 8 feet below existing grade. Representative portions of the soil samples were sealed in glass jars and returned to our laboratory. A ten foot core run was made from 8 to 18 below the existing ground surface.

The boring log is included in the Appendix along with a sheet defining the terms and symbols used on the log and an explanation of the Standard Penetration Test (SPT) procedure. The log presents visual descriptions of the soil strata encountered, Unified System soil classifications, groundwater observations, sampling information, laboratory test results, and other pertinent field data and observations.

## 7. LABORATORY INVESTIGATION

The split-spoon samples were inspected and visually classified by a geotechnical engineer in general accordance with the Unified Soil Classification System and the field boring log was edited as necessary. To aid in classifying the soil samples and to check the general soil characteristics pocket penetrometer tests were performed on selected samples. The results of these tests are included on the boring log.

## 8. LIMITATIONS OF STUDY

Our professional services have been performed, our findings obtained, and our recommendations prepared in accordance with generally accepted geotechnical engineering principles and practices. This warranty is in lieu of all other warranties, either express or implied. ATC Associates Inc. is not responsible for the independent conclusions, opinions or recommendations made by others based on the field exploration and laboratory test data presented in this report.

A geotechnical study is inherently limited since the engineering recommendations are developed from information obtained from a test boring that only depicts subsurface conditions at the specific location, time and depth shown on the log. Soil conditions at other locations may differ from those encountered in the test boring, and the passage of time may cause the soil conditions to change from those described in this report.

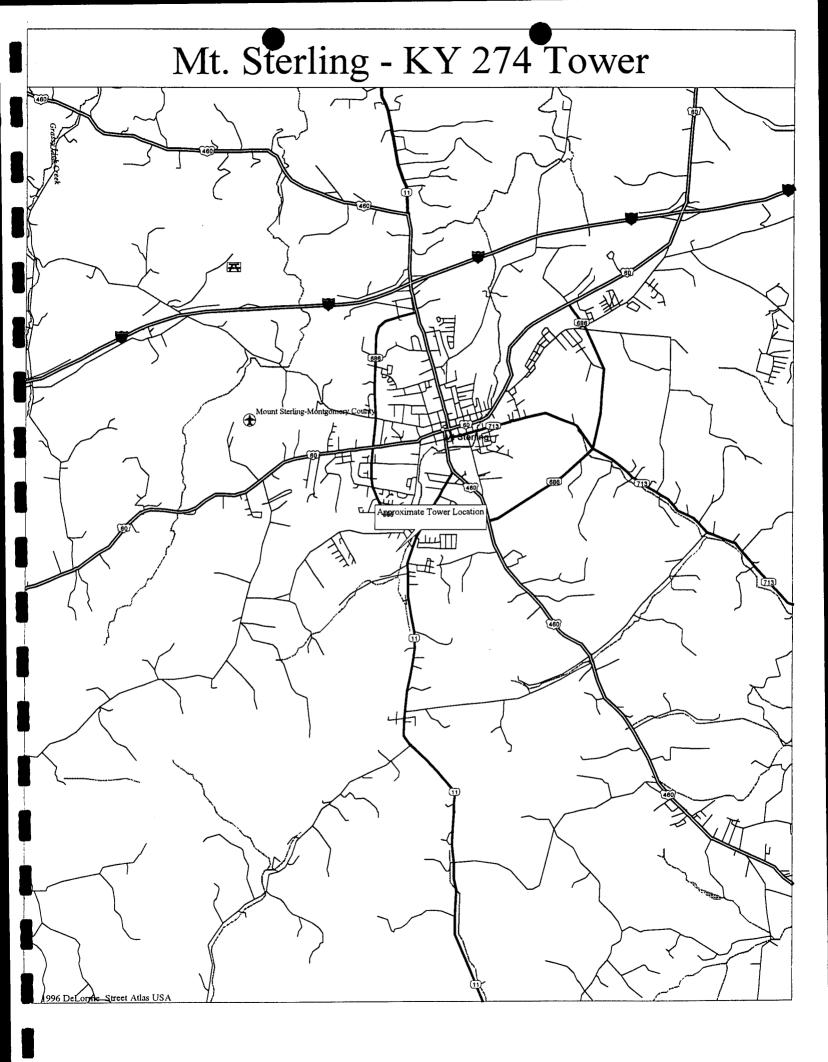
The nature and extent of variation and change in the subsurface conditions at the site may not become evident until the course of construction. Construction monitoring by the geotechnical engineer or a representative is therefore considered necessary to verify the subsurface conditions and to check that the soils connected construction phases are properly completed. If significant variations or changes are in evidence, it may then be necessary to re-evaluate the recommendations of this report. Furthermore, if the project characteristics are altered significantly from those discussed in this report, if the project information contained in this report is incorrect, or if additional information becomes available, a review must be made by this office to determine if any modification in the recommendations will be required.

> ATC Associates Inc. Page 11

# **APPENDIX**

1

SITE LOCATION PLAN GEOTECHNICAL BORING LOG SOIL SAMPLE CLASSIFICATION







Louisville, Kentucky 40299

CLIENT: Crown Communications PROJECT: Proposed Mt. Sterling KY 274 Tower LOCATION: Levee Heights Subdivision, Mt. Sterling, KY

BORING NUMBER: B-1 PROJECT NUMBER: 13000.9E95 PROJECT MANAGER: Beth Stuber

	rface Elevation: Date Started: 8/26/99 Date Completed: 8/26/99	Н	amn	r Weigh ner Drop Foremar	<b>)</b> :	140 lbs. 30 in. J. Whartor	1		F	Boring N	le Dia.: 7.5 in. Iethod: HSA ervisor: B. Stuber
ELEV	MATERIAL DESCRIPTION	LAYE DEPTI & TYP	н	DEPTH SCALE	NO		AMPL TYPE		FA w,%	PP,tsf	NOTES
	SILTY CLAY (CL) - very stiff, brown with trace root fibers			- - -	1	7-8-10 11-9-9	SPT SPT	80 100		3.5	About 10 inches of topsoil were encountered at the existing ground surface.
	- dry			5-	3	12-13-10	SPT	100		6.0	
	AUGER REFUSAL LIMESTONE - continuoud, hard, moderately weathered with shale partings, light to dark gray	8.0			4	14-17-13	SPT	100		-	The borehole was dry before the start of water injection for rock coring.
				15	5	n/a	RC	95			RQD = 11 percent
	TERMINATED	18.0		20							
GEOTECHNICAL 13000-25-007 9/3/99				30							

Page 1 of 1

# SOIL SAMPLE CLASSIFICATION

#### <u>GRANULAR SOILS</u> (Silt, Sand, Gravel and Combinations)

	(2	ound,	oravor and	comonauons)	

<u>Densitv</u>		Particle Si	ze Identification
Very Loose	<ul> <li>5 blows/ft. or less</li> </ul>	Boulders	- 8 inch diameter or more
Loose	<ul> <li>6 to 10 blows/ft.</li> </ul>	Cobbles	- 3 to 8 inch diameter
Medium Dense	<ul> <li>11 to 30 blows/ft.</li> </ul>	Gravel	- Coarse - 1 to 3 inch
Dense	- 31 to 50 blows/ft.		Medium $-\frac{1}{2}$ to 1 inch
Very Dense	- 51 blows/ft. or more		Fine $-\frac{1}{4}$ to $\frac{1}{2}$ inch
		Sand	- Coarse - 2.00 mm to <sup>1</sup> / <sub>4</sub> inch
Relative Proportion	<u>is</u> <u>Percent</u>		- Medium - 0.42 to 2.00 mm
Trace	1 - 10		- Fine - 0.074 to 0.42 mm
Little	11 - 20		- Silt - 0.002 to 0.074 mm
Some	21 - 35	Clay	- less than 0.002 mm
And	36 - 50	-	

# COHESIVE SOILS

## (Clay, Silt and Combinations)

#### Consistency

Very Soft Soft Medium Stiff Stiff Very Stiff Hard

6 to 10 blows/ft.
11 to 15 blows/ft.
16 to 30 blows/ft.
31 blows/ft. or more

- 3 blows/ft. or less

- 4 to 5 blows/ft.

<b>Plasticity</b>	
Degree of Plasticity	Plastic
None to Slight	0
Slight	5
Medium	8
High to Very High	ove

Plasticity Index 0 - 4 5 - 7 8 - 22 over 22

Classification on logs are made by visual inspection of samples unless otherwise undicated.

<u>Standard Penetration Test</u> - Driving a 2.0" O.D., 1-3/8" I.D. split-spoon sampler a distance of 12 inches into undisturbed soil with a 140 pound hammer free falling a distance of 30 inches. The sample is initially driven 6 inches to penetrate into undisturbed soil, then the test is performed. The number of hammer blows for seating the spoon and making the test are recorded for each 6 inches of penetration on the boring log (Example: 6-8-9). The standard penetration test N-value can be obtained by adding the last two figures (i.e. 8+9=17 blows/ft.). (ASTM D-1586)

<u>Strata Changes</u> - In the column "Material Description" on the boring log, the horizontal lines represent strata changes. A solid line ( \_\_\_\_\_ ) represents an actually observed change, a dashed line (---) represents an estimated change.

<u>Ground Water</u> observations were made at the times indicated. Porosity of soil strata, weather conditions, site topography, etc. may cause changes in the water levels indicated on the logs.



# COMMONWEALTH OF KENTUCKY BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF CROWN COMMUNICATION INC. AND WESTEL-MILWAUKEE COMPANY, INC. FOR ISSUANCE OF A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO CONSTRUCT A WIRELESS COMMUNICATIONS FACILITY AT CULP ROAD, PADUCAH, KY 42003 IN THE WIRELESS COMMUNICATIONS LICENSE AREA IN THE COMMONWEALTH OF KENTUCKY IN THE COUNTY OF MCCRACKEN

CASE NO.: 99-341



PUBLIC SERVICE

COMMISSION

SITE NAME: REIDLAND SITE NUMBER: KY269

\* \* \* \* \* \*

## NOTICE OF PROGRESS CONCERNING PROPOSED RELOCATION OF FACILITY

Come Crown Communication Inc. ("Crown"), and Westel-Milwaukee Company, Inc., d/b/a BellSouth Mobility, Inc. ("Provider"), as a licensed public utility in the Commonwealth of Kentucky, hereinafter jointly referred to "Applicants", by counsel, and advise the Kentucky Public Service Commission ("PSC") and the administrative team members assigned to this administrative action as follows:

1. The Applicants have filed their Notice of First Amendment of Application

(Relocated Site for Wireless Communications Facility) on February 7, 2000.

2. Based upon agreements reached with objectors in this administrative action, the Applicants anticipate that letters of withdrawal of objection and requested intervention will be received from all individuals who had previously made filings with the PSC.

3. Renewed signage, newspaper and mailed notices have been completed for the new proposed site of the wireless communications facility.

COMMONWEALTH OF KENTUCKY BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF CROWN COMMUNICATION INC. AND KENTUCKY CGSA, INC. FOR ISSUANCE OF A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO CONSTRUCT A WIRELESS COMMUNICATIONS FACILITY AT LEVEE ROAD (HWY. 11), MT. STERLING, KY 40355 IN THE WIRELESS COMMUNICATIONS LICENSE AREA IN THE COMMONWEALTH OF KENTUCKY IN THE COUNTY OF MONTGOMERY

SITE NAME: MT. STERLING SITE NUMBER: KY274 DN JAN 2 7 COMMENCE

CASE NO.: 99-445

# COMPLIANCE WITH ORDER ENTERED 12/13/99 (POTENTIAL ALTERNATIVE SITES ANALYSIS)

Come Crown Communication Inc. ("Crown"), and Kentucky CGSA, Inc., d/b/a BellSouth Mobility, Inc., ("Provider"), as a licensed public utility in the Commonwealth of Kentucky, hereinafter jointly referred to as "Applicants", by counsel, and for their compliance with Paragraph 7 of the Kentucky Public Service Commission's ("PSC") prehearing Order entered December 13, 1999, state as follows:

1. Attached to this Compliance as Exhibit "A" is a statement from Ron Corley, Site Acquisition Specialist, Crown Communication Inc., providing analysis of alternative sites mentioned in previous documents filed by Interveners in this proceeding.

WHEREFORE, the Applicants, by counsel, urge the PSC to accept this Compliance statement as meeting the requirements of Paragraph 7 of the PSC's pre-hearing Order entered on December 13, 1999.

# CERTIFICATE OF SERVICE

I hereby certify that a copy of the within was mailed, postage prepaid, to: Carol R.

McLaughlin, 1227 Country Heights Drive, Mt. Sterling, KY 40353; and David Roberts, 35

West High Street, Mt. Sterling, KY 40353 on January 27, 2000.

Respectfully submitted,

David A. Pike Pike Legal Group 200 S. Buckman Street Post Office Box 369 Shepherdsville, KY 40165-0369 Telephone: (502) 955-4400 Telefax: (502) 543-4410 E-Mail: pikelegal@aol.com ATTORNEY FOR CROWN COMMUNICATION INC.

and

Sam G. McNamara McNamara & Jones 315 High Street P.O. Box 916 Frankfort, KY 40602 Telephone: (502) 875-8808 ATTORNEY FOR KENTUCKY CGSA, INC.



# Memo

To:	Lisa Miller
F <b>rom</b> :	Ron Corley
CC:	
RE:	KY274-Mt. Sterling/Collocation & Alternate Site Report
Date:	1/26/2000

Lisa,

I have completed my report on the Collocation and Alternate site locations for Mt. Sterling. I have taken into consideration comments made by David Roberts and others with reference to the nearby Cell Tower. The following is my report:

## COLLOCATION

C-1 - I have driven the search area and the proposed site situated on Alvin Haynes property and have referenced on the map attached only two possible collocation opportunities within a one mile and a two mile radius of the proposed site location. The first possible collocation site (referenced on the attached map as C-1) is situated approximately 1.2 mile South of bypass 686 on Highway 11 South (Levee Road). A mailbox marked as "Willoughby 2122" marks where a long gravel driveway winds up through an orange gate to the site situated in a pasture. The guyed tower is to be approximately 200' in height. I have attached a picture of the tower (referenced as P-1) to this report. We contacted the owner of the Tower and space was not available for BellSouth. Please note that the tower appears to be loaded. It is occupied from just above midway to the top with three large Microwave dishes, a mesh dish, and several Omni antenna configurations. There is no room for BellSouth to install their antennas at their desired height of 150'. In addition, in speaking with Dave Czamecki (RF Engineer) I was informed that BellSouth had actually modeled that site location with computer propagation tools and found that it would not provide adequate coverage.

C-2 – The second collocation possibility is the Montgomery County Regional Jail Tower located on Chenault near Brooks. It appears to be approximately 120' in height. It is just over 1.5 miles from the proposed BellSouth site on Mr. Haynes property. There is only one antenna on it but the tower is very thin. The legs on the tower are only made of 1" pipe. I have attached a picture of the foundation and the bottom of the tower (referenced as P-2a) to show the weakness of the tower. BellSouth could not possibly use this tower for its proposed equipment and purposes due to the weakness of the tower and due to the inadequate height. In addition, it brings out of balance what RF needs to accomplish by diminishing needed coverage to the Southwest, South, and Southeast portions of the coverage objective.

There are no more additional collocation opportunities within a 2-mile radius of the proposed BellSouth Site.

## **RF ISSUES & ALTERNATE SITES**

Let me address Alternate Site possibilities and RF issues. I'll begin with RF issues. Due to the proximity to the Mt. Sterling airport flight path determined from a preliminary FAA Study produced by Aviation Systems Associates, Inc., RF engineers for BellSouth allowed Scott Farr to search for a site location south of the Search Ring and accepted the location on Mr. Robert's land. When negotiations could not be worked out with Mr.



Roberts, Scott chose to pursue Mr. Haynes property where an agreement was negotiated and accepted by both parties.

With regard to Alternate Sites, Scott Fair approached property owners in the area. Refer to the PVA map attached. Each parcel is numbered. Scott had spoken to the owners of the following parcels: 43, 44, 45, 46, and 18. Only the owners of 45 and 18 expressed interest. From the signatures and letters that were produced by those representing the Country Heights Addition, located to the East of Mr. Roberts property, leasing any property along the KY 460 East corridor (properties adjoining the Heights) would produce opposition from this group of home owners.

#### **ADDITIONAL INFORMATION**

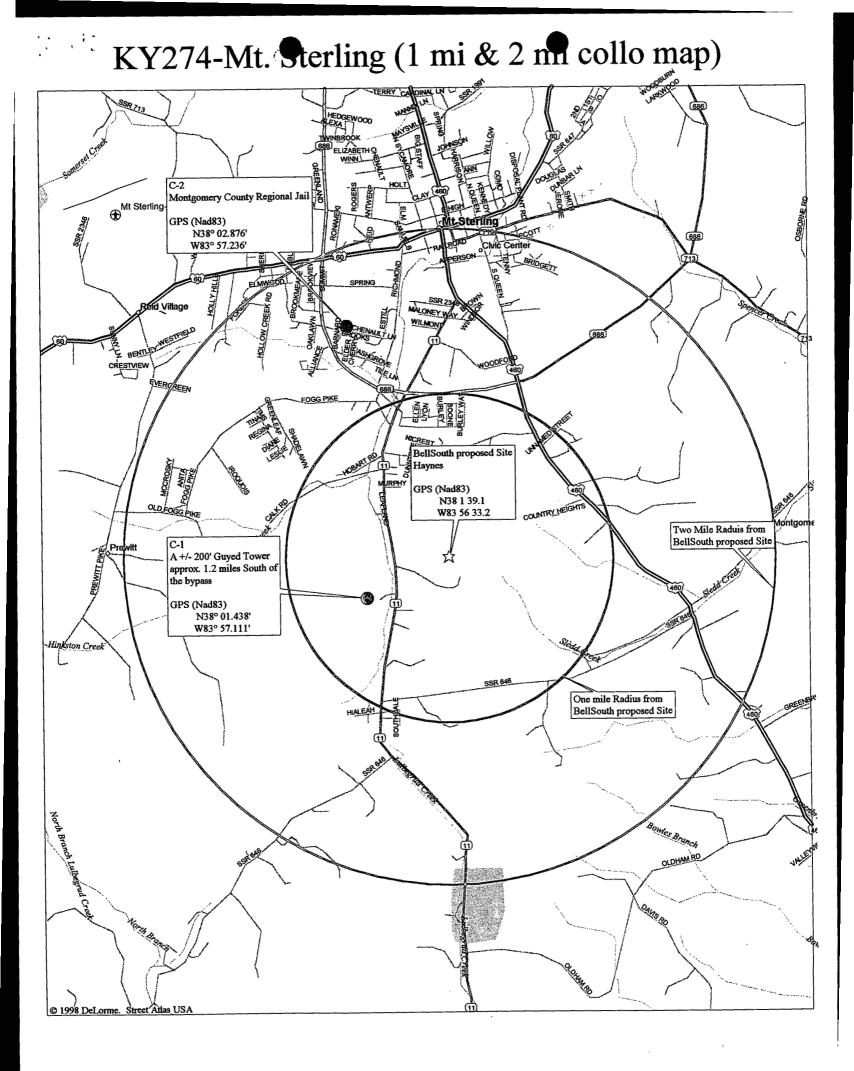
I would like to now address those Landowners whose property adjoins the proposed site location with the inclusion of the Country Heights Addition whose association members oppose the site. I have attached to this report a copy of the aerial map I obtained from the PVA office in Mt. Sterling (same PVA map as referenced above). It delineates property lines of the landowners surrounding the Haynes property where the proposed BellSouth site is situated. As you will see, three property owners touch the parcel where BellSouth intends to place the facility. These owners are, David Roberts (East of the proposed parcel), Gary & Linda Patten (South of the proposed parcel), and Leonard Barrell (West of the proposed parcel). Mr. Roberts is the only Landowner adjoining the proposed lease area contesting this site. Because his negotiating tactics failed to secure a Lease with then Site Acquisition Specialist, Scott Farr, Mr. Roberts is upset and is now opposed to our proposed site location.

Adjoining to the East of David Robert's parcel, please note on the PVA map the Country Heights Addition. These folks have contested the site. There are approximately 2,000ft. to the nearest property line (see Lot 55 on PVA map attached) in the Country Heights Addition from the proposed BellSouth facility lease line. It is my opinion that this communications facility should have no negative impact on their property value. If perhaps the site were only a few feet away I could see their concern but being placed almost a half a mile away... we are certainly not in their back yard.

If you should need anything else or have questions regarding this report, please let me know.

Thank you on Ron Corley

Site Acquisition Specialist BellSouth Project





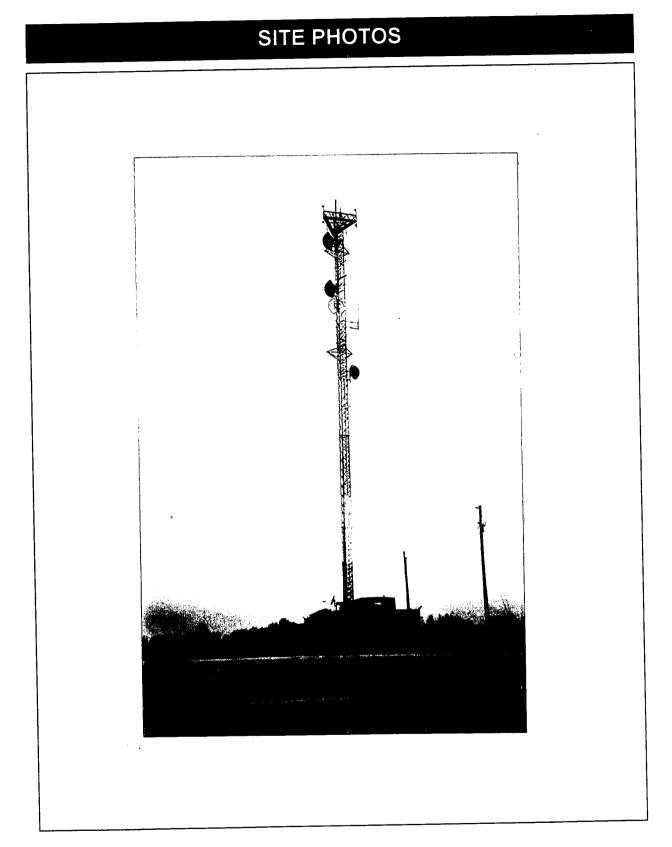
: -

Site Number: <u>KY274</u>



Candidate No. <u>H</u>

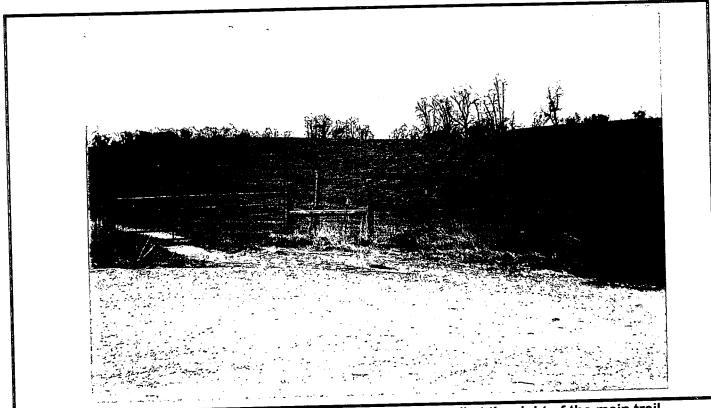




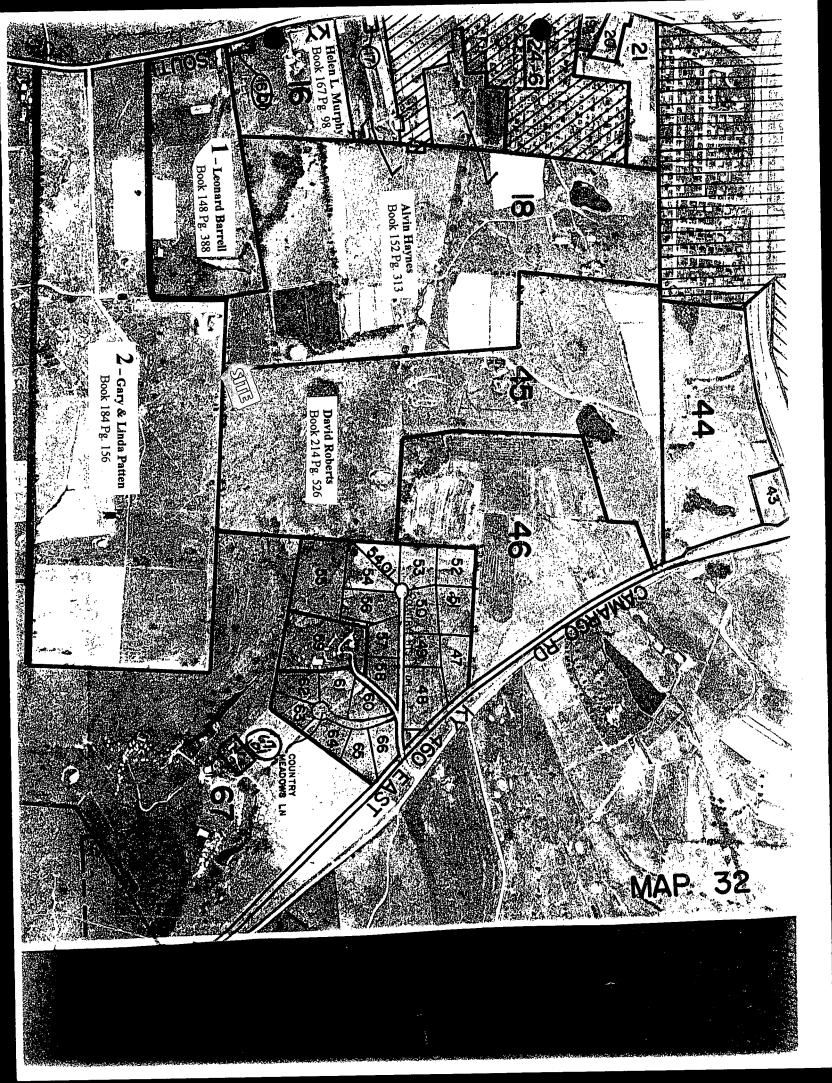
 $P_{-1}$  A +/- 250' Guyed Tower located @ 2122 Levee Road. This tower is loaded and has no room at the height required by BellSouth.



P-2a – Montgomery County Regional Jail/Tower Base and Foundation



P-2b – Access to site by entering gate and taking the trail at the right of the main trail.





COMMONWEALTH OF KENTUCKY PUBLIC SERVICE COMMISSION 211 SOWER BOULEVARD POST OFFICE BOX 615 FRANKFORT, KY. 40602 (502) 564-3940

February 28, 2000

To: All parties of record

RE: Case No. 1999-445

We enclose one attested copy of the Commission's Order in the above case.

Sincerely,

Stephanie Bell Y Secretary of the Commission

SB/sa Enclosure Steve Skinner Manager of External Affairs Kentucky CGSA,Inc.,dba Bellsouth Mobility,Westel-Milwaukee,BSCC of IN 1100 Peachtree Street Room 809 Atlanta, GA 30309

Lloyd D. McCarthy Crown Communication Inc. Commonwealth Business Center 11001 Bluegrass Parkway, Suite 330 Louisville, KY 40299

Richard Guittar Director-Operations/Engineering BellSouth Mobility 1650 Lyndon Farms Court Louisville, KY 40223

Honorable David A. Pike Attorney for Crown Communication Inc Pike Legal Group 200 South Buckman Street P. O. Box 369 Shepherdsville , KY 40165 0369

Honorable Sam McNamara Attorney for Kentucky CGSA, Inc. McNamara & Jones P. O. Box 916 Frankfort, KY 40602

David Roberts Crown Castle USA Inc. Kentucky Region 11001 Bluegrass Parkway, Suite 330 Louisville, KY 40299

Carol R. McLaughlin 1227 Country Heights Drive Mt. Sterling, KY 40353



#### COMMONWEALTH OF KENTUCKY

#### BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

THE APPLICATION OF CROWN COMMUNICATION ) INC. AND KENTUCKY CGSA, INC. FOR ISSUANCE ) OF A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO CONSTRUCT A WIRELESS COMMUNICATIONS FACILITY AT LEVEE ROAD (HWY 11), MT. STERLING, KY 40355 IN THE WIRELESS COMMUNICATIONS LICENSE AREA; IN THE COMMONWEALTH OF KENTUCKY IN THE COUNTY OF MONTGOMERY SITE NAME: MT. STERLING

CASE NO. 99-445

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

On February 18, 2000, Crown Communication, Inc. and Kentucky CGSA, Inc., d/b/a BellSouth Mobility, Inc. filed a motion to change the hearing currently scheduled for March 2, 2000. Applicants request that the hearing be delayed for approximately two weeks to enable them to investigate additional co-location alternatives.

The Commission having considered the motion HEREBY ORDERS that it be granted. The public hearing previously scheduled for March 2, 2000 shall be changed to March 16, 2000 at 9:00 a.m. EST in Hearing Room 1 of the Commission's offices at 211 Sower Boulevard, Frankfort, Kentucky.

Done at Frankfort, Kentucky, this 28th day of February, 2000.

By the Commission

ATTEST:

ach Executive Director

#### McBrayer, McGinnis, Leslie & Kirkland PLLC

W. TERRY MCBRAYER JOHN R. MCGINNIS PHILLIP BRUCE LESLIE \* WILLIAM D. KIRKLAND J. D. ATKINSON, JR. JAMES G. AMATO GEORGE D. GREGORY \*\* BRENT L. CALDWELL W. BRENT RICE JAMES H. FRAZIER, III + STEPHEN C. CAWOOD LISA ENGLISH HINKLE WILLIAM R. PALMER. JR. BRUCE W. MACDONALD \* LUKE BENTLEY III STEPHEN G. AMATO MARY ESTES HAGGIN DOUGLAS T. LOGSDON \*\* R. STEPHEN MCGINNIS ++ JON A. WOODALL MARIA S. BUCKLES MARGARET M. YOUNG MELINDA G. WILSON REBECCA L. BRIGGS MARY ELIZABETH CUTTER J. BRADFORD DERIFIELD ++ JARON P. BLANDFORD

\* ALSO ADMITTED IN OHIO \*\* ALSO ADMITTED IN COLORADO + ALSO ADMITTED IN TEXAS & FLORIDA ++ ALSO ADMITTED IN WEST VIRGINIA IGOINNIS, LESLIE & AI 163 WEST SHORT STREET SUITE 300 LEXINGTON, KENTUCKY 40507-1361 606-231-8780 FACSIMILE 606-231-6518 REAL ESTATE FAX 606-255-9777 WWW.MMLK.COM

February 8, 2000

RECEIVED

#### FEB Ø 2000

Ms. Helen Helton, Executive Director Public Service Commission 211 Sower Blvd. Frankfort, KY 40602-0615 PUBLIC SERVICE COMMISSION

#### RE: NPCR, Inc. d/b/a Nextel Partners - PSC Case No. 99-445 (Mt. Sterling/KY 274 Site)

Dear Ms. Helton:

Enclosed herewith for filing please find the original and ten copies of Notice of Intent to Collocate in the above-referenced case. Please file with the Commission at your earliest convenience. Thank you for your assistance in this matter.

Sincerely,

G. Sport Rice

W. Brent Rice

WBR/dkw Enclosures WATSON CLAY (1908-1985) OSCAR SAMMONS (1908-1985)

MAIN & HARRISON STREETS P. O. BOX 280 GREENUP, KENTUCKY 41144-0280 606-473-7303 FACSIMILE 606-473-9003

300 STATE NATIONAL BANK BUILDING P. O. BOX 1100 FRANKFORT, KENTUCKY 40602-1100 502-223-1200 FACSIMILE 502-227-7385

DIRECTOR OF GOVERNMENTAL RELATIONS MIKE HELTON STATE NATIONAL BANK BUILDING 305 ANN STREET SUITE 308 FRANKFORT, KENTUCKY 40601-2847 502-875-1176 FACSIMILE 502-226-8234

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

In the Matter of:

APPLICATION OF CROWN COMMUNICATION INC. AND KENTUCKY CGSA, INC. FOR ISSUANCE OF A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO CONSTRUCT A WIRELESS COMMUNICATIONS FACILITY AT LEVEE ROAD (HWY. 11), MT. STERLING, KY 40355 IN THE WIRELESS COMMUNICATIONS LICENSE AREA IN THE COMMONWEALTH OF KENTUCKY IN THE COUNTY OF MONTGOMERY

SITE NAME: MT. STERLING SITE NUMBER: KY274

#### NOTICE OF INTENT TO COLLOCATE (NPCR, INC., D/B/A NEXTEL PARTNERS)

Comes NPCR, Inc., d/b/a Nextel Partners, as a licensed public utility in the Commonwealth of Kentucky, by counsel, and hereby states its intention to collocate on the wireless communications facility ("WCF") which is the subject of this administrative proceeding at the 200' level in the event that the WCF is approved and constructed.

#### **CERTIFICATE OF SERVICE**

I hereby certify that a copy of the within was mailed, postage prepaid, to: David A. Pike, 200 S. Buckman Street, P.O. Box 369, Shepherdsville, KY 40165; Sam McNamara, McNamara & Jones, P.O. Box 916, Frankfort, KY 40602; Carol R. McLaughlin, 1227 Country Heights Drive, Mt. Sterling, KY 40353; and David Roberts, 35 West High Street, Mt. Sterling, KY 40353 on February  $\mathcal{I}_{a}$ , 2000.

RECEIVED

FEB ( @ 2000

PUBLIC SERVICE COMMISSION

CASE NO.: 99-445

Respectfully submitted,

gend Alle ' <

Brent Rice McBrayer, McGinnis, Leslie & Kirkland Suite 300, 163 W. Short St. Lexington, KY 40507-1361 Telephone: (606) 231-8780 ATTORNEY FOR NPCR, INC., d/b/a NEXTEL PARTNERS



COMMONWEALTH OF KENTUCKY **PUBLIC SERVICE COMMISSION** 730 SCHENKEL LANE POST OFFICE BOX 615 FRANKFORT, KENTUCKY 40602 www.psc.state.ky.us (502) 564-3940 Fax (502) 564-1582

January 26, 2000

Paul E. Patton Governor

Ronald B. McCloud, Secretary Public Protection and Regulation Cabinet

· · · · ·

Helen Helton Executive Director Public Service Commission

Mr. Steve Skinner Manager of External Affairs Kentucky CGSA, Inc., dba BellSouth Mobility, Westel-Milwaukee, BSCC of IN 1100 Peachtree St. Rm. 809 Atlanta, GA 30309

Re: Case Number 99-445

Dear Mr. Skinner:

I have enclosed a copy of a letter received from Peck-Burdine Investments, LLC for your information.

Sincerely,

Stephanie Bell Secretary of the Commission

SB/lc

c: Lloyd McCarthy Richard Guittar The Honorable David Pike Sam McNamara David Roberts

Enclosure



AN EQUAL OPPORTUNITY EMPLOYER M/F/D



COMMONWEALTH OF KENTUCKY **PUBLIC SERVICE COMMISSION** 730 SCHENKEL LANE POST OFFICE BOX 615 FRANKFORT, KENTUCKY 40602 www.psc.state.ky.us (502) 564-3940 Fax (502) 564-1582

Paul E. Patton Governor Ronald B. McCloud, Secretary Public Protection and Regulation Cabinet

Helen Helton Executive Director Public Service Commission

January 26, 1999

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Re: Case Number 99-445

Dear Mr. Skinner:

I have enclosed a copy of a letter received from Peck-Burdine Investments, LLC for your information.

Sincerely,

. Beel

Stephanie Bell Secretary of the Commission

SB/lc

c: Lloyd McCarthy Richard Guittar The Honorable David Pike Sam McNamara David Roberts

Enclosure



AN EQUAL OPPORTUNITY EMPLOYER M/F/D

January 21, 2000

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PUBLIC SERVICE COMMISSION

Executive Director's Office Public Service Commission of Kentucky P.O. Box 615 Frankfort, Kentucky 40602

RE: Case No.: 99-445

After receiving a map from Crown Communications showing the proposed site for a tower, it is apparent that this location is not within a 500' radius of our development property. If the site shown on the enclosed map is in fact the actual site where the tower is to be constructed, then Peck-Burdine Investments hereby withdraws opposition to the project.

Sincerely,

Willicia C Part

William C. Peck President, Peck-Burdine Investments, LLC

209 West Main Street Mt. Sterling, Kentucky 40353 Lattor.

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### Pata + 1/20/2000 Time: 2:24:04 PM

#### Page 2 of 2





PUBLIC SERVICE COMMISSION

December 20, 1999

Public Service Commission PO Box 615 Frankfort, KY 40602

Dear Sirs,

Please be advised that I am using this letter as my "statement of intent to appear at the hearing" that the Commission has scheduled for March 2, 2000. This is in reference to case no 99-445.

I would also like to "put on notice" that alternative sites are available that would be more desirable. Another cell tower is already located in the near vicinity. Perhaps additional space might be purchased on that tower. Also, another location on the subject property that does not sit adjacent to or close to my property would be available and more desirable to me.

Sincerely,

Dand Rebert

David Roberts

cc: Steve Skinner Lloyd D. McCarthy Richard Guittar Honarable Sam McNamara

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

In the Matter of:

APPLICATION OF CROWN COMMUNICATION INC. AND KENTUCKY CGSA, INC. FOR ISSUANCE OF A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO CONSTRUCT A WIRELESS COMMUNICATIONS FACILITY AT LEVEE ROAD (HWY 11), MT. STERLING, KY 40355 IN THE WIRELESS COMMUNICATIONS LICENSE AREA IN THE COMMONWEALTH OF KENTUCKY IN THE COUNTY OF MONTGOMERY

SITE NAME: MT. STERLING SITE NUMBER: **KY274** 

#### \* \* \* \* \* \* \* \* \* \* \*

#### FIRST AMENDMENT OF APPLICATION (CORRECTED SURVEY - OMITTED LANDOWNER - NOTICE)

Come Crown Communication Inc. ("Crown"); and Kentucky CGSA, Inc., d/b/a BellSouth Mobility, Inc. ("Provider"), as a licensed public utility in the Commonwealth of Kentucky; hereinafter jointly referred to as "Applicants", by counsel, and tender their First Amendment of Application originally filed in this administrative action on November 10, 1999 to correct provisions of the Application as follows:

1. The data contained in the survey attached to the original Application as Exhibit "B" performed by Frank L. Sellinger, licensed professional land surveyor, was incorrect in that it failed to properly list a land owner located within 500 feet of the proposed tower site. Specifically, page "C1" and "C2" of the survey attached to the Application as Exhibit "B" failed to list Gary and Linda Patton, 401 Tonkin Road, Box 86B, Mt. Sterling, KY 40343 as land owners entitled to Notice under the provisions of the Kentucky Administrative Regulations.

PUBLIC SERVICE

COMMISSION

CASE NO.: 99-445

RECEIVE DEC 1 8 1995

2. As a result of the survey error described above, the Applicants hereby seek to amend Exhibit "B" of their original Application so as to substitute the attached survey pages denominated "C1" and "C2" for the similarly denominated survey pages included in the original Exhibit "B".

3. On December 10, 1999, the Applicants forwarded required statutory Notice, proof of which is attached to this Amendment, to Gary and Linda Patton, 401 Tonkin Road, Box 86B, Mt. Sterling, KY 40343. The Applicants hereby seek to amend so much of Paragraph 19 of the original Application as purports to indicate that all letters of Notice to persons who own property within 500 feet of the proposed tower was sent simultaneously with the filing of the Application with the Public Service Commission so as to reflect that a Notice letter was forwarded to Gary and Linda Patton, 401 Tonkin Road, Box 86B, Mt. Sterling, KY 40343 on December 10, 1999. The Applicants further request that their original Application be amended so as to include the attached fair and accurate copy of the letter forwarded to Gary and Linda Patton on December 10, 1999 with proof of forwarding via United States certified mail be included as part of Exhibit "L".

3. The Applicants request that the text of Exhibit "K", a list of nearby property owners who received Notices, be amended to include the names of Gary and Linda Patton, 401 Tonkin Road, Box 86B, Mt. Sterling, KY 40343.

4. All other provisions of the rest of the original Application remain unchanged.

WHEREFORE the Applicants, by counsel, urge the Kentucky Public Service Commission to enter all necessary Orders or notations to give effect to this requested First Amendment of Application.

#### **CERTIFICATE OF SERVICE**

I hereby certify that a copy of the within was mailed, postage prepaid, to: Carol R.

McLaughlin, 1227 Country Heights Drive, Mt. Sterling, KY 40353; and David Roberts, 35 West High Street, Mt. Sterling, KY 40353 on December 16, 1999.

Respectfully submitted,

David Á. Pike Pike Legal Group 200 S. Buckman Street Post Office Box 369 Shepherdsville, KY 40165-0369 Telephone: (502) 955-4400 Telefax: (502) 543-4410 E-Mail: pikelegal@aol.com ATTORNEY FOR CROWN COMMUNICATION INC.

and

Sam McNamara McNamara & Jones P.O. Box 916 Frankfort, KY 40602 ATTORNEY FOR KENTUCKY CGSA, INC.

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# NT. STERLING K7 274

11001 BLUECRASS PARKWAY SUITE # 330 LOUISVILLE, KENTUCKY 40299 (502) 240-0044 PHONE (502) 240-0045 FAX

COMUNICATION, INC.

BIRCH, TRAUTWEIN & MIMS, INC. 4124 TAYLORSVILLE ROAD LOUISVILLE, KENTUCKY 40220 (502) 459-8427 FAX (502) 459-8427 FAX

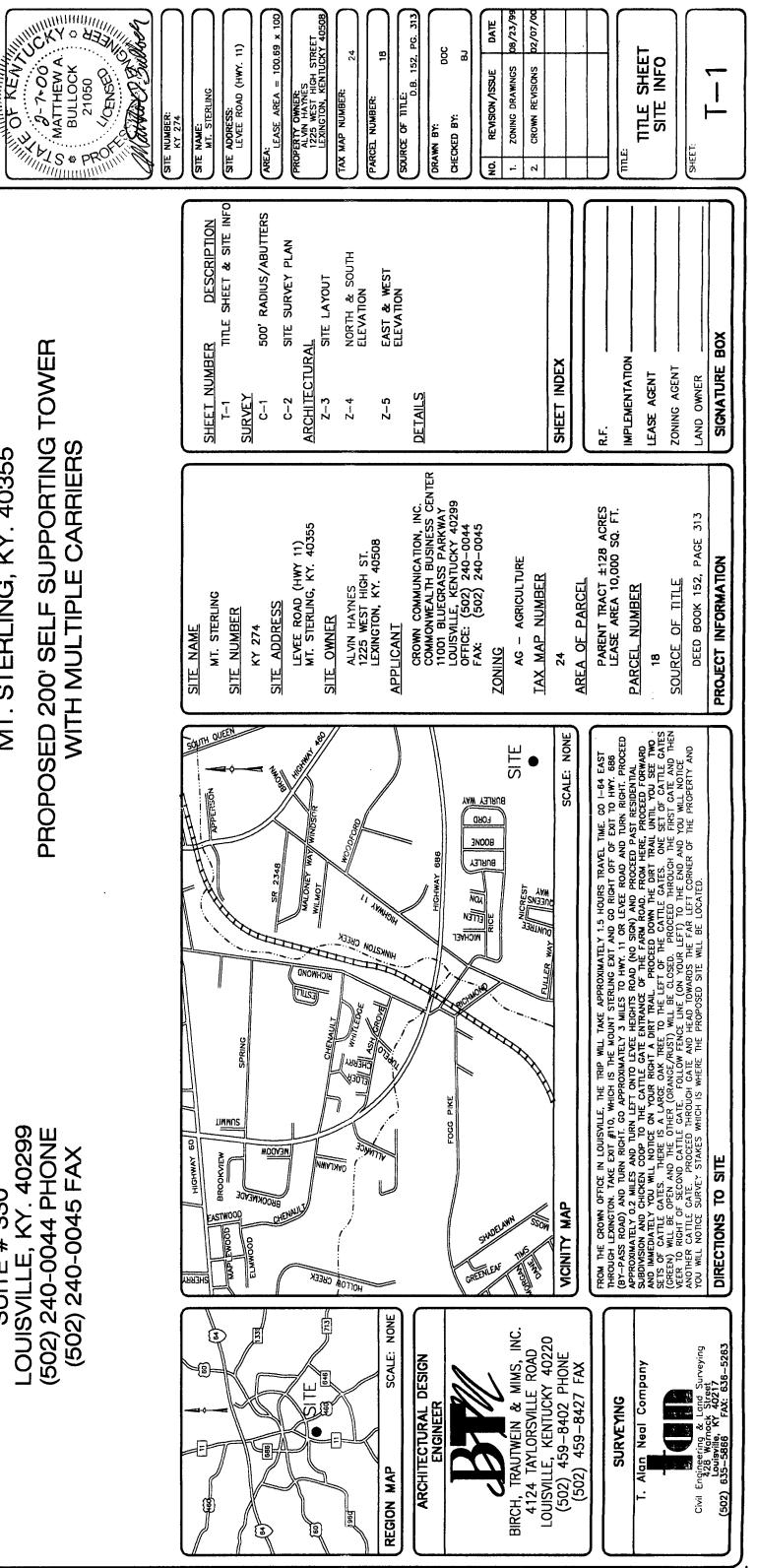
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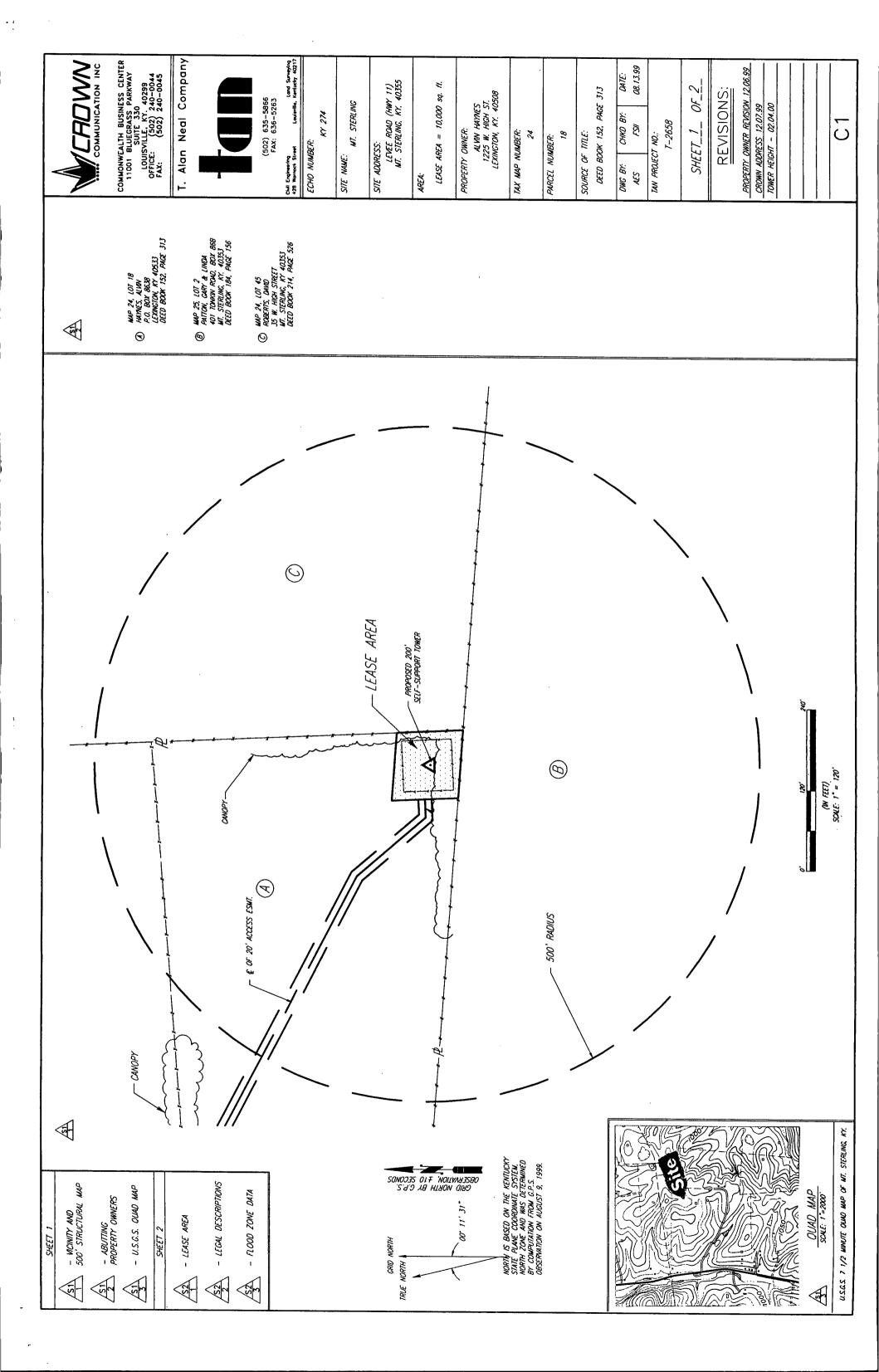
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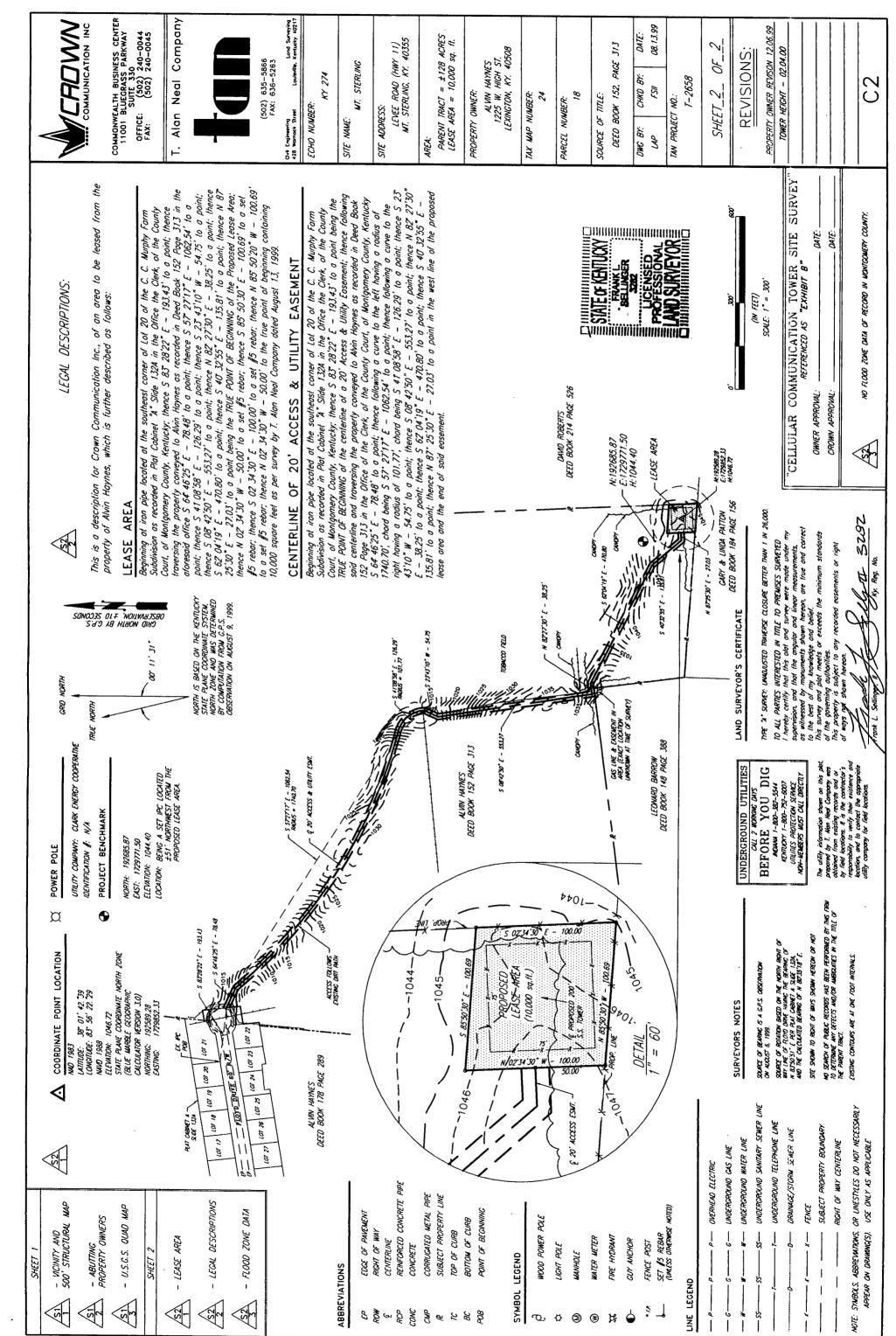
PROPOSED 200' SELF SUPPORTING TOWER WITH MULTIPLE CARRIERS



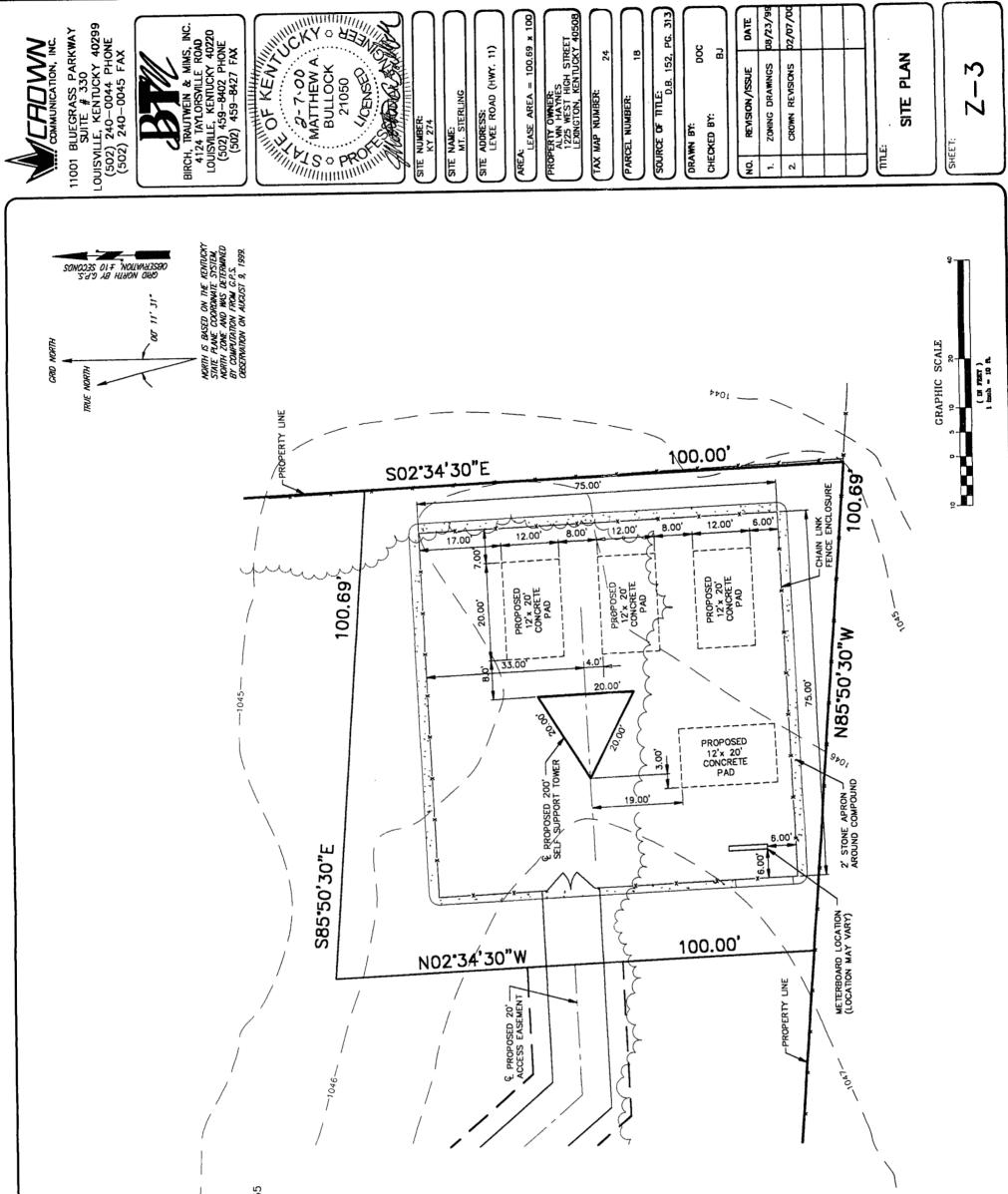


## 11001 BLUEGRASS PARKWAY (502) 240-0044 PHONE (502) 240-0045 FAX LOUISVILLE, KY. 4( SUITE # 330

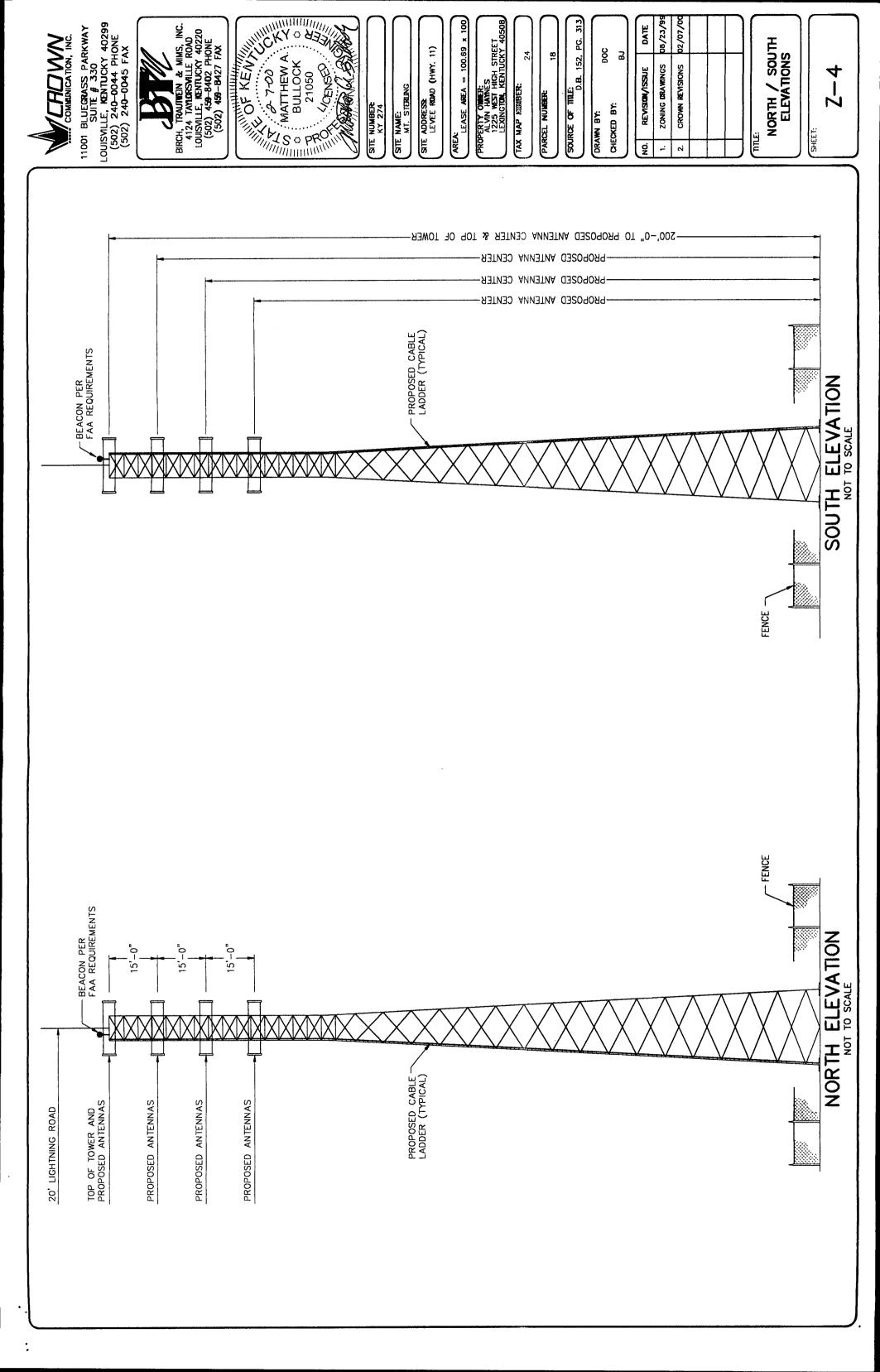


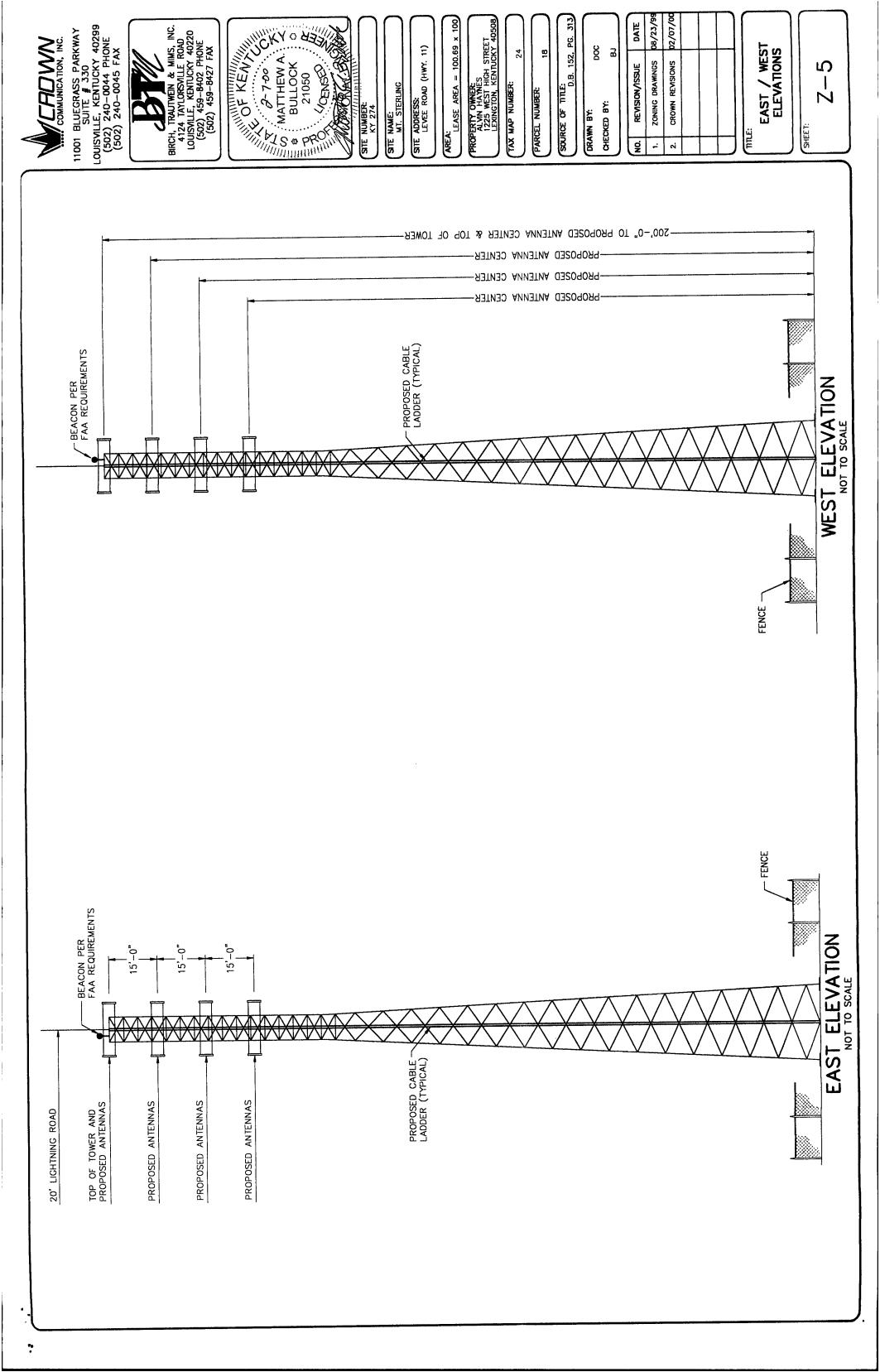


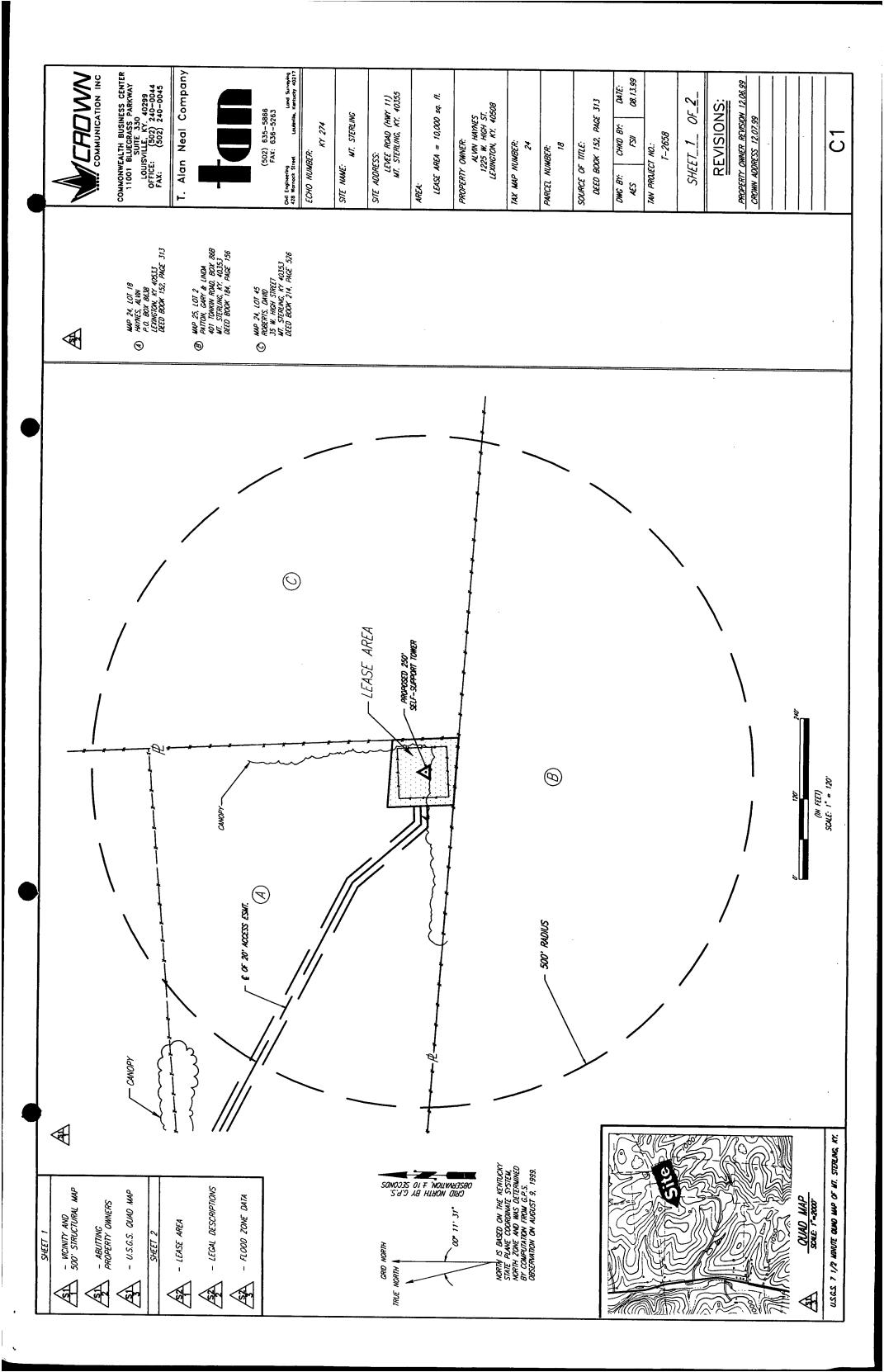
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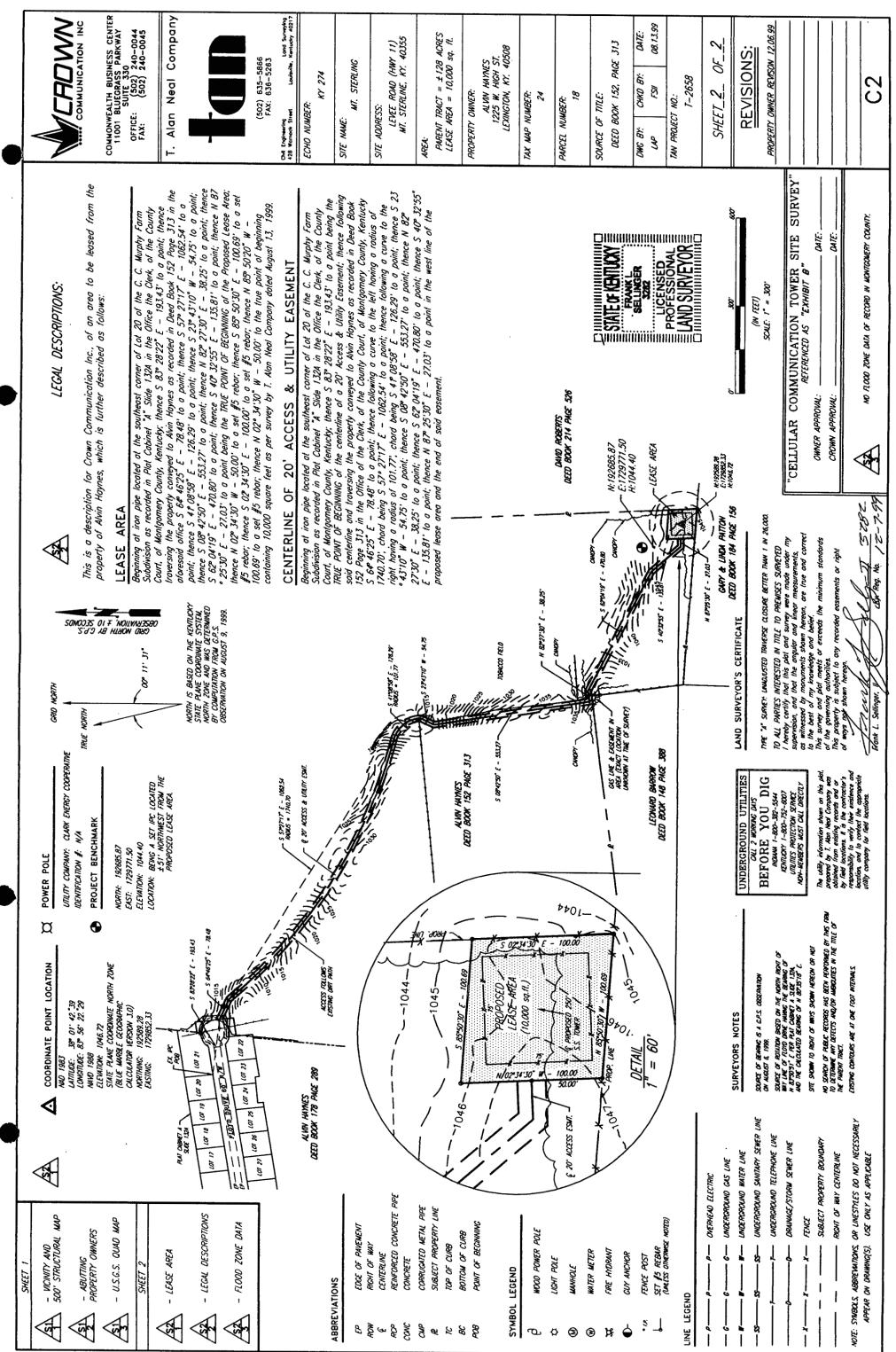


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Crown Castle USA Inc.

Kentucky Region 11001 Bluegrass Parkway, Suite 330 Louisville, KY 40299 Tel 502 240.0044 Fax 502 240.0045 www.crowncastle.com

December 10, 1999

Gary & Linda Patton 401 Tonkin Road, Box 86B Mt. Sterling, KY 40343

RE: Public Notice – Public Service Commission of Kentucky Case No.: 99-445 \_ Our Site No.: KY 274

Dear Gary and Linda:

Crown Communication Inc. and Kentucky CGSA, Inc., d/b/a BellSouth Mobility, Inc. have applied to the Public Service Commission of Kentucky ("Commission") for a Certificate of Public Convenience and Necessity to construct and operate a new facility to provide wireless telecommunication services. The facility will include a 250-foot tower with appurtenances attached to a maximum height of 265 feet, and a ground level equipment shelter to be located at Levee Road (Hwy 11), Mt. Sterling, KY 40355. A temporary tower of shorter stature might be erected at said location while awaiting final PSC approval, and the approved tower is operational. This notice is being sent to you because you own property within a 500' radius of the proposed tower.

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.: 99-445 in your correspondence.

Feel free to contact Lisa Miller, Project Manager, at (502) 240-0044 ext. 23, if you have any questions.

Sincerely, CROWN COMMUNICATION INC. Lfovd McCarthy For Crown Communication Inc.

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

December 13, 1999

To: All parties of record

RE: Case No. 1999-445

We enclose one attested copy of the Commission's Order in the above case.

Sincerely,

Stephanie Bell Secretary of the Commission

SB/sa Enclosure Steve Skinner Manager of External Affairs Kentucky CGSA,Inc.,dba Bellsouth Mobility,Westel-Milwaukee,BSCC of IN 1100 Peachtree Street Room 809 Atlanta, GA 30309

Lloyd D. McCarthy Crown Communication Inc. Commonwealth Business Center 11001 Bluegrass Parkway, Suite 330 Louisville, KY 40299

Richard Guittar Director-Operations/Engineering BellSouth Mobility 1650 Lyndon Farms Court Louisville, KY 40223

Honorable David A. Pike Attorney for Crown Communication Inc Pike Legal Group 200 South Buckman Street P. O. Box 369 Shepherdsville , KY 40165 0369

Honorable Sam McNamara Attorney for Westel-Milwaukee McNamara & Jones P. O. Box 916 Frankfort, KY 40602

David Roberts Crown Castle USA Inc. Kentucky Region 11001 Bluegrass Parkway, Suite 330 Louisville, KY 40299

Carol R. McLaughlin 1227 Country Heights Drive Mt. Sterling, KY 40353

#### COMMONWEALTH OF KENTUCKY

#### BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

THE APPLICATION OF CROWN COMMUNICATION ) INC. AND KENTUCKY CGSA, INC. FOR ISSUANCE ) OF A CERTIFICATE OF PUBLIC CONVENIENCE ) AND NECESSITY TO CONSTRUCT A WIRELESS ) COMMUNICATIONS FACILITY AT LEVEE ROAD ) (HWY 11), MT. STERLING, KY 40355 ) IN THE WIRELESS COMMUNICATIONS LICENSE ) AREA; IN THE COMMONWEALTH OF KENTUCKY ) IN THE COUNTY OF MONTGOMERY ) SITE NAME: MT. STERLING )

CASE NO. 99-445

#### ORDER

On November 10, 1999, Crown Communication Inc. and Kentucky CGSA, Inc., d/b/a BellSouth Mobility Inc. (collectively, the "Applicants") filed an application with the Commission requesting a Certificate of Public Convenience and Necessity to construct and operate a wireless telecommunications facility at Levee Road (Highway 11), Mt. Sterling, Montgomery County, Kentucky. David Roberts and Carol R. McLaughlin, neighboring property owners, have filed motions to intervene in this matter. The Commission finds that such intervention is likely to present issues and develop facts that will assist the Commission in fully considering the matter without unduly complicating or disrupting the proceedings. Accordingly, the motions of Roberts and McLaughlin to intervene should be granted.

In addition, the Commission, on its own motion, has scheduled a hearing on the proposed wireless telecommunications facility for March 2, 2000, at 9:00 a.m., Eastern Standard Time, in the Commission's offices at 211 Sower Boulevard, Frankfort, Kentucky. If the Intervenors wish to appear at the hearing in opposition to the proposed

facility they must, within 10 days of the date of this Order, so notify the Commission in writing, with a copy to all parties of record. If no statement of intent to appear at the hearing and to present evidence against the proposed facility is received by that date, the hearing will be cancelled and this matter submitted to the Commission for a decision based on the written record without further Orders herein.

The Intervenors are also put on notice that evidence regarding potential alternative sites for the proposed construction, if any, must be filed with the Commission, with a copy to all parties of record, no later than 30 days from the date of this Order. No intervenor will be permitted to produce evidence regarding alternative sites at the hearing except in regard to specific sites filed of record as described in this Order.

If information regarding potential alternative sites is filed by Intervenors, the Applicants shall file their response to that information within 45 days from the date of this Order, including in such response a report of their review of the feasibility of the alternative sites presented by the Intervenors.

IT IS THEREFORE ORDERED that:

1. The motions of David Roberts and Carol McLaughlin to intervene are granted.

2. The Intervenors shall be entitled to the full rights of parties and shall be served with the Commission's Orders and with filed testimony, exhibits, pleadings, correspondence, and all other documents submitted by parties after the date of this Order.

-2-

3. Should the Intervenors file documents of any kind with the Commission in the course of these proceedings, they shall also serve a copy of said documents on all other parties of record.

4. A hearing on the proposed wireless telecommunications facility is scheduled for March 2, 2000, at 9:00 a.m., Eastern Standard Time, in the Commission's offices at 211 Sower Boulevard, Frankfort, Kentucky.

5. If an intervenor does not file a statement of intent to appear in opposition to the proposed wireless telecommunications facility within 10 days of this Order, the hearing shall be cancelled and the matter submitted to the Commission on the existing record without further Orders herein.

6. Neither Intervenors nor any person subsequently granted intervention herein may submit evidence regarding alternative sites for the proposed facility at the hearing in this matter except in regard to those specific sites for which information has been filed within 30 days of the date of this Order.

7. The Applicants shall respond in writing to a filing regarding potential alternative sites, if any, within 45 days of the date of this Order, and shall include in their response information concerning the availability and technical feasibility of such sites.

8. The Applicants shall appear at the hearing and shall be prepared to present testimony on the engineering design, location, and construction of the proposed facility, as well as the jurisdictional safety issues relating to the facility.

9. Neither opening statements nor witnesses' summaries of prefiled testimony shall be permitted at the hearing in this matter.

-3-

10. Any interested person shall have the opportunity to present testimony or comment on the proposed facility.

11. Prefiled testimony, if any, shall be filed within 60 days of the date of this Order.

Done at Frankfort, Kentucky, this 13th day of December, 1999.

By the Commission

ATTEST:

Executive Directo



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

December 10, 1999

To: All parties of record

RE: Case No. 1999-445 KENTUCKY CGSA, INC., DBA BELLSOUTH MOBILITY, WESTEL-MILWAUKEE, BSC

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,

Bell

Stephanie Bell Secretary of the Commission

SB/sh Enclosure Steve Skinner Manager of External Affairs Kentucky CGSA, Inc., dba Bellsouth Mobility, Westel-Milwaukee, BSCC of IN 1100 Peachtree Street Room 809 Atlanta, GA. 30309

••••

Lloyd D. McCarthy Crown Communication Inc. Commonwealth Business Center 11001 Bluegrass Parkway, Suite 330 Louisville, KY. 40299

Richard Guittar Director-Operations/Engineering BellSouth Mobility 1650 Lyndon Farms Court Louisville, KY. 40223

Honorable David A. Pike Attorney for Crown Communication Inc Pike Legal Group 200 South Buckman Street P. O. Box 369 Shepherdsville , KY. 40165 0369

Honorable Sam McNamara Attorney for Westel-Milwaukee McNamara & Jones P. O. Box 916 Frankfort, KY. 40602 COMMONWEALTH OF KENTUCKY BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF CROWN COMMUNICATION INC. AND KENTUCKY CGSA, INC. FOR ISSUANCE OF A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO CONSTRUCT A WIRELESS COMMUNICATIONS FACILITY AT LEVEE ROAD (HWY 11), MT. STERLING, KY 40355 IN THE WIRELESS COMMUNICATIONS LICENSE AREA IN THE COMMONWEALTH OF KENTUCKY IN THE COUNTY OF MONTGOMERY

SITE NAME: MT. STERLING SITE NUMBER: KY 274 NOV 1 0 1999

PUBLIC SERVICE COMMINICASE NO.: 99-445

FILED

NOV 1 0 1995 PUBLIC SERVICE COMMISSION

\* \* \* \* \* \* \*

Crown Communication Inc. ("Crown"), and Kentucky CGSA, Inc., d/b/a BellSouth Mobility, Inc., as a licensed public utility in the Commonwealth of Kentucky, hereinafter jointly referred to as "Applicants", by counsel, pursuant to (i) KRS 278.020 and the rules and regulations applicable thereto, and (ii) the Telecommunications Act of 1996, respectfully submit their Application for a Certificate of Public Convenience and Necessity ("CPCN") from the Public Service Commission of Kentucky ("Commission") to construct, maintain, and operate a Wireless Communications Facility ("WCF") to serve the customers of the Provider with wireless telecommunications services, and other wireless service provider collocations in the area described herein.

In support of this Application, the Applicants respectfully provide and state the following information:

1. The complete names and addresses of the Applicants are:



DEC - 1 1999 CHAIRMAN P.S.C.

1312 Country Meadows Lane Mt. Sterling, KY 40353 November 27, 1999

Linda K. Breathitt Public Service Commission of KY 730 Shenkel Lane Post Office Box 615 Frankfort, KY 40602

RE: Case No. 99-445 Site Location KY 274

and man and the

Dear Ms. Breathitt,

The residents of Country Heights are registering our consternation and frustration upon notification of the proposed construction of a 250 foot tower with appurtenances attached to a maximum height of 265 feet by Crown Communication Inc. for Bell South Mobility Inc. Attached is a copy of a site survey depicting a site plan for the proposed tower.

Erection of a 265 foot tower at the proposed location will result in a conspicuous structure whose architecture is totally different than the upscale residential architecture of the homes in Country Estates located in Mt. Sterling, KY. We believe the construction of this tower on the proposed site could have a negative effect on the value of the property in Country Estates.

The tower could be constructed on a site not located near a residential area and still satisfy all affected parties. (See Exhibit A)

RECEIVEL DEC 0 3 1999 IC SERVICE

The residents of Country Estates, request the PSC of KY deny the issuance of a Certificate of Public Convenience and Necessity to construct the 265 foot tower and request the construction site be relocated to a site that will not affect the property value of Country Estates.

In keeping with the goals of the PSC we feel confident the situation will be rectified to the satisfaction of all parties.

Sincerely,

Jim Weldon, President

Jrm Weldon, President Country Estates Neighborhood Association

#### COUNTRY ESTATES NEIGHBORHOOD ASSOCIATION MEMBERS

David and Sherry Brown 1. 1309 Country Meadows Lane

- I sull'

- Bill and Cathy Calvert 2. 1215 Country Heights Drive
- Mike and Sherry Colliver 3. 1300 Country Meadows Lane
- Ken and Patti Darnell 4. 1208 Country Heights Drive
- 5.
- Rex and Anita Mann 6. 1236 Camargo Road
- Paul and Carol McLaughlin 7. 1227 Country Heights Drive
- Dickie and Pam Oldfield 8. 1210 Country Heights Drive,
- 1213 Country Heights Drive DJ au 9.
- David and Donna Rhodes 10. 1308 Country Heights Drive
- Charlie and Vicki Rice 11. 1220 Country Heights Drive
- Bill and Toni Roberts 12. 1209 Country Heights Drive
- Terry and Diane Tipton 13. 469 Missionary Lane
- Jim and Marianne Weldon 14. 1312 Country Meadows Lane

15. Mr. and Mrs. Bob Mayfield

Cathy Caluert Sherrin Callerin Mike Colle.

Dutch and Pam Ishmael 1304 Country Meadows Lane Kan Shnul Dutch Shnul 1B Mann rite Marn

nol R. M. Laughler S Olofield Flandlop Carol

Donni Rhoder

Vicki Rice Charlie Rice Toni Roberts

Jerry Lipto eanes

Martania IIIalla

lobert May for Mary Dragfiede



Main Case File 99-445

COMMONWEALTH OF KENTUCKY **PUBLIC SERVICE COMMISSION** 730 SCHENKEL LANE POST OFFICE BOX 615 FRANKFORT, KENTUCKY 40602 www.psc.state.ky.us (502) 564-3940 Fax (502) 564-1582

December 3, 1999

RECEIVED DEC 0 3 1999

Mr. Jim Weldon 1312 Country Meadows Lane Mt. Sterling, KY 40353

RE: Case No. 99-445

Dear Mr. Weldon:

I am in receipt of your letter and attached list of Country Estates Neighborhood Association members. Please be assured that the Commission will carefully analyze the application in this case before rendering its final decision.

It may be helpful for you to know that state authority, specifically that of the Public Service Commission, in this matter has been limited by federal law. For example, Section 704 of the Federal Telecommunications Act of 1996 prohibits this Commission from regulating the placement of wireless facilities on the basis of environmental effects of radio frequency emissions to the extent the facilities comply with Federal Communications Commission regulations. Section 704 also prohibits a state or local government from prohibiting telecommunications facilities construction if such denial will have the effect of prohibiting service. In addition, this Commission is required by statute to ensure that utility service, including telecommunications service, is adequate and reliable. The Commission does, however, consider appropriate placement of necessary facilities within applicable engineering boundaries. It also pursues a policy of collocation of facilities whenever possible.

Thank you for your interest and concern in this matter.

Sincerely yours,

B.J. Helten

B. J. Helton, Ph. D. Chairman



BJH/rst cc: File November 30, 1999



Executive Director's Office Public Service Commission of Kentucky P.O.Box 615 Frankfort, Kentucky 40602

Dear Sir:

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₹.

Enclosed is a copy of a letter addressed to Kathryn Faupel concerning the proposed location of a communications tower requested by Crown Communication, Inc. This letter was mistakenly sent to Ms. Faupel (the former owner) and not to Peck-Burdine Investments, LLC, (the current owner), accounting for a delayed written response to the Public Service Commission.

Peck-Burdine Investments oppose the construction of this facility. We are currently developing 38 acres for residential and commercial development within a few yards of the proposed site and feel that this tower would directly affect our relationship with current and future clients.

We do not underestimate the difficulties encountered by Crown Communications when researching a future site for their tower, but given their reputation as a successful company, as well as, a socially conscience one, we feel they will indeed find a location more suitable to their needs ..... .....and the community's.

Sincerely,

William C. P.L

William C. Peck President, Peck-Burdine Investments, LLC

209 West Main Street Mt.Sterling, Kentucky 40353

(606) 498-9482



Crown Castle USA Inc. Kentucky Region 1 1001 Bluegrass Parkway, Suite 330 Louisville, KY 40299

Tel 502 240.0044 Fax 502 240.0045 www.crowncastle.com

November 10, 1999

Kathryn Faupel P.O. Box 22319 Lexington, KY 40502

RE: Public Notice – Public Service Commission of Kentucky Case No.: 99-445 Our Site No.: KY 274

Dear Kathryn:

Crown Communication Inc. and Kentucky CGSA, Inc., d/b/a BellSouth Mobility, Inc. have applied to the Public Service Commission of Kentucky ("Commission") for a Certificate of Public Convenience and Necessity to construct and operate a new facility to provide wireless telecommunication services. The facility will include a 250-foot tower with appurtenances attached to a maximum height of 265 feet, and a ground level equipment shelter to be located at Levee Road (Hwy 11), Mt. Sterling, KY 40355. A temporary tower of shorter stature might be erected at said location while awaiting final PSC approval, and the approved tower is operational. This notice is being sent to you because you own property within a 500' radius of the proposed tower.

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.: 99-445 in your correspondence.

Feel free to contact Lisa Miller, Project Manager, at (502) 240-0044 ext. 23, if you have any questions.

Sincerely, CROWN COMMUNICATION INC.

For Crown Communication Inc.

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November 26, 1999

Crown Castle USA Inc. Kentucky Region 11001 Bluegrass Parkway, Suite 330 Louisville, KY 40299

Dear Sirs

I recently received a letter from Crown Communications regarding the proposed construction of a cell tower adjacent to my property. Please be advised that I am using this letter as my initial communication to notify you of my "right to intervene in this matter". This is in reference to case no: 99-445 site no KY 274.

Sincerely Wand Roberto

**David Roberts** 

Enclosure



November 10, 1999

Cròwn Castle USA Inc. Kentucky Region 11001 Bluegrass Parkway, Suite 330 Louisville, KY 40299 Tel 502 240.0044 Fax 502 240.0045 www.crowncastle.com

MUL S 199

# David Roberts 35 W. High Street Mt. Sterling, KY 40353

RE: Public Notice – Public Service Commission of Kentucky Case No.: 99-445 Our Site No.: KY 274

Dear David:

Crown Communication Inc. and Kentucky CGSA, Inc., d/b/a BellSouth Mobility, Inc. have applied to the Public Service Commission of Kentucky ("Commission") for a Certificate of Public Convenience and Necessity to construct and operate a new facility to provide wireless telecommunication services. The facility will include a 250-foot tower with appurtenances attached to a maximum height of 265 feet, and a ground level equipment shelter to be located at Levee Road (Hwy 11), Mt. Sterling, KY 40355. A temporary tower of shorter stature might be erected at said location while awaiting final PSC approval, and the approved tower is operational. This notice is being sent to you because you own property within a 500' radius of the proposed tower.

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.: 99-445 in your correspondence.

Feel free to contact Lisa Miller, Project Manager, at (502) 240-0044 ext. 23, if you have any questions.

Sincerely, **CROWN COMMUNICATION INC.** lovd McCarthy For Crown Communication Inc.

EXECUTIVE DIRECTORS OFFICE PUBLIC SERVICE COMMISSION OF KENTUCKY P.O. BOX 615 FRANKFORT, KY. 40602



DEAR SIRS:

NOVEMBER 24, 1999

I RECENTLY DISCOVERED THAT CROWN COMM. IS PROPOSING CONSTRUCTION OF A CELL TOWER NEAR MY PROPERTY. PLEASE BE ADVISED THAT I AM USING THIS LETTER AS MY INITIAL COMMUNICATION TO NOTIFY YOU OF MY "RIGHT TO INTERVENE IN THIS MATTER". A CELL TOWER ALREADY EXISTS IN THE NEAR VICINITY OF THE PROPOSED TOWER AND I FEEL THIS WILL HURT THE VALUE OF MY PROPERTY.

THIS REFERS TO CASE NO. 99-445, SITE NO. KY. 274.

RESPECTFULLY,

Carol L. M Laughlin

CAROL R. MCLAUGHLIN 1227 COUNTRY HEIGHTS DR. MT. STERLING, KY. 40353 (606) 498-1194



COMMONWEALTH OF KENTUCKY **PUBLIC SERVICE COMMISSION** 730 SCHENKEL LANE POST OFFICE BOX 615 FRANKFORT, KENTUCKY 40602 WWW.psc.state.ky.us (502) 564-3940 Fax (502) 564-3460

Ronald B. McCloud, Secretary Public Protection and Regulation Cabinet

Helen Helton Executive Director Public Service Commission

November 12, 1999

To: All parties of record

Paul E. Patton

Governor

RE: Case No. 99-445 KENTUCKY CGSA, INC., DBA BELLSOUTH MOBILITY, WESTEL-MILWAUKEE (Construct) CELL SITE – LEVEE ROAD (HWY 11) – MT. STERLING

This letter is to acknowledge receipt of initial application in the above case. The application was date-stamped received November 10, 1999 and has been assigned Case No. 99-445. 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,

Stephanie Bell Secretary of the Commission

SB/jc



AN EQUAL OPPORTUNITY EMPLOYER M/F/D

\* Steve Skinner Manager of External Affairs Kentucky CGSA, Inc., dba Bellsouth Mobility, Westel-Milwaukee, BSCC of IN 1100 Peachtree Street Room 809 Atlanta, GA. 30309

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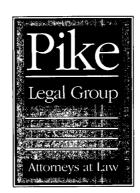
Lloyd D. McCarthy Crown Communication Inc. Commonwealth Business Center 11001 Bluegrass Parkway, Suite 330 Louisville, KY. 40299

Richard Guittar Director-Operations/Engineering BellSouth Mobility 1650 Lyndon Farms Court Louisville, KY. 40223

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Honorable David A. Pike Attorney for Crown Communication Inc Pike Legal Group 200 South Buckman Street P. O. Box 369 Shepherdsville , KY. 40165 0369

Honorable Sam McNamara Attorney for Westel-Milwaukee McNamara & Jones P. O. Box 916 Frankfort, KY. 40602



FILED NOV 1 0 1999 PUBLIC SERVICE COMMISSION

PECEIVED

November 9, 1999

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PUBLIC DURVICE COMMISSION

# **VIA HAND DELIVERY**

Helen C. Helton Executive Director Kentucky Public Service Commission 730 Schenkel Lane P. O. Box 615 Frankfort, Kentucky 40602

Re: Request for Waiver for From Requirements for Duplicate Initial Filing PSC Case Number: 99-445 Site Name: Mt. Sterling Site Number: KY 274

Dear Helen:

Please accept this letter as our formal application for waiver of the requirement that an original and ten (10) copies of an initial application for issuance of Certificate of Public Convenience and Necessity be filed with the Kentucky Public Service Commission ("PSC") in wireless communications facilities cases. As is the normal custom, we request that we be allowed to file an original and five (5) copies of our application for Certificate of Public Convenience and Necessity.

Thank you for your courtesy. If you have any questions or comments concerning this matter, please do not hesitate to contact me.

Sincerely,

Javid A. Pike

David A. Pike Regional Counsel for Crown Communication Inc.

DAP:slb

For Inclusion in Application File

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Shepherdsville Office • 200 S. Buckman Street • P.O. Box 369 • Shepherdsville, Kentucky 40165-0369 • (502) 955-4400 / Fax: (502) 543-4410 Frankfort Office • Frankfort Plaza • P.O. Box 771 • Frankfort, Kentucky 40602-0771 • (502) 875-4048

# COMMONWEALTH OF KENTUCKY BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF CROWN COMMUNICATION INC. AND KENTUCKY CGSA, INC. FOR ISSUANCE OF A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO CONSTRUCT A WIRELESS COMMUNICATIONS FACILITY AT LEVEE ROAD (HWY 11), MT. STERLING, KY 40355 IN THE WIRELESS COMMUNICATIONS LICENSE AREA IN THE COMMONWEALTH OF KENTUCKY IN THE COUNTY OF MONTGOMERY

SITE NAME: MT. STERLING SITE NUMBER: KY 274

\* \* \* \* \* \* \*

Crown Communication Inc. ("Crown"), and Kentucky CGSA, Inc., d/b/a BellSouth Mobility, Inc., as a licensed public utility in the Commonwealth of Kentucky, hereinafter jointly referred to as "Applicants", by counsel, pursuant to (i) KRS 278.020 and the rules and regulations applicable thereto, and (ii) the Telecommunications Act of 1996, respectfully submit their Application for a Certificate of Public Convenience and Necessity ("CPCN") from the Public Service Commission of Kentucky ("Commission") to construct, maintain, and operate a Wireless Communications Facility ("WCF") to serve the customers of the Provider with wireless telecommunications services, and other wireless service provider collocations in the area described herein.

In support of this Application, the Applicants respectfully provide and state the following information:

1. The complete names and addresses of the Applicants are:

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> NOV 1 0 1995 PUBLIC SERVICE COMMISSION

FILED

Crown Communication Inc., a Delaware Corporation, 375 Southpointe Boulevard, Canonsburg, PA 15317, (724) 416-2000, having a local address of Commonwealth Business Center, 11001 Bluegrass Parkway, Suite 330, Louisville, Kentucky 40299, (502) 240-0044.

Kentucky CGSA, Inc., d/b/a BellSouth Mobility Inc., a Georgia Corporation, 1100 Peachtree Street, Suite 14E06, Atlanta, GA 30309, having a local address of 1650 Lyndon Farms Ct., Louisville, KY 40223.

2. Crown constructs, owns, manages, maintains, and operates independent communications networks. Crown owns and manages safe, clean, and well-maintained facilities. Crown facilities do not generate smoke, odors, noise, noxious gases, vibrations, or increase traffic. Studies show that Crown's facilities will not pollute air, soil, or water, nor will they adversely affect radio or television reception or transmission. A certified copy of the Certificate of Authority issued by the Secretary of State of the Commonwealth of Kentucky and a certified copy of the Articles of Incorporation for Crown and the Provider are attached hereto as **Exhibit A**.

3. After completion of the proposed WCF, Kentucky, CGSA, Inc. will be the ultimate owner of the WCF, with Crown acting as ultimate sublessor to further lease or license space on said tower and the surrounding site so that other Providers may locate and operate their facilities including all required antennas and appurtenances. The proposed WCF will serve an area completely within the Provider's Federal Communications Commission ("FCC") licensed service area in the Commonwealth of Kentucky. The Provider is authorized to provide wireless services by the FCC and Commission. A copy of the Provider's FCC license to provide wireless services is attached to this Application as part of **Exhibit A**. The proposed site is located in a manner such that

other wireless communications service providers will desire to collocate on said tower, and Crown will endeavor to provide all necessary facilities to make collocation attractive to them.

4. The public convenience and necessity require the construction of the proposed WCF. The construction of the WCF will bring or improve the Provider's services to an area currently not adequately served by the Provider with increased coverage or capacity and will thereby enhance the public's access to innovative and competitive wireless telecommunications services. The WCF will provide a necessary link in the Provider's telecommunications network that is designed to meet the increasing demands for wireless services in Kentucky's wireless communications licensed area. The WCF is an integral link in the Provider's network design that must be in place to provide adequate coverage to the service area.

5. Crown's construction of the described WCF is desirable because it allows for the collocation of additional wireless service providers within this portion of the Kentucky wireless communications licensed area. These services may include telecommunications, wireless data transfer and Internet services, wireless cable, paging systems, 911 service, and other new products currently being developed in the wireless industry. In addition, the WCF will be available for use by governmental agencies and providers of emergency services. The WCF will provide a necessary link in Crown's wireless infrastructure network, and Crown, as part of its business structure, will diligently pursue and encourage other wireless providers to collocate on the WCF. These services will provide increased competition in the local Kentucky telecommunications market, which will, in turn, promote

competitive pricing, quality, and coverage options to users of telecommunications services in this area. Crown's vested interest in the collocation of wireless service providers promotes the same goals for the local consumers.

The Applicants propose to construct a WCF at Levee Road (Hwy 11), Mt. 6. Sterling, Kentucky 40355 (38° 01' 42.39" North latitude, 83° 56' 22.29 " West longitude), in an area located entirely within the county referenced in the caption of this application. The property on which the WCF will be located is owned by Alvin Haynes. The proposed WCF will consist of a 250-foot self-supporting tower, with an approximately 15-foot lightning arrestor attached at the top, for a total height of 265 feet. The WCF will also include concrete foundations to accommodate the placement of the Provider's proprietary radio electronics equipment. The equipment will be housed in a prefabricated cabinet or shelter that will contain: (i) the transmitting and receiving equipment required to connect the WCF with the Provider's users in Kentucky, (ii) telephone lines that will link the WCF with the Provider's other facilities, (iii) battery back-up that will allow the Provider to operate even after a loss of outside power, and (iv) all other necessary appurtenances. The Provider's equipment cabinet or shelter will be approved for use in the Commonwealth of Kentucky by the relevant building inspector. The WCF compound will be fenced and all access gate(s) will be secured. A description of the manner in which the proposed WCF will be constructed is attached as Exhibit B and Exhibit C. Periodic inspections will be performed on the WCF in accordance with the applicable regulations or requirements of the Commission. The list of competing utilities, corporations, or persons is attached as Exhibit D.

7. Reduced copies of the site development plan have been included as **Exhibit B** and **Exhibit C** of this Application. A vertical profile sketch of the WCF signed and sealed by a professional engineer registered in Kentucky depicting the tower height, as well as a proposed configuration for the antennas of the Provider and future antenna mounts, has also been included as part of **Exhibit B**. Foundation design plans and a description of the standards according to which the tower was designed signed and sealed by a professional engineer registered in Kentucky is included as part of **Exhibit C**.

8. The Applicants have considered the likely effects of the installation on nearby land uses and values and have concluded that there is no more suitable location reasonably available from which adequate services can be provided, and that there are no reasonably available opportunities to collocate. The Applicants have attempted to collocate on suitable existing structures such as a telecommunications towers or other suitable structures capable of supporting the Provider's facilities. No other suitable and available collocation site was found to be located in the vicinity of the site. Information regarding the Applicants' efforts to achieve collocation in the vicinity are presented as **Exhibit E**.

9. The Applicants have conducted a preliminary aeronautical evaluation for the proposed WCF. The evaluation determined that the proposed structure height at this site meets Federal Aviation Administration ("FAA") Regulation requirements. Furthermore, FAA notice is required for the proposed construction, and lighting or marking requirements may be applicable to this facility. A copy of the FAA Application is attached as **Exhibit F**. Upon receiving authorization from the FAA, the Applicants will forward a copy of the

determination as a supplement to this Application proceeding.

10. A copy of the Kentucky Airport Zoning Commission ("KAZC") Application for the proposed WCF is attached as **Exhibit G**. Upon receiving authorization from the KAZC, the Applicants will forward a copy of the determination as a supplement to this Application proceeding.

11. The WCF will be registered with the FCC pursuant to applicable federal requirements. Appropriate required FCC signage will be posted on the site upon receipt of the tower registration number.

12. A geotechnical-engineering firm has performed soil boring(s) and subsequent geotechnical-engineering studies at the WCF site under the supervision of a professional engineer registered in the Commonwealth of Kentucky who specializes in geotechnical engineering, including subsurface exploration. The geotechnical-engineering firm has performed many such studies for the communications industry. A copy of the geotechnical-engineering report and evaluation signed and sealed by a professional engineer registered in the Commonwealth of Kentucky who specializes in geotechnical engineer registered in the Commonwealth of Kentucky who specializes in geotechnical engineer registered in the Commonwealth of Kentucky who specializes in geotechnical engineering, including subsurface exploration, is attached as **Exhibit H**. The name and address of the geotechnical-engineering firm and the professional engineer registered in the Commonwealth of Kentucky who supervised the examination of this WCF site are included in **Exhibit H**.

13. Clear directions to the proposed WCF site from the County seat are attached as **Exhibit I**. The name and address of the preparer of **Exhibit J** is included in **Exhibit J**.

14. The Applicants, pursuant to a written agreement, have acquired the right to

use the WCF site and associated property rights. A copy of the abbreviated agreement recorded with the County Clerk is attached as **Exhibit J**. Also included as part of **Exhibit J** is the portion of the full agreement demonstrating that in the case of abandonment a method is provided to dismantle and remove the cellular antenna tower, including a timetable for removal.

15. Personnel directly responsible for the design and construction of the proposed WCF are well-qualified and experienced. Central Tower, Inc. ("the Tower Manufacturer") performed the tower and foundation design. The Tower Manufacturer is a nationally recognized manufacturer and designer of communications towers. The Tower Manufacturer has designed and installed communications towers throughout North America. The Tower Manufacturer has assigned Chi S. Lee, a professional engineer registered in the Commonwealth of Kentucky to design the WCF. This engineer specializes in the design and engineering of guyed, self-support and monopole structures, and has extensive experience in the design and construction of projects similar to the Applicants'. These projects include the design of towers and the required foundations of many other wireless facilities. All of the designs have been signed and sealed by Chi S. Lee. The construction of the proposed WCF will be performed by Crown Network Systems, an experienced, bonded, and insured erection company. The Tower Erection Manager, Harold Harrington, will manage the tower erection. Harold Harrington is a tower installation manager for Crown and has been erecting towers for the telecommunications industry for over 8 years. All tower designs will meet or exceed applicable laws and regulations.

16. Based on a review of Federal Emergency Management Agency Flood

Insurance Rate Maps, the registered land surveyor has noted in **Exhibit B** that the proposed WCF is not located within any flood hazard area.

17. The possibility of high winds has been considered in the design of this tower. The tower has been designed and engineered by professional engineers using computer assistance and the same accepted codes and standards as are typically used for high-rise building construction. The tower has been designed to withstand a wind loading of 70 m.p.h., using the Uniform Building Code of 1991 ("UBC-91") and further modified by the 1993 Administrative Code. This tower has been designed in accordance with the Electronic Industries Association ("EIA") 222-F Standards, which have been accepted and approved by ANSI and is a nationally recognized tower design standard. Similarly, the proposed WCF design has been developed with consideration of potential ground shaking based on a negligible seismic zone of 1. Seismic loading is regarded as secondary to the wind loading.

18. The site development plan signed and sealed by a professional engineer registered in Kentucky was prepared by Charles Weiter, and was designed from a survey performed by Frank Sellinger. This site development plan is drawn to a scale of no less than one (1) inch equals 200 feet, and identifies every owner of real estate within 500 feet of the proposed tower (according to the Property Valuation Administrator) and is incorporated in the survey as part of **Exhibit B**. Every structure and every easement within 500 feet of the proposed tower or within 200 feet of the access road including intersection with the public street system is incorporated in the survey as part of **Exhibit B**.

19. Crown, on behalf of itself and the Provider, has notified every person who

owns property within 500 feet of the proposed tower by certified mail, return receipt requested, of the proposed construction, along with the possibility of a temporary site being built while awaiting Commission approval. Each property owner has been given the docket number under which the proposed Application will be processed and has been informed of their right to request intervention. A list of the nearby property owners who received the notices, together with copies of the certified letters, are attached as **Exhibit K** and **Exhibit L**, respectively.

20. Crown, on behalf of itself and the Provider, has notified the Judge Executive of the county where the WCF is located by certified mail, return receipt requested, of the proposed construction. Crown included in said notice the Public Service Commission ("PSC") docket number under which the application will be processed and informed said entity of its right to request intervention. A copy of this notice is attached as **Exhibit M**. The county where the WCF is located has not registered for the right to regulate cell sites with the PSC, and has not adopted planning and zoning regulations in accordance with KRS Chapter 100.

21. Two appropriate notice signs measuring at least two (2) feet in height and four (4) feet in width with all required language in letters of required height have been posted in a visible location on the proposed site and on the nearest public road and shall remain posted for at least two (2) weeks after filing of the Application. Copies of the postings are attached as **Exhibit N**. The location of the proposed facility has been published in a newspaper of general circulation in the county where the WCF is located.

22. There are no residences within a 500-foot radius of the centerline of the

proposed tower location. The land surrounding the WCF site is presently vacant with the balance of the remaining land consisting of raw acreage.

23. The process that was used in selecting the site for the proposed WCF by the Applicants' radio frequency engineers was consistent with the process used for selecting generally all other existing and proposed WCF facilities within the proposed network design area. Before beginning the acquisition process, the Applicants carefully evaluated the location of the required WCF for possible collocation opportunities on existing structures. Radio frequency engineers used computer programs to evaluate the most effective coverage design for facilitating collocation potential on the proposed tower. Crown and the Provider's radio frequency engineers have combined their efforts in order to develop a highly efficient network that is designed to serve the Federal Communications Commission licensed territory without extending beyond the Provider's approved boundary. The engineers selected the optimum vicinity in terms of elevation and location to provide the best quality service to customers in the service area. A proposed coverage area was considered by the Applicants when searching for sites that would provide both (i) the coverage deemed necessary by the Provider, and (ii) the coverage deemed necessary by Crown to permit the integration of the proposed WCF into Crown's overall network design. No suitable towers or existing structures were found in the immediate area which would meet the technical requirements for this element of the telecommunications network. A map of the area in which the tower is proposed to be located which is drawn to scale and clearly depicts the necessary search area within which the site should, pursuant to radio frequency requirements, be located is attached as Exhibit O.

24. A grid map showing the location of all existing cellular antenna towers that includes the general position of proposed construction sites for new cellular antenna towers within the planning commission's jurisdiction and one-half mile outside the boundary of the planning unit's jurisdiction if that area contains either existing or proposed construction sites for cellular antenna towers is attached as **Exhibit P**.

25. All Exhibits to this Application are hereby incorporated by reference as if fully set out as part of the Application.

26. All responses and requests associated with this Application may be directed

## to:

L. D. McCarthy Crown Communication Inc. Commonwealth Business Center 11001 Bluegrass Parkway, Suite 330 Louisville, Kentucky 40299 Telephone: (502) 240-0044

# and

Richard Guittar Director-Operations/Engineering BellSouth Mobility 1650 Lyndon Farms Court Louisville, Kentucky 40223 Telephone: (502) 329-4708

## and

David A. Pike Pike Legal Group 200 S. Buckman Street P. O. Box 369 Shepherdsville, Kentucky 40165-0369 Telephone: (502) 955-4400 ATTORNEY FOR CROWN COMMUNICATION INC.

# and

Sam McNamara McNamara & Jones P.O. Box 916 Frankfort, KY 40602 Telephone: (502) 875-8808 ATTORNEY FOR KENTUCKY CGSA, INC. WHEREFORE, the Applicants respectfully request that the Commission accept the foregoing Application for filing, and having met the requirements of KRS 278.020 and all applicable rules and regulations of the Commission, grant a Certificate of Public Convenience and Necessity to construct and operate the WCF at the location set forth herein for the respective networks in the Commonwealth of Kentucky.

Respectfully submitted, r

David A. Pike Pike Legal Group 200 S. Buckman Street P. O. Box 369 Shepherdsville, Kentucky 40165-0369 (502) 955-4400 ATTORNEY FOR CROWN COMMUNICATION, INC.

and

3. Me Marrara

Sam McNamara McNamara & Jones P.O. Box 916 Frankfort, KY 40602 (502) 875-8808 ATTORNEY FOR KENTUCKY CGSA, INC,

# LIST OF EXHIBITS

- A Copy of Articles of Incorporation, Certificate of Authority and FCC License
- B Site Development Plan:

Vicinity Map Property Owner Listing 500' Vicinity Map Legal Descriptions Flood Plain Certification Site Plan Vertical Tower Profile

- C Tower and Foundation Design
- D Competing utilities, corporations, or persons list
- E Collocation report
- F Application to FAA
- G Application to Kentucky Airport Zoning Commission
- H Geotechnical Report
- I Directions to WCF Site
- J Copy of Real Estate Agreement
- K Notification Listing
- L Copy of Property Owner Notification
- M Copy of Judge Executive Notice
- N Copy of Posting Notices
- O Copy of Radio Frequency Design Search Area
- P Tower Map for Subject County

# EXHIBIT A COPY OF ARTICLES OF INCORPORATION, CERTIFICATE OF AUTHORITY AND FCC LICENSE



United States of America Federal Communications Commission RADIO STATION AUTHORIZATION

Cellular Radiotelephone Service

KENTUCKY CGSA, INC. 1100 PEACHTREE STREET, N.E., SUITE 14E06 ATLANTA, GA 303094599

Call Sign: KNKN956

Market: 0450Channel Block: B-1SID: 0206, 1288Market Name:KENTUCKY 8 - MASON

The Licensee hereof is authorized, for the period indicated, to operate a radio transmitting station in accordance with the terms and conditions hereinafter described. This authorization is subject to the provisions of the Communications Act of 1934, as amended, subsequent Acts of Congress, international treaties and agreements to which the United States is a signatory, and all pertinent rules and regulations of the Federal Communications Commission, contained in Title 47 of the Code of Federal Regulations.

Initial Grant Date...... March 13, 1992 Expiration Date..... October 01, 2001

# WAIVERS / CONDITIONS:

Pursuant to Section 309(h) of the Communications Act 1934, as amended, (47 U.S.C. § 309(h)), this authorization is subject to the following conditions: (1) This authorization does not vest in the licensee any right to operate a station nor any right in the use of the electromagnetic spectrum designated herein beyond the term thereof nor in any other manner than authorized herein. (2) Neither this license nor the right granted thereunder shall be assigned or otherwise transfereed in violation of the Communications Act of 1934, as amended (47 U.S.C. § 151, *et. seq*). (3) This authorization is subject in terms to the right of use or control conferred by Section 706 of the Communications Act of 1934, as amended (47 U.S.C. § 606).

This authorization does not convey to the licensee the right to receive protection from the capture of subscriber traffic, co-channel interference or first-adjacent-channel interference in any area outside of the authorized cellular geographic service area (CGSA) of the system. Moreover, any facility authorized herein with a service area boundary (SAB) extending into the CGSA of any other operating cellular system on the same channel block, regardless of when such other cellular system was authorized, is subject to the following condition: In the event that the licensee of the other cellular system requests that the SAB of the facilities authorized herein be removed from its CGSA, the licensee herein must reduce transmitting power or antenna height (or both) as necessary to remove the SAB from the CGSA, unless written consent from the licensee of the other cellular system, allowing the SAB extension to remain, is obtained.

Issued by PL on Wednesday February 7 FCC Form 463A For Additional Information Please Contact:

KY Engineering 1650 Lyndon Farms Court (502) 329-4700



# John Y. Brown III Secretary of State

# **Certificate of Authorization**

I, JOHN Y. BROWN III, Secretary of State of the Commonwealth of Kentucky, do hereby certify that according to the records in the Office of the Secretary of State,

# KENTUCKY CGSA, INC.

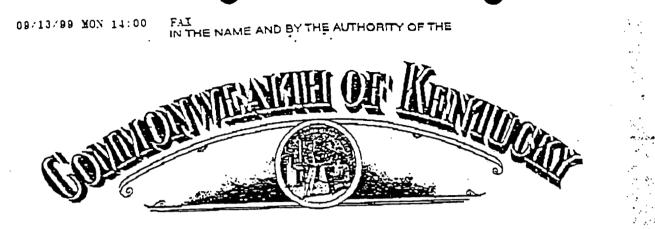
, a corporation organized under the laws of the state of Georgia, is authorized to transact business in the Commonwealth of Kentucky, and received the authority to transact business in Kentucky on April 26, 1984.

I further certify that all fees and penalties owed to the Secretary of State have been paid; that an application for certificate of withdrawal has not been filed; and that the most recent annual report required by KRS 271B.16-220 has been delivered to the Secretary of State.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Official Seal at Frankfort, Kentucky, this 8<sup>th</sup> day of September, 1999.

ova,II

JOHN Y. BROWN III Secretary of State Commonwealth of Kentucky Ibutes/0189145



C005/005

JOHN Y. BROWN III SECRETARY OF STATE

# CERTIFICATE

L JOHN Y. BROWN III, Secretary of State for the Commonwealth of Kentucky, do certify that the foregoing writing has been carefully compared by me with the original record thereof, now in my official castody as Secretary of State and remaining on file in my office. and found to be a true and correct copy of CERTIFICATE OF AUTHORITY OF

LOUISVILLE COSA, INC. FILED APRIL 26, 1984;

AMENDED CERTIFICATE OF AUTHORITY OF LOUISVILLE CGSA, INC. CHANGING NAME TO KENTUCKY CGSA, INC. FILED AUGUST 26, 1986.

IN WITNESS WHEREOF, I have bereunto

set my hand and affixed my official seal.

Done at Frankfort this \_\_\_\_\_\_ BTH\_\_\_\_\_ day of

19 99 EPTEMBER DONA TI with of Karnety of Sta



# OFFICE OF THE SECRETARY OF STATE

# FOREIGN CORPORATION CERTIFICATE OF AUTHORIZATION

I, JOHN Y. BROWN III, Secretary of State of the Commonwealth of Kentucky, do hereby certify that according to the records in the Office of the Secretary of State, <u>CROWN COMMUNICATION INC.</u> is a corporation organized and existing under the laws of the state or country of

I further certify that all fees and penalties owed to the Secretary of State have been paid to date; that an Application for Certificate of Withdrawal has not been filed; and that the most recent annual report required by KRS Chapter 271B.16-220 or 273.3671 has been delivered to the Secretary of State on behalf of said corporation.

111 BROWN III

Secretary of State Commonwealth of Kentucky

SSC-228(1/96)

JS



JOHN Y. BROWN III SECRETARY OF STATE

# CERTIFICATE

I, JOHN Y. BROWN III. Secretary of State for the Commonwealth of Kentucky, do certify that the foregoing writing has been carefully compared by me with the original record thereof, now in my official custody as Secretary of State and remaining on file in my office, and found to be a true and correct copy of CERTIFICATE OF AUTHORITY OF CROWN COMUNICATION INC. FILED AUGUST 12, 1997.

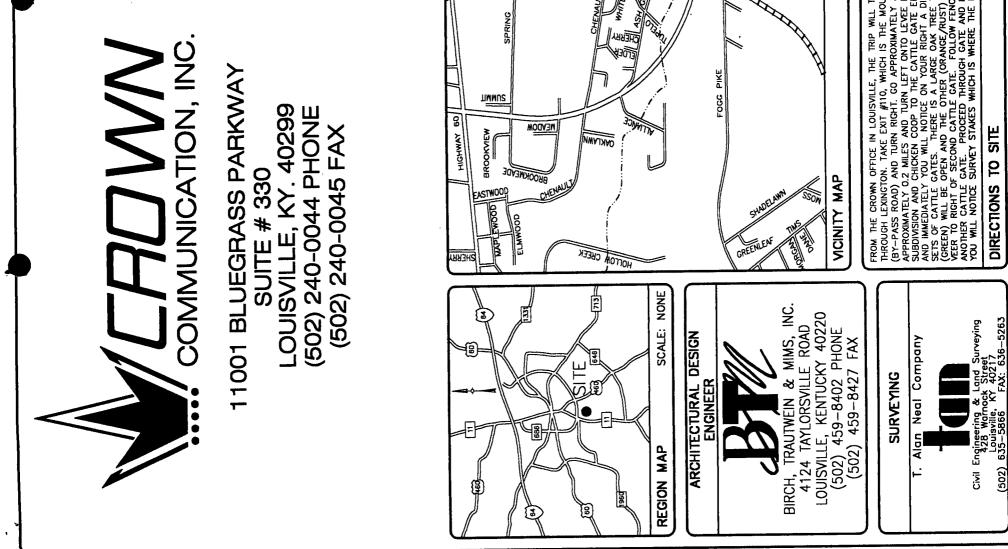
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal. Done at Frankfort this <u>4TH</u> day of DECEMBER 19 97

, 19 \_\_\_\_97 m of Suic

SSC-208

# EXHIBIT B

SITE DEVELOPMENT PLAN: VICINITY MAP PROPERTY OWNER LISTING 500' VICINITY MAP LEGAL DESCRIPTIONS FLOOD PLAIN CERTIFICATION SITE PLAN VERTICAL TOWER PROFILE



# MT. STERLING KY 274

11001 BLUEGRASS PARKWAY SUITE # 330 LOUISVILLE, KENTUCKY 40299 (502) 240-0044 PHONE (502) 240-0045 FAX

COMMUNICATION, INC.

BIRCH, TRAUTWEIN & MIMS, INC. 4124 TAYLORSVILLE ROAD LOUISVILLE, KENTUCKY 40220 (502) 459-8402 PHONE (502) 459-8427 FAX

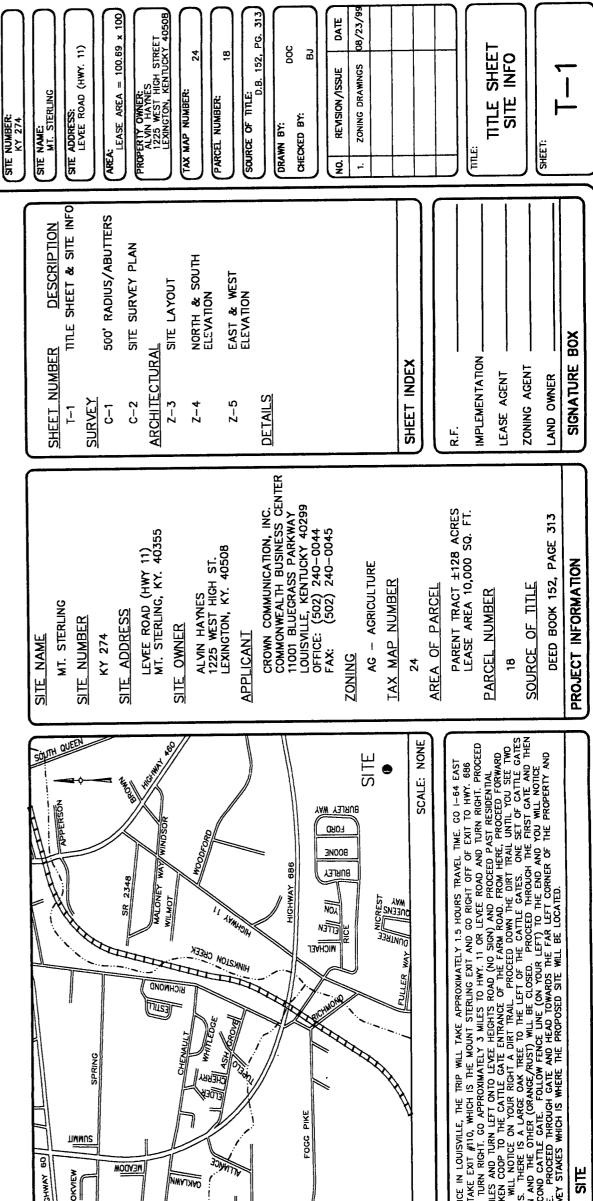
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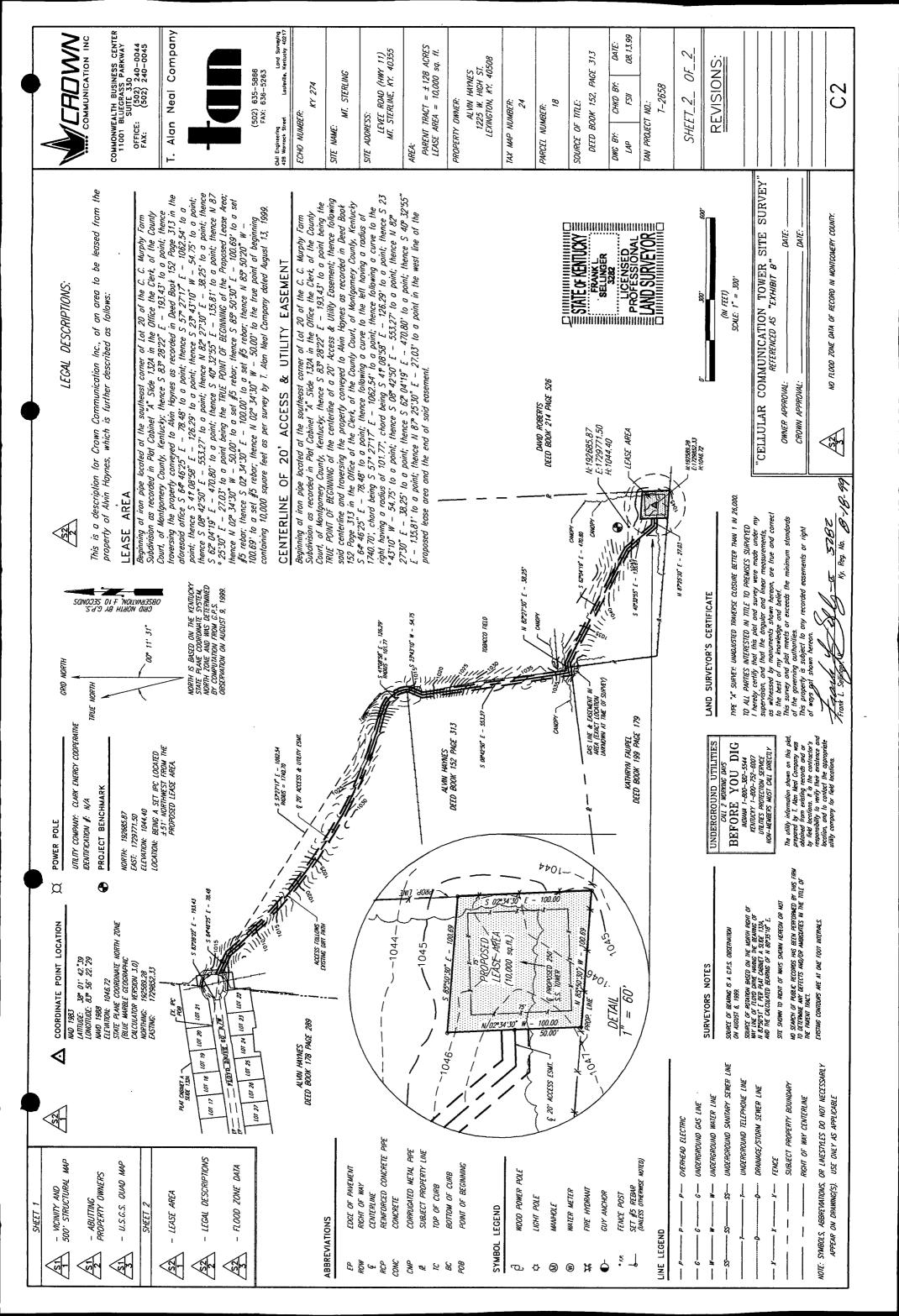
LEVEE ROAD (HWY 11) MT. STERLING, KY. 40355

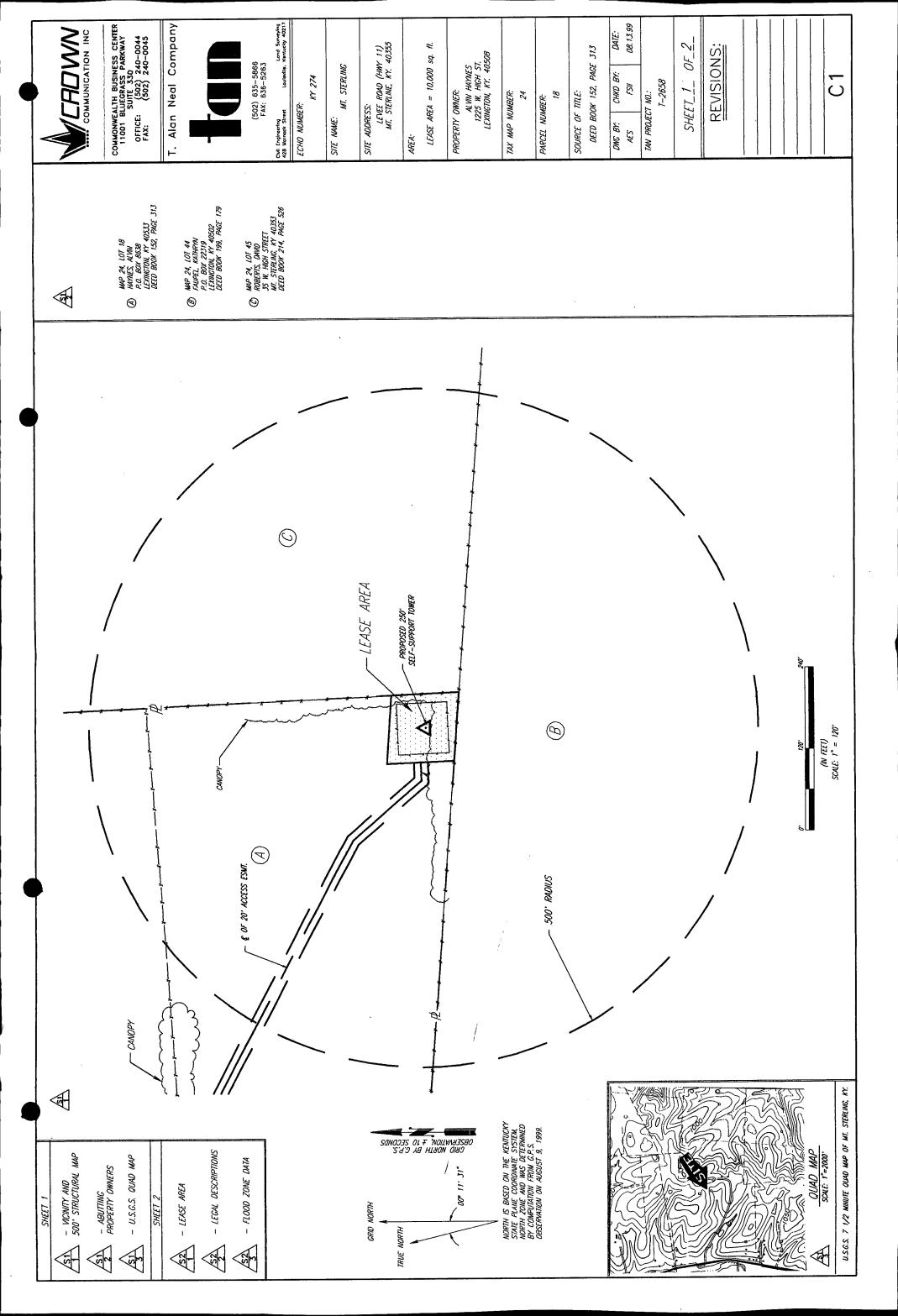
PROPOSED 250' SELF SUPPORTING TOWER WITH MULTIPLE CARRIERS an

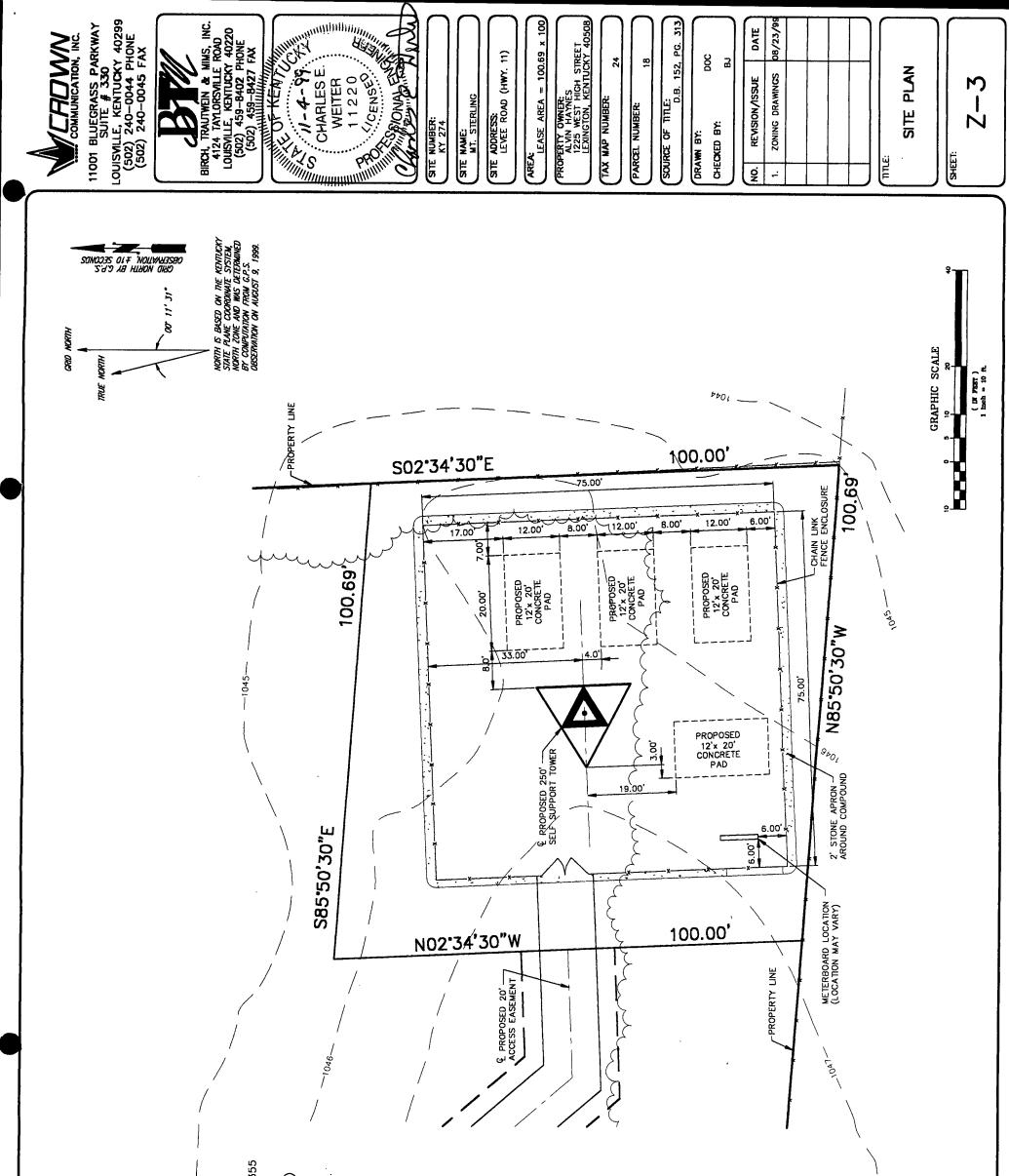
CHARLES E WEITER VIENEE

JCK

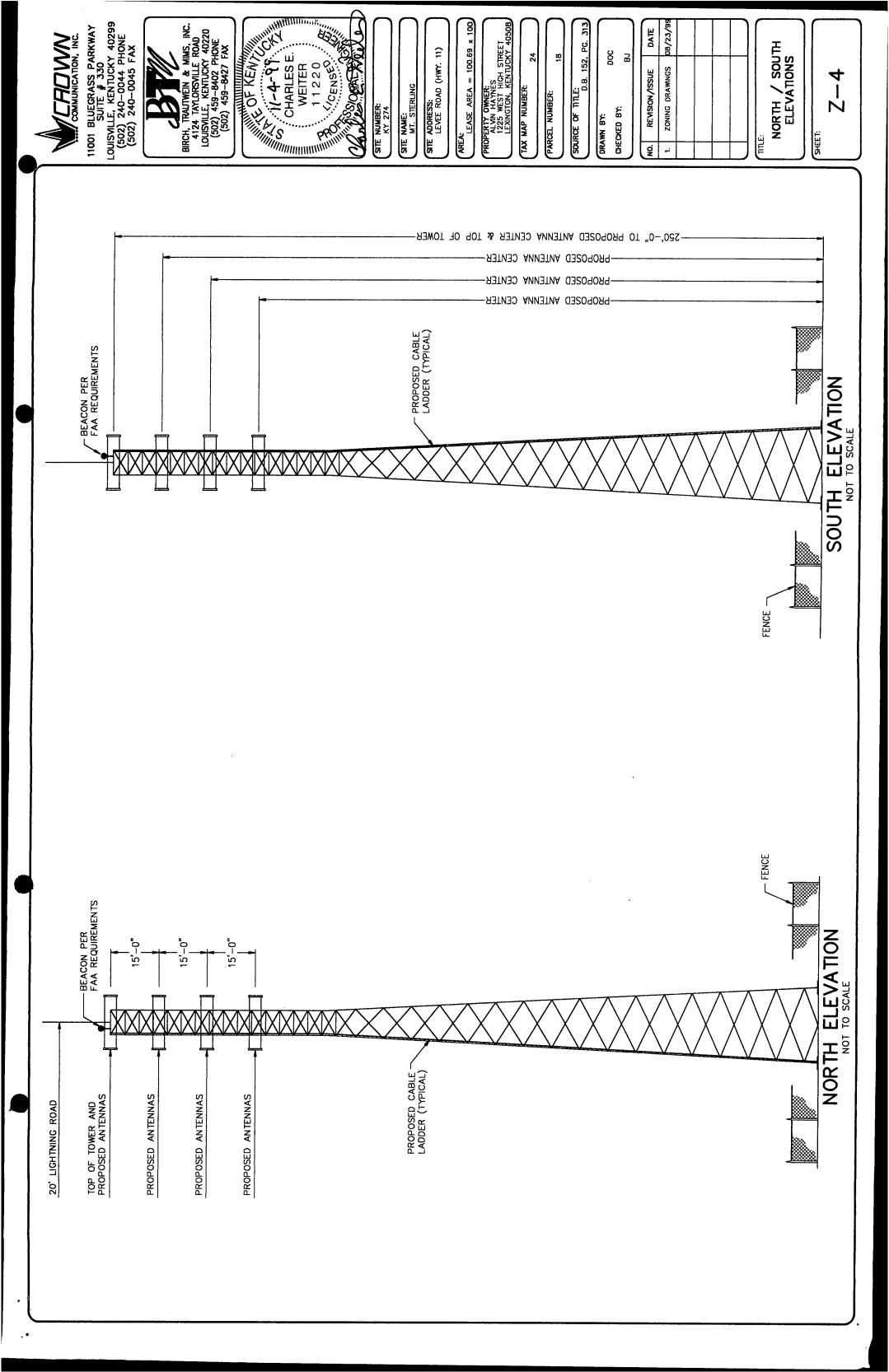


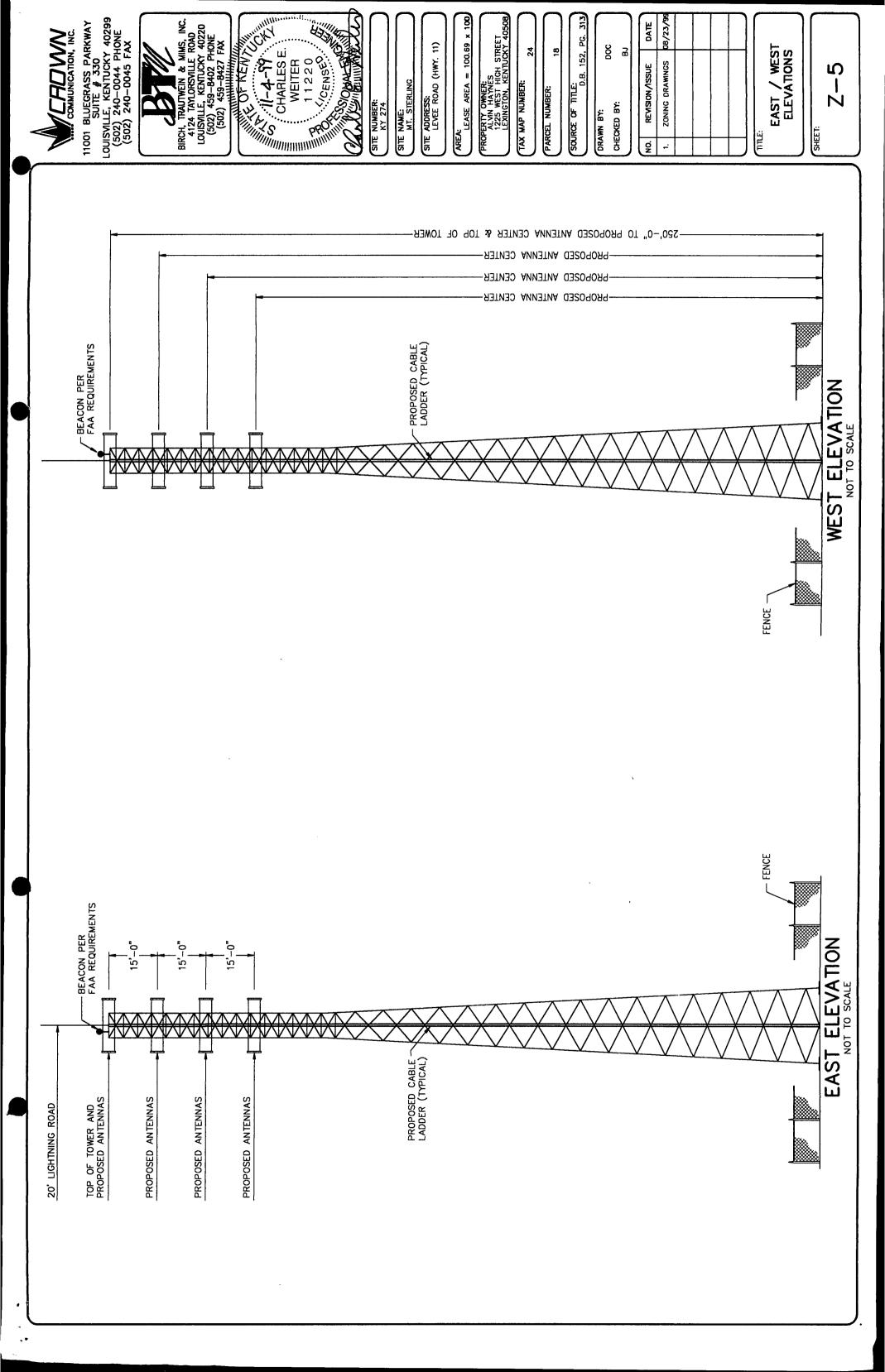




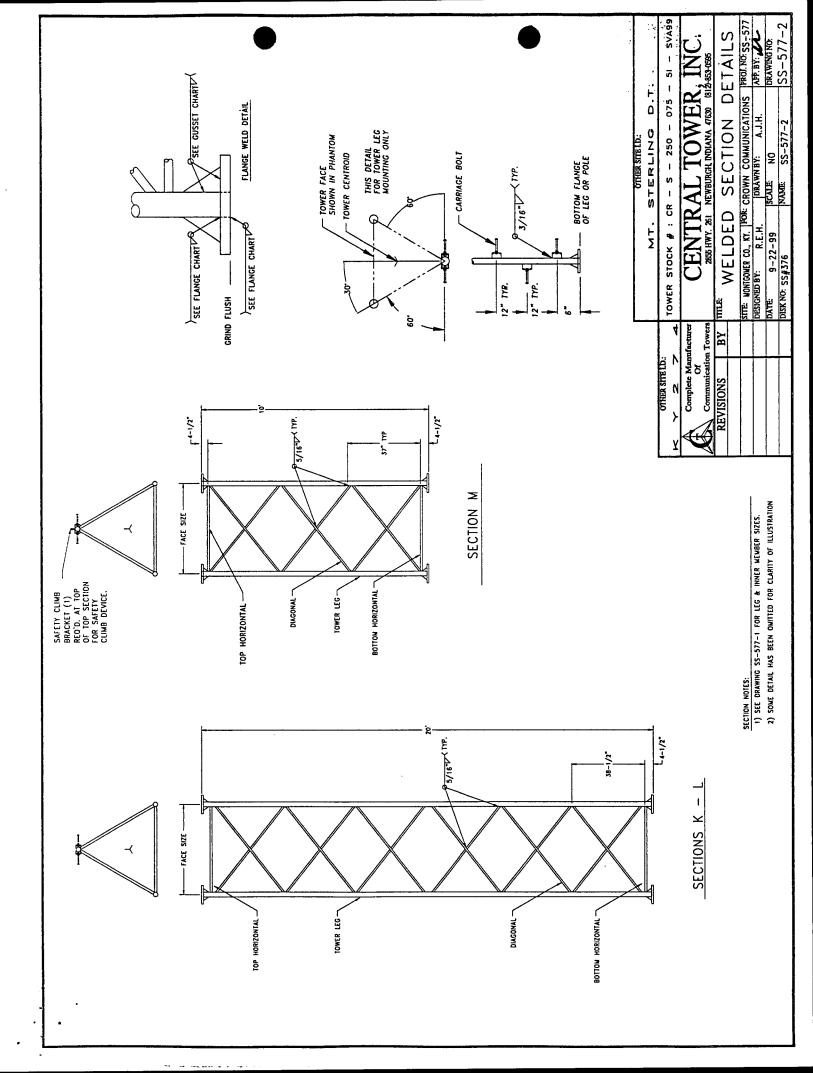


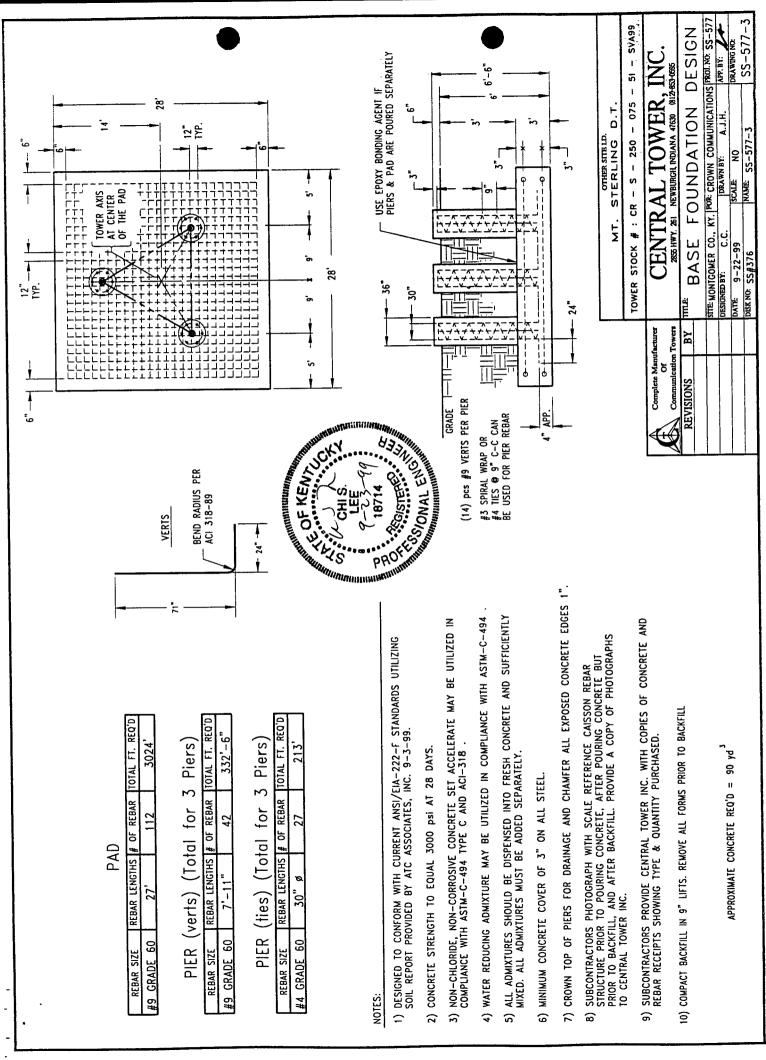
/ <u><u> </u></u>	DRIVE FROM AN EXISTING ASPHALT ROADWAY (LEVEE HEIGHTS DR.) A PUBLIC RIGHT OF WAY. THE ACCESS ROAD IS TO BE CONSTRUCTED IN ACCORDANCE WITH THE LOCAL HIGHWAY/ DEPARTMENT OF TRANSPORTATION STANDARDS. WAFE, SANITARY SERR, AND WASTE COLLECTIONS SERVICES ARE NOT REQUIRED FOR THE PROPOSED DEVELOPMENT. CENTERLINE OF EXISTING TOWER GEOGRAPHIC LOCATIONS: LATITUDE: 38'01'42.39"N, N 192589.28 LONGITUDE: 83'56'22.29"W, E 1729852.33 LONGITUDE: 83'56'22.29"W, E 1729852.33 NOTE. 1. REMOVE ALL VEGETATION & CLEAN AREA V/ LEASE AREA (WHERE REQUIRED) 2. FINISH GRADING TO PROVIDE EFFECTIVE DRAINGE W/ A SLOPE OF NO LESS THAN AWAY FROM EQUIP. FOR A MIN. DISTANCE OF SIX FEET (6) IN ALL DIRECTIONS. 3. LOCATE ALL U.G. UTILITES PRIOR TO ANY CONSTRUCTION 4. FENCED COMPOUND FINISHED SURFACE	P       P





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$\begin{array}{c c c c c c c c c c c c c c c c c c c $	$\begin{array}{c c c c c c c c c c c c c c c c c c c $	$\Sigma$		U	120' - 140'	9.6' - 8.2'	3-3/4	L 2 x 2 x 1/4	N/A	NOTE: 3	3300		
$\begin{array}{c c c c c c c c c c c c c c c c c c c $	$\begin{array}{ c c c c c c c c c c c c c c c c c c c$	$\sim$	-	н			3-1/2	L 2 x 2 x 3/16	N/A	NOTE: 3	2825		
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$\frac{1}{10} \frac{1}{100} \frac{1}{$	$\frac{1}{10} \frac{1}{100} \frac{1}{$	$\Box$		-	180' - 200'		£	L 1-3/4 x 1-3/4 x 3/16	N/A	NOTE: 3	2150		
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Torket is persisten according to the production according	The large l	$\propto$	·		220' - 240'	4.	2	7/8 S.R.	7/8 S.R.	NOTE: 3	1200		
INTERMA INFORMATION       TOWER S DESCRIPTION DARGAME RELAY       ATERNA INFORMATION       ATERNA INFORMATION <th colspan<="" td=""><td>INTERMA INFORMATION       INTERMA INFORMATION       MATERNA INFORMATION       (1) APPRID       (1) APPRID<td><math>\sum</math></td><td></td><td>¥</td><td></td><td><b>*</b></td><td>2</td><td>7/8 S.R.</td><td>7/8 S.R.</td><td>NOTE: 3</td><td>1200</td><td></td></td></th>	<td>INTERMA INFORMATION       INTERMA INFORMATION       MATERNA INFORMATION       (1) APPRID       (1) APPRID<td><math>\sum</math></td><td></td><td>¥</td><td></td><td><b>*</b></td><td>2</td><td>7/8 S.R.</td><td>7/8 S.R.</td><td>NOTE: 3</td><td>1200</td><td></td></td>	INTERMA INFORMATION       INTERMA INFORMATION       MATERNA INFORMATION       (1) APPRID       (1) APPRID <td><math>\sum</math></td> <td></td> <td>¥</td> <td></td> <td><b>*</b></td> <td>2</td> <td>7/8 S.R.</td> <td>7/8 S.R.</td> <td>NOTE: 3</td> <td>1200</td> <td></td>	$\sum$		¥		<b>*</b>	2	7/8 S.R.	7/8 S.R.	NOTE: 3	1200	
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$\begin{array}{c c c c c c c c c c c c c c c c c c c $	(13) AUPS12     (13) AUPS12     (15) AUPS12     (15) AUPS12       MAY INDUAL LEG LOUS     1) SOUR DETAUNDE FORT A BUSE NOT 70 UNEY WITH J/2 <sup>2</sup> CE.     1) SOURE STRUCTURE IS ESSENDED FOR TO UNEY WITH J/2 <sup>2</sup> CE.       STATE OF A DAMING NOTES     1) SOURE STRUCTURE IS ESSENDED FOR TO UNEY WITH J/2 <sup>2</sup> CE.     1) SOURE STRUCTURE IS ESSENDED FOR TO WOUND.       CH1S     335.7 Ups     355.7 Ups     355.7 Ups     355.7 Ups       STATE OF TO ALL THE OLDS     355.7 Ups     355.7 Ups     355.7 Ups       STATE OF TO ALL THE OLDS     355.7 Ups     355.7 Ups     355.7 Ups       STATE OF TO ALL THE OLDS     355.7 Ups     355.7 Ups     355.7 Ups       STATE OF TO ALL THE OLDS     355.7 Ups     355.7 Ups     355.7 Ups       STATE OF TO ALL THE OLDS     355.7 Ups     355.7 Ups     355.7 Ups       STATE OF TO ALL THE OLDS     355.7 Ups     355.7 Ups     355.7 Ups       STATE OF TO ALL THE OLDS     355.7 Ups     355.7 Ups     355.7 Ups       STATE OF TO ALL THE OLDS     355.7 Ups     355.7 Ups     355.0 Ups       MAIL ELOO     MAIL ELOO     MAIL ELOO     355.1 Ups     351.1 Ups       MAIL ELOO     MAIL ELOO     MAIL ELOO     MAIL ELOO     MAIL ELOO       MAIL ELOO     MAIL ELOO     MAIL ELOO     MAIL ELOO     MAIL ELOO       MAIL ELOO     MAIL ELOO     MAIL				ð.	(2) B' HP	DISH		<b>0</b> 170'	EWS2 or EW63			
DESIGN & DRAWING ANTES     DESIGN & DRAWING ANTES       MX IMONDUAL LEG LOADS     1 SOLUE ETAL HAS ETAN OWNERS FOR A ETAC THRE IS DESIGNED IN A COORDINACE WITH ANS/TIV-222- 352.2 kbs       ALLE AND AND AND LEG LOADS     24.65 kbs       ALLE AND AND AND LEG LOADS     35.72 kbs       ALLE AND	DESIGN & DRAWING MOTES.     DESIGN & DRAWING MOTES.       AX NONDON, LEG LOADS     1) SOLE DELAY, HAS EEN OWNERS WIM ANS/TA-222- STORED RACCOMMERS WIM ANS/TA-222- 35272 Mph     30.43 Mph       AT NONDON, LEG LOADS     35572 Mph     30.43 Mph       AT NO, MAR DESCHORE OF TO AN WIMH 1/2 "CE:     35572 Mph       AT NO, MAR DESCHORE OF TO AN WIMH 1/2 "CE:     35572 Mph       AT N, AND DESCHORE OF TO AN WIMH 1/2 "CE:     35572 Mph       AT N, AND DESCHORE OF TO AN WIMH 1/2 "CE:     35572 Mph       AT N, AND DESCHORE OF TO AN WIMH 1/2 "CE:     35572 Mph       AT NO MAR DESCHORE OF TO AN WIMH 1/2 "CE:     35572 Mph       AT NO MAR DESCHORE OF TO AN WIMH 1/2 "CE:     35572 Mph       AT NO MAR DESCHORE OF TO AN WIMH 1/2 "CE:     35572 Mph       AT NO MAR DESCHORE OF TO AN WIMH 1/2 "CE:     35572 Mph       AT NO MAR DESCHORE OF TO AN WIMH 1/2 "CE:     35572 Mph       AT NO MAR DESCHORE OF TO AN WIMH 1/2 "CE:     351047 JF       AT NO MAR DESCHORE OF TO AN WIMH 1/2 "CE:     351047 JF       AT NO MAR DESCHORE OF TO AN AND AN AND AN	$\sum$				(12) ALP92	212		<b>0</b> 150'	1-5/8			
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MX HONDUAL LEG LODG       21.67 kips       23.61 kips       33.51 kips       35.50 kips       31.51 kips       35.50 kips       31.51 kips       31.51 kips       31.51 kips       31.51 kips       31.51 kips       31.5	Image: Structure is presented in a monotoxi (if it is a monotoxi (if it it is a monotoxi (if it is a monotoxi (if it it is it it it it it i	X						1) SOME DETAIL HAS BEE	N OMITTED FOR CLARITY	OF ILLUSTRATION.			
<ul> <li>355.72 kips</li> <li>367.64 kips</li> <li>355.72 kips</li> <li>367.64 kips</li> <li>367.64 kips</li> <li>367.64 kips</li> <li>368.6 kips</li> <li>3167.28 kips</li> <li>31</li></ul>	<ul> <li>315.12 kips</li> <li>317.2 kips</li> <li>317.2 kips</li> <li>317.2 kips</li> <li>317.2 kips</li> <li>318.14 kips&lt;</li></ul>	$\langle \rangle$		XAX	INDIVIDIJAT LEG LI	DADS		2) TOWER STRUCTURE IS STANDARDS FOR A BAS	DESIGNED IN ACCORDAN	CE WITH ANSI/EIA-222- MPH WITH 1/2" ICE.	<b>ابد</b> ۲		
<ul> <li>PLEX 24.67 kips 24.6</li></ul>	24.67 kips     24.67 kips     303.43 kips     4) lowen desloker for a result of the writen is statu 4-572 deader so (ty 2 so kel).       335.72 kips     335.72 kips     303.43 kips     314 kips       37.72 kips     35.72 kips     314 kips     314 kips       37.72 kips     35.72 kips     35.72 kips     314 kips       37.72 kips     35.72 kips     35.72 kips     35.72 kips       37.72 kips     35.72 kips     35.72 kips     35.72 kips       37.72 kips     35.72 kips     35.72 kips     35.72 kips       37.71 kips     35.72 kips     35.72 kips     35.72 kips       37.71 kips     35.72 kips     35.72 kips     35.72 kips       38714     318714     35.72 kips     35.72 kips       38714     318714     35.91 kips     35.72 kips       38714     27.7 a ASIM ALA PALE INC     31.1/4" ASIM ALE INC       38.16 kips     318714     27.7 a ASIM ALE INC     31.1/4" ASIM ALE INC       38.16 kips     31.81 kips     31.87 kips     31.87 kips       38.16 kips     31.81 kips     31.87 kips     31.81 kips       38.16 kips     31.81 kips     31.81 kips     31.81 kips       38.16 kips     31.81 kips     31.81 kips     31.91 kips       38.16 kips     31.81 kips     31.91 kips     31.91 ki		WITHHIM					3) STEP BOLTS ARE PROV	1DED.				
355.72 kips     355.	Indication     355.72 klps     305.43 klps     30.41 LEG AND LEG FLANGE FL MATERIAL IS ASIM A572 GRADE SO (fry 2 50 ks).       CHS     355.72 klps     355.72 klps     355.72 klps     355.72 klps       18714     355.72 klps     355.72 klps     355.72 klps     355.72 klps       18714     355.72 klps     355.72 klps     355.72 klps     355.72 klps       18714     355.72 klps     355.72 klps     355.72 klps     355.72 klps       18714     355.72 klps     355.72 klps     355.72 klps     355.72 klps       18714     355.72 klps     355.72 klps     355.72 klps     355.72 klps       355.72 klps     351.72 klps     351.72 klps     355.52 klps     355.52 klps       355.75 klps     355.57 klps     355.57 klps     355.57 klps     355.57 klps	C N	A	24.67 kips —	•			4) TOWER DESIGNED FOR	T OR SV MOUNTS.				
CHIS.     CHIS.       LEE     And LEV       18714       18714       18714       18714       18714       18714       18714       18715       18715       18716       18716       18717       18718       18719       18719       18714       18714       18715       18715       18716       18717       18718       18719       18719       18710       18710       18711       18711       18712       18712       18713       18712       18713       18713       18714       18714       18713       18714       18714       18715       18714       18715       18715       18715       18712       18712       18712       18712       18712       18712       18712       18713       18713       18714       18714       18715       18715	CHIS.				146 72 Li		ß	5) ALL LEG AND LEG FLAI All Other Material I	NGE PL MATERIAL IS AS S ASTM A36 (Fv 2 36 kg	1M A-572 GRADE 50 (I si).	ry z 50 ksi).		
18714 18714 18714 MAL EN MAX TOTAL FOUNDATION LOAD MAX TOTAL FOUNDATION COMMUNICATION READ BILD VIEW READINAL ATTON ATTOR READERS REVISION R PIN REVISION R PIN REVENTED R INCOMENT CO., RI PURE FORM R COMMUNICATION READ REPORTED R INTERNATION READ REPORTED R INTERNATION R R MEMBER INFORMATION R R REVISION R R R REVISION R R R REVISION R R R REVISION R R R R R R R R R R R R R R R R R R R	1871 1871 1871 1871 1871 1871 1871 1871 1871 1871 197 10 1-1/4" A SIM A449 ANCHOR BOLIS REQUIRED FRA LEG. 10.114. FOUNDATION 10.11, 0.114 10.114. FOUNDATION 10.114. FOUNDAT		HIS		-	2		6) SECTIONS A - J ARE SECTIONS K - M ARE	3-BAY X-BRACED (74" 6-BAY X-BRACED (38-	BAYS) 1/2" BAYS)			
MALEN     MX TOTAL FOUNDATION LOAD     OTHER ATTELD:     DTHER ATTELD:       MALEN     MX TOTAL FOUNDATION LOAD     MX: STERLING D.T.       MALEN     MX: STERLING D.T.       MALEN     MT: STERLING D.T.       MALEN     MT: STERLING D.T.       MALEN     MT: STERLING D.T.       MILEN     MT: STERLING D.T.       MALEN     MT: STERLING D.T.       MILEN     MT: STERLING D.T.       MILEN     MT: STERLING D.T.       MILEN     MILEN       MILEN <td>MALENCE MAL</td> <td></td> <td>8714 · · · ·</td> <td></td> <td></td> <td></td> <td></td> <td>7) (8) 1-1/4" # ASTM A</td> <td>1449 ANCHOR BOLTS REC</td> <td>JUIRED PER LEG.</td> <td></td> <td></td>	MALENCE MAL		8714 · · · ·					7) (8) 1-1/4" # ASTM A	1449 ANCHOR BOLTS REC	JUIRED PER LEG.			
kips 68.86 kips 68.86 kips 69.76 kips 69.76 fill - kips 69.76 kips 69.76 kips 69.76 kips 69.76 kips 69.76 kips 7000 kips 7100 ki	kips 68.86 kips 68.86 kips 69.6 60.0 70.0					4 LOAD		OTHER SITE LD:					
			10.5 10.5	ž <sup>sij</sup>	► 68.86 kips		sd	A → B Complete Ma Communication	TOWER TITLE	ENTRAL T SSHWY, ZI NEWBURGH	- 250 - 075 'OWER, NDIANA (7630 812)	INC.	
	2-99 SCALE: NO NAME: SS-577-1	7			*	-				CIION VIEW & RY COL, KY, POR. CROWN C.C. DRAWNE	Member Inf communications r: a.j.h.	Prmation Pro. No. 55-577 APP. BY:	





# **TEMPLATE DESIGN**

18.000

Base Size (In Feet) :



Site Location : Montgomery CO., KY.

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	Bearing Plate Informat
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#Red'd

# Hotes | Bolt Drill Bolt Circle

Cuter Dia 12

9.5

1.375

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F		الـــــ
	# Req'd	с
nation	Cut Langth" (FL)	16
Support Angle Inforr	(Angle)	0.25
Su	iption	×
	Descr	2.5
		×
		2.5

	Embed Depth "B" (In.)	61.5
	"A" (In.)	7.5
E	# Reg'd	24
It Informatio	LGTH. (in)	69
Anchor Bol	Bolt Diameter	1.25
	Material Type	ASTM A449

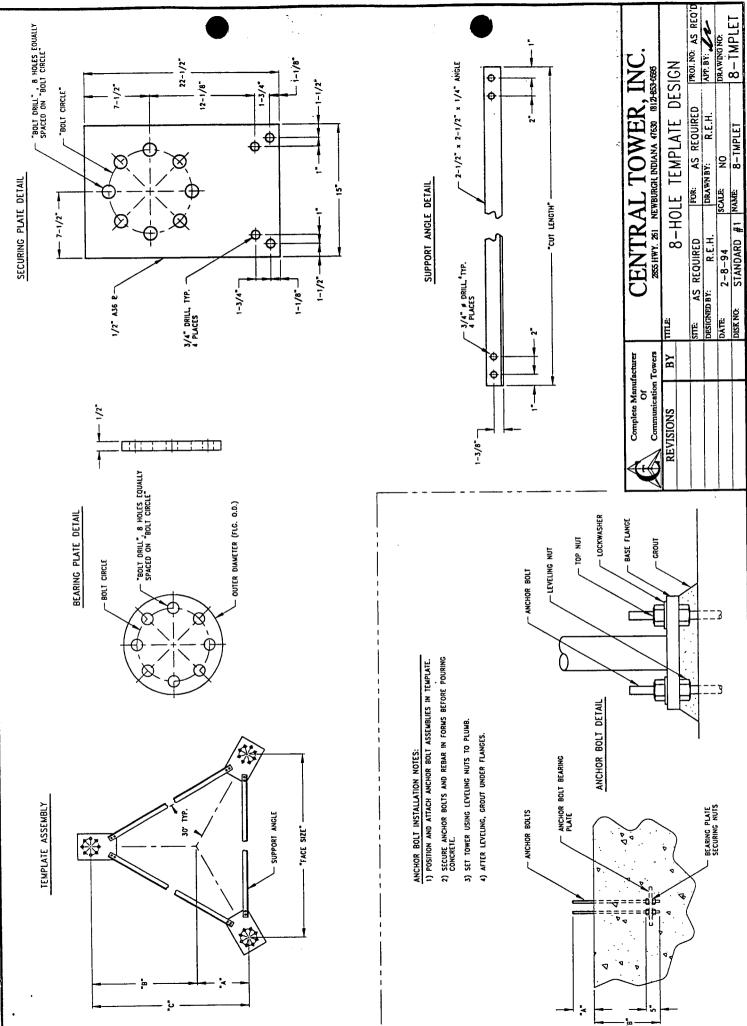
PLEASE CHECK THE DISTANCE FROM OUTER MOST BOLT HOLES (BOLTS FARTHEST FROM THE TOWER LEG). ANGLES SUPPLIED ARE FOR APPROXIMATE BOLT LOCATION ONLY.

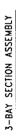
8.23 inches . 18 feet **OUTER BOLT DISTANCE SHOULD BE** 

tion	# Red d	m	
te Information	Boft Circle	9.5	
Securing Plate	Bolt Drill	1.3125	
Sec	# Holes	æ	

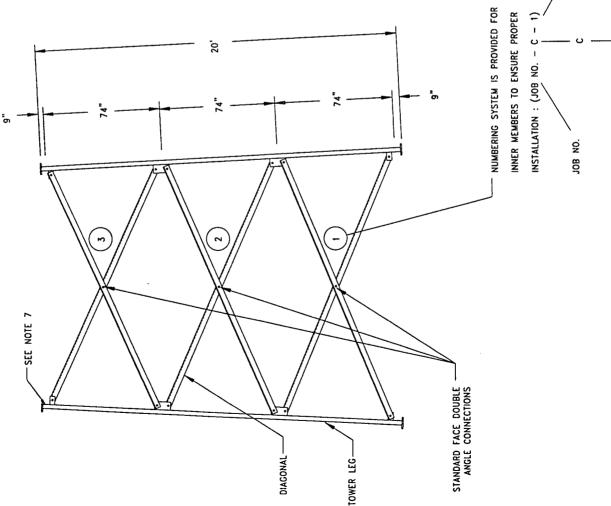
	(H) "J"	15.588
Assembly	(U) .8.	10.392
<b>Template Assembly</b>	"A" (ft)	5.196
-	Face Size	18

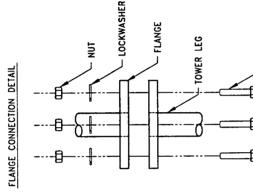


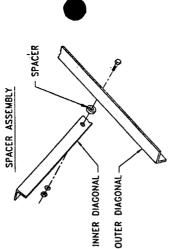












LIANGE BOLT

- NOTES: 1) ALL LADDER FACES ON ALL SECTIONS MUST BE ALIGNED TOGETHER.
- 2) SOME DETAIL HAS BEEN OMITTED FOR CLARITY OF ILLUSTRATION.
- 3) SEE SHIPMENT LIST FOR BOLT SIZES & LOCATIONS.
- ALL INNER MEMBER CONNECTIONS ARE SINCLE ANGLE CONNECTIONS UNLESS NOTED OTHERWISE.
- 5) INSIDE DIAGONAL INSTALL INSTRUCTIONS. INSIDE DIAGONALS TO BE INSTALLED FIRST. (INSIDE TOWER FACE) BOLTS ARE TO BE INSTALLED FROM THE INSIDE OF THE TOWER SO THAT THE THREADS ARE PRO-TRUDING TOWARDS THE OUTSIDE OF THE TOWER FACE.
- 6) OUTSIDE DIAGONAL INSTALL INSTRUCTIONS. OUTSIDE DIAGONALS TO BE INSTALLED LAST. (OUTSIDE TOWER FACE) BOLTS ARE TO BE INSTALLED FROM THE OUTSIDE OF THE TOWER SO THAT THE THREADS ARE PRO-TRUDING TOWARDS THE INSIDE OF THE TOWER FACE.
- 7) SECTION LABELING SYSTEM IS TO BE USED FOR PROPER IDENTIFICATION OF ALL SECTIONS AND TO ENSURE PROPER INSTALLATION. LEG MEMBERS WILL BE STAMPED WITH APPROPRIATE SECTION LETTER AT TOP OF LEG.

NC.	DRAWING		PROLINO: AS REQ'D	APP. DY.	DRAWING NO.	3-BAY-IND
CENTRAL TOWER INC. 2854HPT. 261 AFFURCH REMARK AND BIREAGED	3-RAY-X INSTALLATION DRAWING		FOR: AS REQUIRED	DRAWN BY: R.E.H.		3-BAY-IND
RAL	NI X-	<		DRA	SCALE	NAME
CENTH	-7-RAY-	5	AS REQUIRED	BY: W.Z.	5-27-97	INSTALL #9
	Ť		STTE:	DESTORED BY:	DATE	DESK NO:
facturer Towers	вү ты					
Complete Manufacture Of Commutcation Towers	REVISIONS					
		_				

LOCATION

SECTION

#### **LEGS**

10b No. : SS.577

Site Location : Montgomery CO., KY

Leg Dimension Inforamtion

N	3	0.4063	2.32	10	0.0000	A/N	01	6	540	A/N	3	- SR	1
N	3	000000	∀/N	10	0000.0	∀/N	01	6	540	A/N	3.25	- SR	1
N	3	0.0000	A/N	01	0.0000	A/N	٥L	6	540	∀/N	3.5	8 S	Н
N	3	0.0000	∀/N	01	0.0000	A/N	01	6	540	∀/N	3.75	25	ົ
N	3	0.0000	∀/N	01	0.0000	∀/N	01	6	540	A/N	3'75	28	
N	3	0.0000	A/N	01	0.0000	A/N	01	6	540	A/N	4	8S	<u> </u>
N	3	0.0000	∀/N	01	0.0000	A/N	15	6	540	∀/N	7	28	
N	3	0.0000	A/N	15	0.0000	A/N	15	6	540	A/N	4'52	25	<u> </u>
N	3	0.0000	∀/N	15	0.0000	∀/N	12	6	540	A/N	4'52	ଅS	8
<u> </u>	3	0.0000	V/N	15	0.5000	5.32	15	6	540	∀/N	4'2	28	∀
b'psA dsT	b'paЯ	(.ni) HiT	<b>9lpnA</b>	(.ni) .C .O	(.ni) #iT	(pad) signA	(.ni) . <u>O</u> .O	(.ni) "8"	(.ni) "A"	1 Də T	92iS D91	9qyT paJ	Section
Gribnuore	#		Top Flange			Bottom Flange							

For Grounding Tab, + Enter Yes Or No ( Y, N ) .

#### LEG PLATES

Job No. : SS : ON dol

Site Location : Montgomery CO., KY.

#### Leg Plate Dimension Information

muminiM bleW	9zi2 IlhO	p,bəy #	".) <b>.</b>	-8-	.∀.	Section
0.3125	<u>9788.0</u>	54	05.0	5.5625	5.4375	V V
0.3125	9789.0	54	0.50	5.5625	2.4375	8
0.3125	9788.0	54	09.0	5.5625	2.4375	2
0.3125	5788.0	54	0.50	5.5625	2.4375	۵
0.3125	S788.0	54	05.0	2.5625	2.4375	Э
0.3125	9788.0	54	0.50	2.4375	2.5625	
0.3125	<u>9788.0</u>	54	0.50	2.4375	2.5625	้อ
0.3125	9789.0	54	05.0	2.4375	2.5625	н
0.3125	S788.0	54	09.0	2.4375	2.5625	
0.3125	S788.0	54	09.0	2.4375	2.5625	<u>1</u>

Note 1: "A" Dimension For 4" o Leg & Above = 2-۲/16" (2.4375) .

. (3262.5) "61'92 = wolled & Bellow = 2-9/16" (2.5625) .

## SPACERS

#### *115-*55

: .oN dot

I 910N

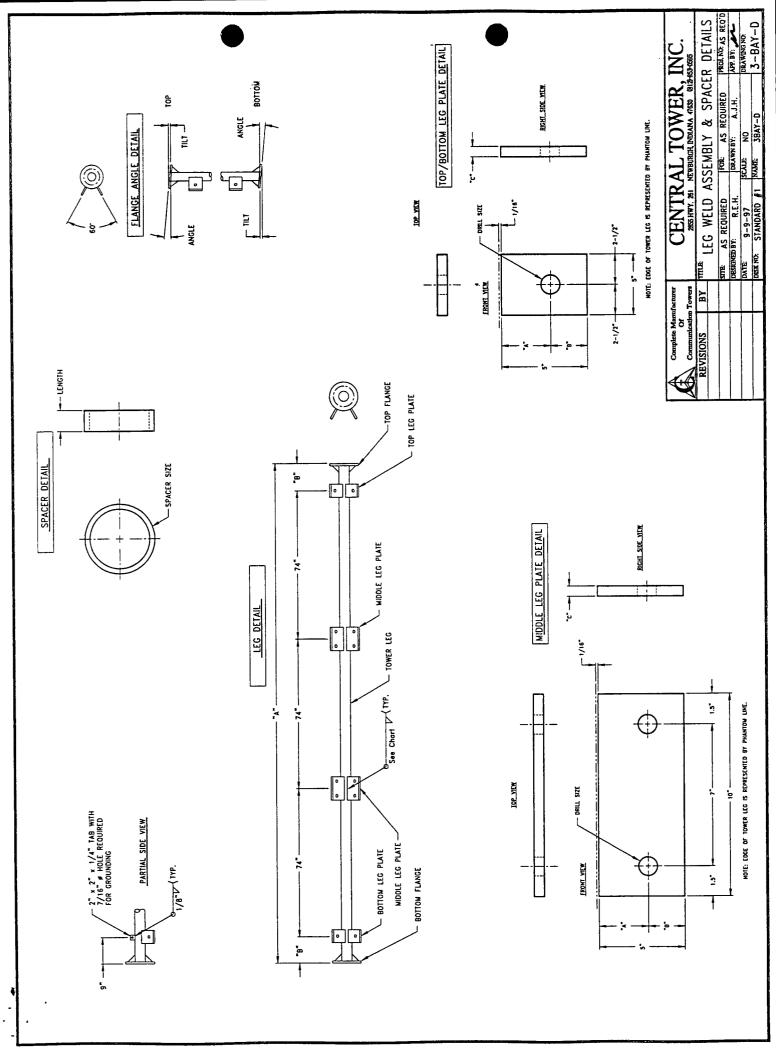
#### Site Location : Montgomery CO, KY.

Spacer Information

6	<b>G</b> .0	1. Sch. 40	1						
6	<b>G</b> .0	1. 2CH. 40	1						
6	<b>G.</b> 0	07 40S	Н						
6	<b>G.</b> 0	1# Sch. 40	ອ						
6	<b>9</b> .0	1. Sch. 40	1						
6	<b>S</b> .0	1. Sch. 40	3						
6	<b>G.</b> 0	1" Sch. 40	0						
6	<b>9</b> '0	1. Sch. 40	Э						
6	S.0	1. Sch. 40	8						
6	<u>5</u> .0	1, 2ch. 40	A						
b'paЯ	Гелди	Spacer Size	Section						
#	1	l							
	UONBILLIOULLIAOBOC								

Note 1: Use 1" sch 40 Pipe For 1" o Bolts & Under.

Note 2: Use 1-1/2" sch 40 Pipe For 1-1/8" o Boits & Over.



# FLANGE DETAIL CHART

TOWER HT. 250

JOB NO. SSIFT

LOCATION Moniformery CO. KY.

		00.00	CZ.4		4.25		4.25		3.75		3./3		3.50		3.50		3.50		3.50		3.50		3.00		3 00		N/A	
DETALS		nc7-1	1.125		1.125		1.125		1.125		1.125		1.000		1.000		1.000		1.000		1.000		0.875		0 875	C 1017	414	
BOU		20	80		80		ø		9	-	9		9		6		9		9		8		4			•	-	NIA
<u>8:::8</u> ;	TTT	_	20	8	40	40	60	8	8	8	5	5	2	120	140	140	160	160	180	180	200	200	220	220			240	750
TER FILLET OUTER BEVEL	WELDISIZE	0.5000	0.5000	0.5000	0.5000	0.5000	0.5000	0.5000	0.5000	0.5000	0.5000	0.5000	0.5000	0.5000	0.5000	0.5000	0.5000	0.5000	0.5000	0.5000	0.5000	0.5000	0.3750	0 375.0	0110	0.3/50	0.3/50	0.3750
OUTER FILLET	WELD	N/A	N/A	N/A	N/A	NIA	N/A	N/A	N/A	N/A	NIA	NIA	NIA	N/A	NIA	NIA	N/A	NIA	NIA	NIA	NIA	NIA	NIA		YN I	NIA	NIA	AIN
INNER BEVEL OU	WELD/SIZE	NIA	NIA	NIA	N/A	NIA	NIA	NIA	NIA	NIA	N/A	NIA	AIA	NIA	NIA	NIA	NIA	N/A	N/A	NIA	NIA	N/A	VIN		A/A	NA	NIA	NIA
INNER FILLET	MELO	0.5000	0.5000	0.5000	0.5000	0.5000	0.5000	0.5000	0.5000	0.5000	0.5000	0.5000	0.5000	0.5000	0.5000	0.5000	0.5000	0.5000	0.5000	0 5000	0.5000	0 5000	0.000	0.220	UC/2/0	0.3750	0.3750	0.3750
5	ILL NO HOLES FLG'S REG'D		9	6		6		6	9	6	e		Ð		9	F				, "	, ,		2	~	2	•		•
FLANGE DETAILS	NO. HOLES	8	8	8	80	a	0	80	9	9	9	9	9	9	8	æ			0	<b>,</b> •		0 0	•	*	4	4	4	4
	BOLT DRILL	1.375	1.250	1.250	1.250	1 250	1 250	1.250	1.250	1.250	1.250	1.250	1.125	1.125	1.125	1 1 2 5	4 1 2 5	4 4 3 5	4 4 2 5	4 476	1.120	671.1	671.1	1.000	1.000	1.000	1.000	1.000
	BOLT CIRCLE	9.50	9.50	9.50	9.50	0 5 0	0.50	9.50	7.50	7.50	7.50	7.50	7.50	7.50	7 50	7 60	03.4	0.1	0.2	00.1	nc',	00.7	Nc./	5.50	5.50	5.50	5.50	5.50
	FLG O D	1	1	12.00	12.00	49.00	12.00	12.00	10.00	10.00	10.00	10.00	10.00	10.00	10.00	00.04	10.00	00.01	00.01	00.01	00.01	10.01	10.00	7.50	7.50	7.50	7.50	7.50
	CENT DRILL	4 825	4 875	4 375	4 376		4.2/3	4 125	4.125	4.125	4.125	3.875	3.875	3.875	1 075		520.5	670.0	5-5-5	C/C.C	3.125	3.125	2.375	2.375	2.125	2.125	2.125	2 125
	THICKNESS	1 250	Γ	1 250	1 260	0.07	0267	1 250	1 000	1 000	1 000	1000	1 000	1000	000 +	0001	1.000	000.1	000.1	1.000	1.000	1.000	1.000	0.750	0.750	0.750	0.750	0.750
	FIEU 8		2			2	9	88	88	3 2	3	5	100	120		140	140	091	160	180	<u>8</u>	80	200	220	220	240	240	260
	STATION 8	8	l		WALLAGE A	101	BUTOW	THANKS	antina a	NULL R	aux	NOTION -				101	BOTTOM	401	BOTTOM	10P	BOTTOM	109	BOTTOM	TOP	BOTTOM	TOP	ROTTOM	1111 111 111
	S DOMAGES			<b>*</b>	<u> </u>											2	H	H I	1				K N	X		( T	N N	

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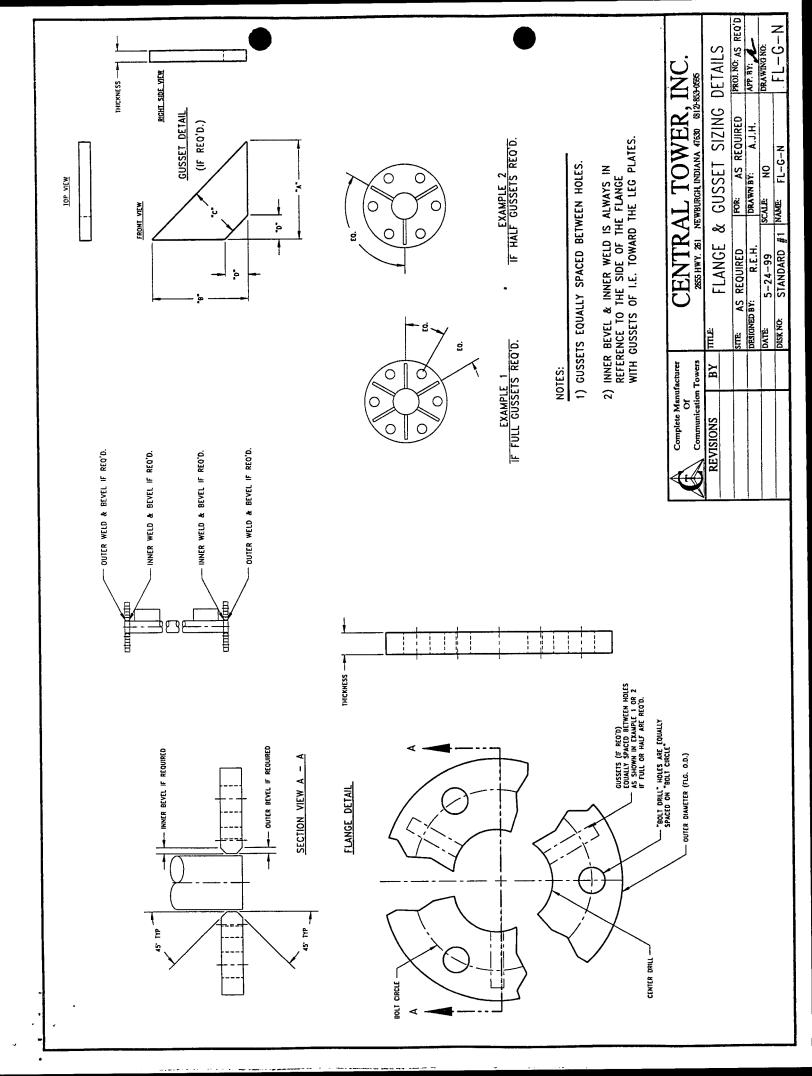
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TOWER HT. 250

18 FACE WIDTH (FT.)

Montgomery CO., KY	
LOCATION	

ANGLE (BLI-134	8	53	23	23	23	23	23	30	90	30	30	30	30	30	30	30	30	30	8	30	30	NIA	NIA	NIA	NIA	NIA
GUS/FLG (CLR)   GUS/BOLT (CLR)	0.21	0.33	0.33	0.33	0.33	0.33	0.33	0.43	0.43	0.43	0.43	0.53	0.53	0.53	0.53	0.53	0.53	0.53	0.53	0.53	0.53	N/A	N/A	N/A	N/A	N/A
GUS/FLG (CLR)	0.75	0.75	0.88	0.88	0.88	0.88	1.00	0.50	0.50	0.50	0.63	0.63	0.63	0.63	0.75	0.75	0.88	0.88	1.00	1.00	, 1.38	NIA	N/A	N/A	N/A	N/A
WELD	0.3125	0.3125	0.3125	0.3125	0.3125	0.3125	0.3125	0.3125	0.3125	0.3125	0.3125	0.3125	0.3125	0.3125	0.3125	0.3125	0.3125	0.3125	0.3125	0.3125	0.3125	N/A	N/A	N/A	NIA	NA
HIEN		Ŧ	Ŧ	I	H	I	I	H	Н	I	Ŧ	I	H	I	н	Ŧ	T	Ŧ	I	H	I	z	z	z	z	z
TOTAL REQU	12.00	12.00	12.00	12.00	12.00	12.00	12.00	9.00	9.00	9.00	9.00	9.00	9.00	9.00	9.00	9.00	9.00	9.00	9.00	9.00	9.00	N/A	N/A	NIA	NIA	N/A
.0.	0.88	0.88	0.88	0.88	0.88	0.88	0.88	0.73	0.73	0.73	0.73	0.73	0.73	0.73	0.73	0.73	0.73	0.73	0.73	0.73	0.73	N/A	NIA	NIA	NIA	NIA
• <b>.</b> 2.	1.50	1.50	1.50	1.50	1.50	1.50	1.50	1.25	1.25	1.25	1.25	1.25	1.25	1.25	1.25	1.25	1.25	1.25	1.25	1.25	1.25	N/A	N/A	NIA	N/A	N/A
.8.	3.00	3.00	3.00	3.00	3.00	3.00	3.00	2.50	2.50	2.50	2.50	2.50	2.50	2.50	2.50	2.50	2.50	2.50	2.50	2.50	2.50	N/A	N/A	NIA	N/A	NIA
	3.00	3.00	3.00	3.00	3.00	3.00	3.00	2.50	2.50	2.50	2.50	2.50	2.50	2.50	2.50	2.50	2.50	2.50	2.50	2.50	2.50	N/A	N/A	N/A	N/A	N/A
THICKNESS	0.375	0.375	0.375	0.375	0.375	0.375	0.375	0.375	0.375	0.375	0.375	0.375	0.375	0.375	0.375	0.375	0.375	0.375	0.375	0.375	0.375	NIA	N/A	N/A	N/A	N/A
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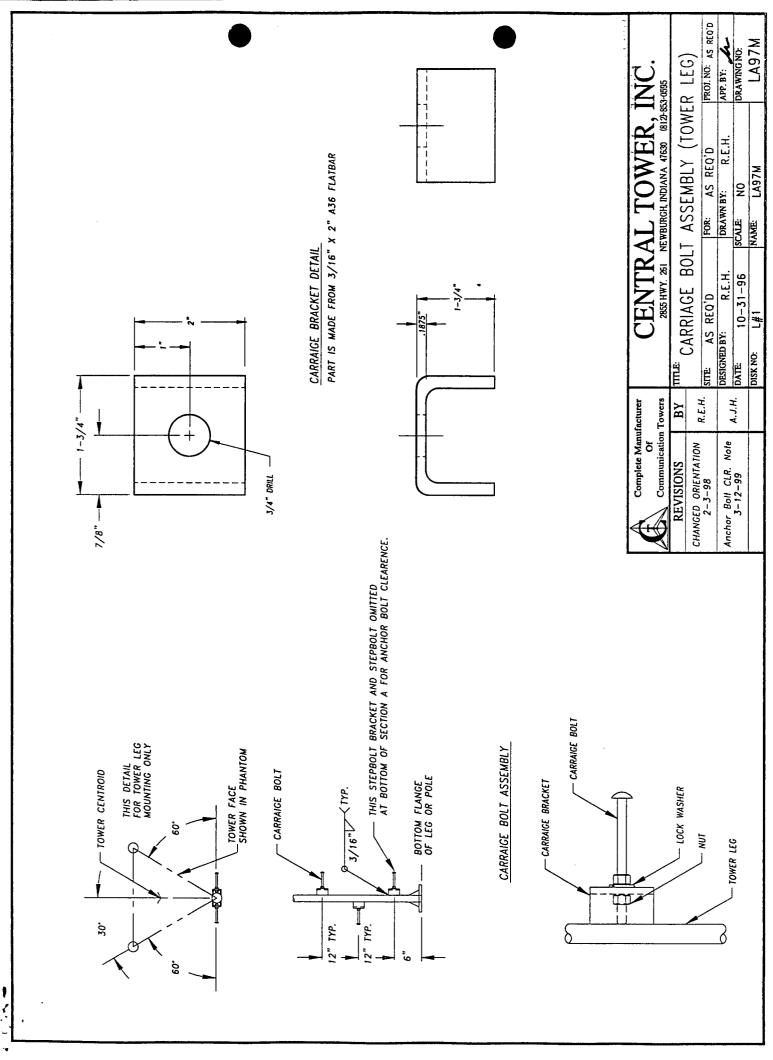
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Site Location : Montgomery CO., KY.

**Diagonal Dimension Information** 

	Drill Size	0.6875	0.6875	0.6875	0.6875	0.6875	0.6875	0.6875	0.6875	0.6875	0.6875	0.6875	0.6875	0.6875	0.6875	0.6875	0.6875	0.6875	0.6875	0.6875	0.6875	0.6875	0.6875	0.6875	0.6875	0.6875	0.6875	0.6875	0.6875	0.6875	0.6875
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	Cut Length	218.27	212.12	208.27	202.70	196.51	192.81	187.08	180.84	177.33	171.90	165.63	162.33	156.80	150.48	147.45	142.08	135.73	133.04	127.88	121.53	119.28	114.61	108.29	106.60	102.32	96.11	95.16	91.44	85.48	85.47
	"D"	2.61	2.48	2.63	2.64	2.50	2.66	2.67	2.53	2.70	2.71	2.57	2.75	2.78	2.63	2.83	2.86	2.72	2.94	2.99	2.84	3.10	3.18	3.04	3.37	3.50	3.37	3.83	4.08	4.02	4.75
	"C"	106.33	103.32	101.32	98.53	95.51	93.58	90.70	87.66	85.81	83.09	80.03	78.29	75.51	72.43	70.81	68.11	65.01	63.55	60.95	57.84	56.59	54.21	51.13	50.12	47.91	44.87	44.16	42.18	39.23	38.86
	<b>"</b> B"	215.27	209.12	205.27	199.70	193.51	189.81	184.08	177.84	174.33	168.90	162.63	159.33	153.80	147.48	144.45	139.08	132.73	130.04	124.88	118.53	116.28	111.61	105.29	103.60	99.32	93.11	92.16	88.44	82.48	82.47
	"A"	1.63	1.63	1.63	1.59	1.59	1.59	1.41	1.41	1.41	1.38	1.38	1.38	1.34	1.34	1.34	1.34	1.34	1.34	1.13	1.13	1.13	1.09	1.09	1.09	1.00	1.00	1.00	0.97	0.97	0.97
		x 0.25			0		x 0.1875			1						1		1						x 0.1875	-		x 0.25	x 0.25	0	x 0.1875	x 0.1875
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# EXHIBIT D COMPETING UTILITIES, CORPORATIONS, OR PERSONS LIST

# COMPETING UTILITIES, CORPORATIONS, OR PERSONS LIST:

- 1. American Tower
- 2. APEX
- 3. Tritel Communications
- 4. Nextel Partners
- 5. Spectra Site
- 6. CommNet
- 7. GTE Mobilenet, Inc.
- 8. BellSouth Mobility, Inc.
- 9. BellSouth Wireless Cable, Inc.
- 10. NextelWave
- 11. Powertel Kentucky, Inc.
- 12. SBA
- 13. Sprint PCS

EXHIBIT E COLLOCATION REPORT

# **COLLOCATION SITE STATEMENT CHECKLIST**

Site #: KY 274 Site Name: Mt. Sterling Property Specialist: Scott A. Farr

C-\_\_: Tower Type: Guyed Tower Height: 280 ft. 50 X 75 Owner(s): American Cellular Sterling, KY Compound Size: Location: Hwy 11, Mt.

Candidate: A

Reason(s) not suitable for Collocation:

The existing tower or facility is not of sufficient height to meet the applicant's engineering requirements.

The facility's compound is not sufficient in size to accommodate additional carriers.

The existing height of the facility is insufficient to meet radio propagation requirements for the proposed network.

X The tower is more than one mile from the approximate center of the search ring.

X Other:\_\_Existing tower is out of the search area does not have the required height due to numerous microwave dishes that BMI needs. The raw land site will provide better coverage to the downtown area of Mt. Sterling.

X Other:\_\_\_\_It appears that there is not sufficient space on the existing tower to accommodate BMI's equipment. Because of the large microwaves on the tower, the 160' - 180' space is not available for lease.

# EXHIBIT F APPLICATION TO FAA

ease Type or Print on This Form Failure To Provide All Requested Informatic	n May Delay Proceeding			FOR FAA USE ONLY
				Aeronautical Study Number
LL6. Department at Transportation Notice of Proposed Cons Federal Aviation Administration	struction of A	iteratio	n	
. Sponsor (person, company, etc. proposing this ection): trn' of: Shawn A. Dunlap Site #800092	9. Latitude:	38 •	01 '	42 39
http:/of:Shawn A. Dunlap Site #800092 Jame: BellSouth Mobility	10. Longitude:	283 🛄	56 '	<u>22 · 29</u>
ddress; c/o Crown Communications, Inc.	11. Datum: 🔀 NAD 83	D NAD 2	Other_	·····
375 Southpointe Boulevard	12. Nearest: City: ML	Sterlina		State: KY
State:         PA_Zip:         15317           Zip:         15317	13. Nearest Public-use (r	-		
elephone: (724) 416-2247 Fax: (724) 416-2254	MOUNT STERLIN		,	
Sponsor's Representative (if other than #1):	14. Distance from #13.			
Atto, of: Clinton T. Papenfuss Jame: Airspace Safety Analysis Corporation	15. Direction from #13.		1	
Address: Two Crown Center				
1745 Phoenix Boulevard, Suite 120	16. Site Elevation (AMS)	-		<u>1.046</u> ft.
City: Atlanta State: GA Zip: 30349	17. Total Structure Heig		•	<u>225</u> ft.
elephone: (770) 994-1557 Fax: (770) 994-1637	18. Overall Height (#16.	+ <b>#17.</b> } (A	MSL):	<u> </u>
3. Notice of: 🛛 New Construction 🗖 Alteration 🗖 Existing	19. Previous FAA Aeron	atical Study	Number (if a	pplicable):
3. Notice of: 🛛 New Construction 🖵 Alteration 🖵 Existing 1. Duration: 🖾 Permanent 🗖 Temporary ( months, days			i 	- OE
	20. Description of Locat			
5. Work Schedule: Beginning After FAA Approval. End Wahin 18 Maatha.	Quedrangle Map with th			O' South from th
5. Type: 🕅 Antenna Tower 🔲 Crane 🔲 Building 🛄 Power Line			4	tate Route 11. (cha
Landfill 🔲 Water Tank 🛄 Other			1	I on a True Bearing o
7. Marking/Painting and/or Lighting Proferred:	133.14° from STERLING-MONT			of MOUN
Red Lights and Paint X Dual - Red and Medium Intensity Whit		GOMENT		
White - Medium Intensity Duel - Red and High Intensity White			i	
White - High Intensity Other			:	
B. FCC Antenna Structure Registration Number (if applicable):				
ni rive vurcuita onnemia večiserstou knimtet († 965).cadat:				
			1	
21. Complete Description of Proposal:				Frequency/Power (kv
21. Complete Description of Proposel: See attached sheet for frequencies and ERPs.				Frequency/Power (kV
21. Complete Description of Proposel: See attached sheet for frequencies and ERPs. IN THE EVENT YOUR INITIAL STUDY INDICATES NO AD	VERSE IFR EFFECT I	PLEASE C	ONTINUE	
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21. Complete Description of Proposal: See attached sheet for frequencies and ERPs. IN THE EVENT YOUR INITIAL STUDY INDICATES NO AD YOUR STUDY IF NECESSARY IN ORDER TO ISSUE A DE Notice is required by 14 Code of Federal Regulations, part 77 pursuant to 4 requirements of part 77 are subject to civil penalty of \$1,000 per day until I bereby certify that all of the above statements made by the are two. or	FERMINATION FOR 9 U.S.C., Section 44718, I the natice is received, purs replete, and correct to the g standards necessary. g Notice	THIS STR Persons who uant to 49 U	CTURE.	nd willingly violata the notion n 46301 (a).

FAA Form 7460-1 (11-98) Supersedes Previous Edition

EXHIBIT G APPLICATION TO KENTUCKY AIRPORT ZONING COMMISSION

KENTUCKY TRANSPORT	ATION CABINET, D	IVISION OF A	ERONAUTICS, 125 HOLMES STREET	FRANKFORT, KY 40622	FRON	AUTICAL STUDY N				
APPLICA	TION FOR F		TO CONSTRUCT OR	1			UPDER			
	- INSTRI		UCTURE REVERSE SEDE OF FORM -							
1. NATURE OF P				2. DESCRIPTION OF	- STR	UCTURE				
A. TYPE	B. CLASS		C. WORK SCHEDULE	The proposed site is locat						
X NEW CONSTRUCT	TION _X PERM	ANENT	After FAA BEGN <u>Approval</u>		uÉh -	from	- ba			
ALTERATION	ТЕМ	PORABY	END Within 18 Month	State Route 11	.i (d	chart atta	ched).			
3. APPLICANT -	NAME ADDI	9555 & TI	ELEPHONE	True Bearing ( ARP of MOUNT	of 1	.33.14° fr	cm the			
Shawn A. Dun Bellgouth Mc d/o Crown Co 375 Southpoi Canonsburg, (724) 416-224	lap bility mmunicatio nte Boulev PA 15317	ne, Inc	COUN.							
B. REPRESENTATIV Clinton T. H Airspace Saf 1745 Phoeniz Atlanta, Gao (770) 994-15	Papenfuss Sety Analys Boulevard Orgia 30349	is Corp l, Suite	DRESS & TELEPHONE oration 120							
4. LOCATION OF ST	RUCTURE			5. HEIGHT & ELEVATION						
A. GEDGRAPIOC COORDINATES (NEAREST SECOND)	B. NEAREST KY Mt. Sterli		C. NEALEST KY AIRPORT MOUNT STERLING - MONTGOMER	A. SITE ELEVATION (ABOV	TE MOEA	N SEA LEVEL)	1,046			
LATITUDE	(1) DISTANCE TO	0.48	(1) DISTANCE TO RUNWAY	B. HEIGHT OF STRUCTURE APPURTENANCES AND LIC LEVEL)	1					
38" 01" 42.39	(2) DIRECTION T	T) 49	2.52 NM (2) DIRECTION TO AIRPORT	C. OVERALL HEIGHT (AMS	in ca a	-FD				
083° 56" 22.29		• -	313.16°			2)	1,27]			
6. OBSTRUCTIO		& LIGHTI				YES	NO			
A. MARKED FOR THE	ROTECTION OF AL	R NAVIGATIO	N (FLAGS, SPHERES, ETC.)				x			
B. OBSTRUCTION MAR	KED IN ACCORDAN	CE WITH 602	KARS0:100 (FAA AC 70/7460-1H)	····· ································		·	x			
C. OBSTRUCTION LIGH	TED IN ACCORDAN	NCE WITH 602	KAR50:100 (FAA AC 70/7460-111)			X				
7. HAS "NOTICE AVIATION ADM			OR ALTERATION" (FORM	M 7460-1) BEEN FILE IF SO, WHEN?	D W	TTH THE FEI	DERAL			
	ON-1 HEREBY CE GE AND BELLEF.	RTIFY THAT	ALL THE ABOVE STATEMENTS MA	de by ME ARE TRUE, COMP	LETE	AND CORRECT TO	THE BEST OF MY			
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	ABLE FOR FINES O	R IMPRISONM	TUCKY REVISED STATUTES AND K IENT AS SET FORTH IN KRS 183.990							
COMMISSION ACTION			CHAIRMAN, J	KAZC (ÖR) ADMENI	STRAT	OR, EAZC				
AFFROVED					 :	DATE				
DISAPPROVED							PAGE			

# EXHIBIT H GEOTECHNICAL REPORT





GEOTECHNICAL ENGINEERING STUDY CROWN COMMUNICATIONS MT. STERLING KY 274 TOWER LEVEE HEIGHTS SUBDIVIION MT. STERLING, KENTUCKY ATC Project No. 13000.9E95



2815 Watterson Trail Louisville, Kentucky 40299 502.267.8355 Fax 502.267.8528

September 3, 1999

Crown Communications. 11001 Bluegrass Parkway, Suite 330 Louisville, Kentucky 40299

Attention: Mr. Scott Farr

Re: Geotechnical Engineering Study Proposed Mt. Sterling KY 274 Tower Levee Heights Subdivision Mt. Sterling, Kentucky ATC Project No. 13800.9E95

Gentlemen:

Transmitted herewith is our geotechnical engineering report for the referenced project as authorized in accordance with our January 15, 1998 proposal for environmental and geotechnical support services. This report contains our findings, an engineering interpretation of these findings with respect to the available project characteristics, and recommendations to aid design and construction of the tower foundations. We appreciate the opportunity to be of service to you on this project. If you have any questions regarding this report, please contact our office.

Cordially,

ATC Associates Inc.

Ulyhith U

Elizabeth W. Stuber, E.I.T. **Project Engineer** 

Copies submitted:

OF KA PROTISSIONAL EN

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P. Mitchell for

David L. Warder, P.E. **Regional Geotechnical Engineer** 

(4) Mr. Scott Farr

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#### **APPENDIX**

SITE LOCATION PLAN GEOTECHNICAL BORING LOG SOIL SAMPLE CLASSIFICATION

#### GEOTECHNICAL ENGINEERING INVESTIGATION

Proposed Communications Transmission Tower Mt. Sterling KY 274 Tower Levee Heights Subdivision Mt. Sterling, Kentucky ATC Project No. 13000.9E95

#### 1. PURPOSE AND SCOPE

The purpose of this study was to determine the general subsurface conditions at the location of the proposed tower by drilling one soil test boring and to evaluate this data with respect to foundations concept and design for the proposed self-supporting tower. Also included is an evaluation of the site with respect to potential construction problems and recommendations dealing with quality control during construction.

#### 2. PROJECT CHARACTERISTICS

Crown Communications is planning to construct a communications tower off of Levee Heights Road near the intersection of Hwy 686 in Mt. Sterling, Kentucky. The proposed tower location is shown on the Site Location Plan in the Appendix. At the time of our site investigation, the site was a open farm field. We assume that the tower will be supported on three legs situated in a triangular pattern and that each of the legs of the tower will be supported on a drilled pier or they will be supported on a common mat foundation bearing at a suitable depth below the existing ground surface. No foundation design loads have been provided for the proposed 150 foot self-supporting tower. We assume that the maximum downward load on the tower will not exceed about 300 kips/leg and that the maximum uplift and lateral forces will be in the range of about 200 kips/leg and about 25

ATC Associates Inc. Page 1

kips/leg, respectively. The development will also include a small equipment building near the base of the tower.

#### 3. SUBSURFACE CONDITIONS

The subsurface conditions were explored by drilling one test boring at the proposed tower location, the center of which was staked in the field by the client. The Geotechnical Soil Test Boring Log, which is included in the Appendix, describes the materials and conditions encountered. A sheet defining the terms and symbols used on the boring log and explaining the Standard Penetration Test (SPT) procedure can also be found in the Appendix. The general subsurface conditions disclosed by the test boring are discussed in the following paragraphs.

About 10 inches of topsoil were encountered at the existing ground surface. Below the topsoil, the boring encountered apparently natural silty clay soil. The SPT N-value in the clayey soil ranged from 18 to 30 blows per foot indicating a very stiff consistency. Pocket penetrometer values used to estimate the unconfined compressive strength of cohesive soil ranged from approximately 3.5 to 6.0 tons per square. Auger refusal was encountered at about 8 feet below the existing ground surface. Auger refusal is the depth below which a test boring can no longer be advanced with hollow stem augers. A ten foot core run was made from 8 to 18 feet below the ground surface and revealed light to dark gray limestone that was continuous, hard and moderately weathered with thin shale partings.

Groundwater observations indicated the boring to be dry prior to beginning the coring operation. It must be noted, however, that short term water readings are not necessarily a reliable indication of the actual groundwater level. Furthermore, it must be emphasized that the groundwater level is generally not stationary, but will fluctuate seasonally.

ATC Associates Inc. Page 2

According to the Seismic Zone Map of the United States, Mt. Sterling, Kentucky is within Zone 1. In this system, Zone 3 is the most seismically active while Zone 0 has the lowest earthquake potential. Considering the subsurface conditions encountered at the site and Table 16-J in the 1997 Uniform Building Code, the soil-profile type is  $S_c$ .

#### 4. FOUNDATION DESIGN RECOMMENDATIONS

The following design recommendations have been developed on the basis of the previously described project characteristics (Section 2.0) and subsurface conditions (Section 3.0). This office must be notified if the project description included herein is incorrect or if the proposed structure location is changed to establish if revisions to the following recommendations are necessary.

4.1. Tower

Our findings indicate that the proposed self-supporting tower legs can be supported on drilled piers or on a common mat foundation.

#### 4.1.1. Drilled Pier

Drilled piers that bear in the silty clay soil encountered in the test boring below a depth of 2.5 feet can be designed for a net allowable end bearing pressure of 5,000 pounds per square foot. The net allowable end bearing pressure can be increased to 20,000 pounds per square foot for piers bearing in the underlying limestone formation The following table summarizes the recommended values for use in

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Page 3

analyzing lateral and frictional resistance for the various strata encountered at the test boring. It is important to note that these values are estimated based on the standard penetration test results and material types, and were not directly measured. The values provided for undrained shear strength and total soil unit weight are ultimate values and appropriate factors of safety should be used in conjunction with these values. If the pier will bear deeper than 18 feet, a deeper boring should be drilled to determine the nature of the deeper bedrock.

Depth Below Ground Surface, feet	Undrained Shear Strength, psf	Angle of Internal Friction, Ø, degrees	Total Soil Unit Weight, pcf	Allowable Passive Soil Pressure, psf/one foot of depth	Allowable Side Friction, psf
0 - 2.5	1,000	0	120	650 + 40D	0
2.5 - 8	2,000	0	120	1,400 + 40(D-2.5)	600
8 - 18 10,000		0	140	6,500 + 45(D-8)	2000

Note: D = Depth below ground surface (in feet) to point at which the passive pressure is calculated.

It is important that the drilled piers be installed by an experienced, competent drilled pier contractor who will be responsible for properly installing the piers in accordance with industry standards and generally accepted methods, without causing deterioration of the subgrade. The recommendations contained herein relate only to the soil-pier interaction and do not account for the structural design of the pier.

#### 4.1.2. Mat Foundation

As an alternative, the tower legs could be supported on a common mat foundation bearing at a depth of at least 2.5 feet in the very stiff silty clay. A net allowable bearing pressure of up to 4,000 pounds per square foot may be used. If the mat is extended to bear on sound bedrock, the net allowable bearing pressure can be increased to 20,000 pounds per square foot. These values may be increased by 30 percent for the maximum edge pressure under transient loads. Coefficient of friction values of 0.30 and 0.60 may be used between the concrete and the underlying clay and limestone, respectively. The passive pressures given for the drilled pier foundation may also be used to resist lateral forces.

It is important that the mat be designed with an adequate factor of safety with regard to overturning under the maximum deign wind load.

#### 4.2. Equipment Building

The equipment building may be supported on shallow, spread footings bearing in the shallow natural silty clay soil and designed for a net allowable soil pressure of 4,000 pounds per square foot. The footings should be at least ten inches wide and should bear at a depth of at least 30 inches below final exterior grade to minimize the effects of frost action. All topsoil and frozen or excessively soft material must be removed beneath footings.

The floor slab for the new equipment building may be subgrade supported on a properly prepared subgrade. The slab should be designed and adequately reinforced to resist the loads proposed. The

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Page 5

exposed subgrade should be carefully inspected by probing and testing as needed. Any organic material still in place, frozen or excessively soft soil and other undesirable materials should be removed.

Once the subgrade has been properly prepared and evaluated, fill may be placed to attain the desired final grade. Any non-organic, naturally occurring, non-expansive soils can be used for structural fill, including those encountered on this site, pending evaluation by the geotechnical engineer.

All engineered fill should be compacted to a dry density of at least 100 percent of the standard Proctor maximum dry density (ASTM D698). The compaction should be accomplished by placing the fill in about eight inch loose lifts and mechanically compacting each lift to at least the specified density. Field tests should be performed on each lift as necessary to insure that adequate compaction is being achieved.

Surface run-off water should be drained away from the building and not allowed to pond.

#### 5. GENERAL CONSTRUCTION PROCEDURES AND RECOMMENDATIONS

It is possible that variations in subsurface conditions will be encountered during construction. Although only minor variations that can be readily evaluated and adjusted for during construction are anticipated, it is recommended the geotechnical engineer or a representative be retained to perform continuous inspection and review during construction of the soils-related phases of the

> ATC Associates Inc. Page 6

work. This will permit correlation between the test boring data and the actual soil conditions encountered during construction.

#### 5.1. Foundation Excavation Inspection

If drilled piers are used, the material at the base of the drilled pier excavations should be inspected by the geotechnical engineer or qualified soil technician to insure that the piers will bear on satisfactory material. However, it is not necessary to directly inspect the material at the base of the drilled pier excavations. Rather, the inspection can be performed without entering the pier excavation by observing the drilling operations and auger cuttings throughout the entire length of the pier excavation to verify that the material at the bearing elevation is the material prescribed in Section 4.0. It is important that the pier excavations and subsurface conditions be monitored until the concrete is placed to verify that the otherwise competent soils are not adversely affected by improper construction methods or by groundwater seepage or surface water infiltration. If unsuitable conditions are encountered at the base of a pier excavation, the pier excavation should be extended to the bottom of such undesirable material and re-inspected. Unless it becomes necessary to enter the excavation, it should not be necessary to use temporary casing to prevent the sides of the pier excavations from caving. It is important that the concrete be placed in such a fashion as to prevent "necking" of the drilled pier. Unless the pier excavation is completely dry, the concrete must be placed by tremie.

If a mat foundation is used, the foundation excavation should be inspected by the geotechnical engineer or a qualified soils technician to insure that all undesirable material is removed and that the foundation will bear on satisfactory material as decried in Section 4.1. At the time of such

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inspection, it will be necessary to make hand auger borings or use a hand penetration device in the base of the foundation excavation to insure that the soils below the base are satisfactory for foundation support. The necessary depth of penetration will be established during inspection.

If undercutting is required in order to remove unsuitable materials at the tower foundation location, the foundation bearing elevation may be re-established by backfilling after all undesirable materials have been removed or the foundation can be placed at the lower depth. The undercut excavation beneath the foundation should extend to suitable bearing soils and the dimensions of the excavation base should be determined by imaginary planes extending outward and downward on a 2 (vertical) to 1 (horizontal) slope from the base perimeter of the foundation. The entire excavation should than be refilled with a well-compacted granular fill for soil bearing as described in Section 5.2 or lean concrete in the case of rock bearing. Special care should be exercised to remove any sloughed, loose or soft materials near the base of the excavation slopes with benches as necessary, to insure that no pockets of loose or soft materials will be left in place along the excavation slopes below the foundation bearing level.

Soils exposed in the base of the foundation excavation should be protected against any detrimental changes in conditions such as from disturbance, rain and freezing. Surface run-off water should be drained away from the excavation and not allowed to pond. If possible, all concrete should be placed that same day the excavation is made. If this is not practical, the excavation should be adequately protected

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#### 5.2. Fill Compaction

All engineered fill placed adjacent to and above the tower foundation should be compacted to a dry density of at least 95 percent of the standard Proctor maximum dry density (ASTM D-698). This minimum compaction requirement should be increased to 100 percent for any fill placed below the tower foundation bearing elevation (provided the foundation is designed for soil bearing). Any fill placed beneath the tower foundation should be limited to well-graded sand and gravel or crushed stone. The compaction should be accomplished by placing the fill in about 8 inch (or less) loose lifts and mechanically compacting each lift to at least the specified minimum dry density. Field density test should be performed on each lift as necessary to insure that adequate moisture conditioning and compaction is being achieved. Only lean concrete should be used for backfill where rock bearing foundations will be used.

Compaction by flooding is not considered acceptable. This method will generally not achieve the desired compaction and the large quantities of water will tend to soften the foundation soils.

#### 5.3. Construction Dewatering

No serious dewatering problems are anticipated. At the time of our investigation, the ground water level appeared to be below the anticipated excavation depths. However, depending upon seasonal conditions, some minor seepage into excavations may be experienced. It is anticipated that any such seepage can be handled by conventional dewatering methods such as pumping from the drilled pier excavations or from sumps in shallow foundation excavations.

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#### 6. FIELD INVESTIGATION

One soil test boring was drilled at the location established in the field by the project surveyor. Splitspoon samples were obtained by the Standard Penetration Test (SPT) procedure (ASTM D1586) in the test boring. The boring was extended to the auger refusal depth of 8 feet below existing grade. Representative portions of the soil samples were sealed in glass jars and returned to our laboratory. A ten foot core run was made from 8 to 18 below the existing ground surface.

The boring log is included in the Appendix along with a sheet defining the terms and symbols used on the log and an explanation of the Standard Penetration Test (SPT) procedure. The log presents visual descriptions of the soil strata encountered, Unified System soil classifications, groundwater observations, sampling information, laboratory test results, and other pertinent field data and observations.

#### 7. LABORATORY INVESTIGATION

The split-spoon samples were inspected and visually classified by a geotechnical engineer in general accordance with the Unified Soil Classification System and the field boring log was edited as necessary. To aid in classifying the soil samples and to check the general soil characteristics pocket penetrometer tests were performed on selected samples. The results of these tests are included on the boring log.

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#### 8. LIMITATIONS OF STUDY

Our professional services have been performed, our findings obtained, and our recommendations prepared in accordance with generally accepted geotechnical engineering principles and practices. This warranty is in lieu of all other warranties, either express or implied. ATC Associates Inc. is not responsible for the independent conclusions, opinions or recommendations made by others based on the field exploration and laboratory test data presented in this report.

A geotechnical study is inherently limited since the engineering recommendations are developed from information obtained from a test boring that only depicts subsurface conditions at the specific location, time and depth shown on the log. Soil conditions at other locations may differ from those encountered in the test boring, and the passage of time may cause the soil conditions to change from those described in this report.

The nature and extent of variation and change in the subsurface conditions at the site may not become evident until the course of construction. Construction monitoring by the geotechnical engineer or a representative is therefore considered necessary to verify the subsurface conditions and to check that the soils connected construction phases are properly completed. If significant variations or changes are in evidence, it may then be necessary to re-evaluate the recommendations of this report. Furthermore, if the project characteristics are altered significantly from those discussed in this report, if the project information contained in this report is incorrect, or if additional information becomes available, a review must be made by this office to determine if any modification in the recommendations will be required.

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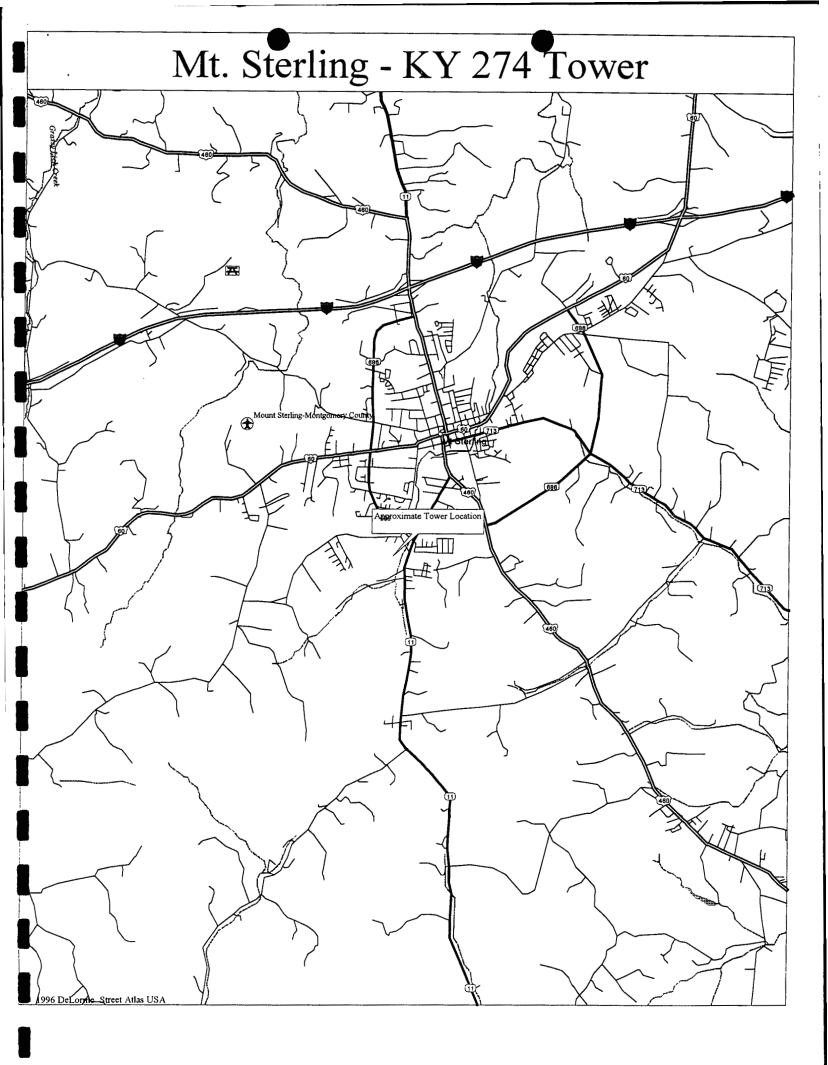
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## <u>APPENDIX</u>

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SITE LOCATION PLAN GEOTECHNICAL BORING LOG SOIL SAMPLE CLASSIFICATION





Louisville, Kentucky 40299

GEOTECHNICAL 13000-95.GPJ 9/3/99



CLIENT:Crown CommunicationsPROJECT:Proposed Mt. Sterling KY 274 TowerLOCATION:Levee Heights Subdivision, Mt. Sterling, KY

BORING NUMBER: B-1 PROJECT NUMBER: 13000.9E95 PROJECT MANAGER: Beth Stuber

Surface Elevation: Date Started: 8/26/99 Date Completed: 8/26/99		Hammer Weight: Hammer Drop: Drill Foreman:		p:	140 lbs. 30 in. Bo J. Wharton			]	Boring N	Hole Dia.: 7.5 in. oring Method: HSA Supervisor: B. Stuber	
ELEV	MATERIAL DESCRIPTION	LAYER DEPTH & TYPE	DEPTH SCALE	NO	S. BLOWS	AMPL TYPE		ГА w,%	PP,tsf	NOTES	
	SILTY CLAY (CL) - very stiff, brown with trace root fibers		-	1	<b>7-8-</b> 10 11-9-9	SPT SPT	80 100		3.5	About 10 inches of topsoil were encountered at the existing ground surface.	
	- dry		5-	3	12-13-10	SPT	100		6.0		
	AUGER REFUSAL LIMESTONE - continuoud, hard, moderately weathered with shale partings, light to dark gray	8.0			14-17-13	SPT	100			The borehole was dry before the start of water injection for rock coring. RQD = 11 percent	
		18.0	15	5	n/a	RC	95				
	TERMINATED			25							

### SOIL SAMPLE CLASSIFICATION

#### GRANULAR SOILS (Silt, Sand, Gravel and Combinations)

Density		Particle Size Identification				
Very Loose	- 5 blows/ft. or less	Boulders	- 8 inch diameter or more			
Loose	<ul> <li>6 to 10 blows/ft.</li> </ul>	Cobbles	- 3 to 8 inch diameter			
Medium Dense	- 11 to 30 blows/ft.	Gravel	- Coarse - 1 to 3 inch			
Dense	- 31 to 50 blows/ft.		Medium - ½ to 1 inch			
Very Dense	- 51 blows/ft. or more		Fine $-\frac{1}{4}$ to $\frac{1}{2}$ inch			
		Sand	- Coarse - 2.00 mm to $\frac{1}{4}$ inch			
Relative Proportion	s <u>Percent</u>		- Medium - 0.42 to 2.00 mm			
Trace	1 - 10		- Fine - 0.074 to 0.42 mm			
Little	11 - 20		- Silt - 0.002 to 0.074 mm			
Some	21 - 35	Clay	- less than 0.002 mm			
And	36 - 50					

#### COHESIVE SOILS

#### (Clay, Silt and Combinations)

#### Consistency

Very Soft- 3 blows/ft. or lessSoft- 4 to 5 blows/ft.Medium Stiff- 6 to 10 blows/ft.Stiff- 11 to 15 blows/ft.Very Stiff- 16 to 30 blows/ft.Hard- 31 blows/ft. or more

#### Plasticity Index 0 - 4 5 - 7 8 - 22 over 22

Classification on logs are made by visual inspection of samples unless otherwise undicated.

<u>Standard Penetration Test</u> - Driving a 2.0" O.D., 1-3/8" I.D. split-spoon sampler a distance of 12 inches into undisturbed soil with a 140 pound hammer free falling a distance of 30 inches. The sample is initially driven 6 inches to penetrate into undisturbed soil, then the test is performed. The number of hammer blows for seating the spoon and making the test are recorded for each 6 inches of penetration on the boring log (Example: 6-8-9). The standard penetration test N-value can be obtained by adding the last two figures (i.e. 8+9=17 blows/ft.). (ASTM D-1586)

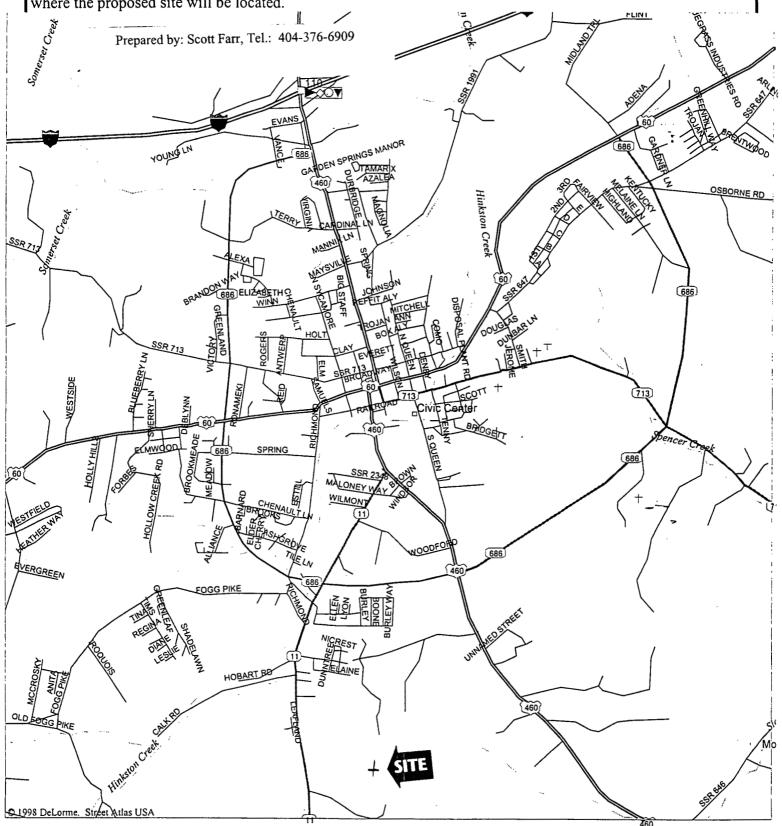
<u>Strata Changes</u> - In the column "Material Description" on the boring log, the horizontal lines represent strata changes. A solid line (---) represents an actually observed change, a dashed line (---) represents an estimated change.

<u>Ground Water</u> observations were made at the times indicated. Porosity of soil strata, weather conditions, site topography, etc. may cause changes in the water levels indicated on the logs.



# **DIRECTIONS TO SITF**

From Mt. Sterling downtown, go Hwy 460 north towards I-64 and go left onto Hwy 686 (by-pass road). Go approximately 3 miles to Hwy 11 or Levee Road and turn right. Proceed approximately .2 mi. and turn left onto Levee Heights Road (no sign) and then an immediately right onto Floyd Drive (no sign) and proceed past residential subdivision and chicken coop to the cattle gate entrance of the farm road. From here, proceed forward and immediately you will notice on your right a dirt trail. Proceed down the dirt trail until you see two sets of cattle gates. There is a large oak tree just to the left of the cattle gates. One set of cattle gates (green) will be open and the other (orange/rust) will be closed. Proceed through the first gate and then veer to right of second cattle gate. Follow fence line (on your left) to the end and you will notice survey stakes which is where the proposed site will be located.



# Site Name: Mt. Sterling DT 274

### **OPTION AND LEASE AGREEMENT**

This Agreement, made this 16th day of September 1999 between Alvin D. Haynes, hereinafter designated LESSOR and BELLSOUTH MOBILITY INC, hereinafter designated TENANT.

#### **RECITALS**:

LESSOR is the owner of certain real property located at 278 Floyd Drive in Montgomery County, State of Kentucky, and TENANT desires to obtain an Option to lease a portion of said real property containing approximately 10,000 square feet together with a right of way for access thereto (said leased parcel easement and right of way hereinafter called "Property"). The Property is more specifically described in and substantially shown outlined in red on Exhibit "A" attached hereto and made a part hereof.

NOW THEREFORE, in consideration of a sum of Dollars (D), hereinafter referred to as "Option Money," to be paid by TENANT to the LESSOR, which TENANT will provide upon its execution of this Agreement, the LESSOR hereby grants to TENANT the right and Option to lease said real property including a right of way for access thereto for the term and in accordance with the covenants and conditions set forth herein.

The Option may be exercised at any time on or prior to 16th day of February 2000.

At TENANT's election, and upon TENANT's prior written notification to LESSOR, the time during which the Option may be exercised may be further extended for one additional period of six (6) months, through and including August 16th, 2000 with an additional payment of Dollars (1) by TENANT to LESSOR for the Option Period so extended. The time during which the Option may be exercised may be further extended by mutual agreement in writing. If during said Option Period, or during the term of the lease, the LESSOR decides to subdivide, sell or change the status of the Property or LESSOR's property contiguous thereto, LESSOR shall immediately notify TENANT in writing so that TENANT can take steps necessary to protect TENANT's interest in the Property.

LESSOR covenants that LESSOR is seized of good and sufficient title and interest to the Property and has full authority to enter into and execute this Agreement. LESSOR further covenants that there are no other liens, judgments, or impediments of title on the Property.

This Option may not be sold, assigned, or transferred, at any time except to TENANT's principal, affiliates or subsidiaries of its principal. As to other parties, this Option may not be sold, assigned or transferred without the written consent of the LESSOR, such consent not to be unreasonably withheld.

Should TENANT fail to exercise this Option or any extension thereof within the time herein limited, all rights and privileges granted hereunder shall be deemed completely

KY274 – Mt. Sterling DT

surrendered, this Option terminated, and LESSOR shall retain all money paid for the Option, and no additional money shall be payable by either party to the other.

The LESSOR shall permit TENANT during the Option Period, at TENANTS liability, cost and expense, free ingress and egress to the Property to conduct such surveys, structural strength analysis, subsurface boring tests and other activities of similar nature, as TENANT may deem necessary, at the sole cost of TENANT. TENANT shall promptly restore and repair any and all damage to the property arising from any such surveys, analysis, borings, tests and other activities and shall hold LESSOR harmless and indemnify LESSOR from liability for the same.

Notice of the exercise of the Option shall be given by TENANT to the LESSOR in writing by certified mail, return receipt requested. Notice shall be deemed effective on the date it is posted. On the date of such notice the following Agreement shall take effect:

#### LEASE AGREEMENT

1. LESSOR hereby leases to TENANT that certain parcel of real Property, containing approximately 10,000 square feet, situated in Montgomery County, State of Kentucky, together with the nonexclusive right for ingress and egress, seven (7) days a week, twenty-four (24) hours a day, on foot or motor vehicle, including trucks, and for the installation and maintenance of utility wires, cables, conduits and pipes over, under or along a twenty foot (20') wide right of way extending from the nearest public right of way Floyd Road, to the leased parcel, said parcel and right of way for access being substantially as described herein Exhibit "A" and as shown enclosed within red lines on Exhibit "A" attached hereto and made a part hereof. Said leased parcel and right of way for access shall be hereinafter referred to as "Property." LESSOR shall cooperate with TENANT in TENANT's effort to obtain utility services along said right of way by signing such documents or easements as may be required by said utility companies. In the event any public utility is unable to use the aforementioned right of way, the LESSOR hereby agrees to grant an additional right of way either to the TENANT or to the public utility at no cost to the TENANT.

2. LESSOR also hereby grants to TENANT the right to survey said Property, and the legal description on said survey shall then become Exhibit "B," which shall be attached hereto and made a part hereof, and shall control in the event of discrepancies between it and Exhibit "A." LESSOR grants TENANT the right to take measurements, make calculations, and to note other structures, setbacks, uses, or other information as deemed by TENANT to be relevant and pertinent as such information relates to LESSOR's real property, leased or otherwise abutting or surrounding the Property. Cost for such survey work shall be borne by the TENANT.

3. This Agreement shall be for an initial term of five (5) years beginning on the date the Option is exercised by TENANT at an annual rental payment of NUNE (1000) ND Dollars (1000) to be paid in equal monthly installments on the first day of the month, in advance, to Mr. Alvin Haynes or to such other person, firm or place as the LESSOR may, from time to time, designate in writing at least thirty (30) days in advance of any rental payment date.

4. TENANT shall have the Option to extend this lease for four (4) additional five (5) year terms by giving the LESSOR written notice of its intention to do so at least six (6) months prior to the end of the then current term.

5. The annual rental for the first (1st) five (5) year extension term shall be increased to the description of the Dollars (\$4.5 million (2nd) five (5) year extension term shall be increased to the DOL to the Dollars (\$4.4.1) the third (3rd) five (5) year extension term shall be increased to the Dollars (\$4.4.1) the third (3rd) five (5) year extension term shall be increased to the Dollars (\$4.4.1) the third (3rd) five (5) year extension term shall be increased to the Dollars (\$4.4.1) the third (3rd) five (5) year extension term shall be increased to the Dollars (\$4.4.1) five (5) year extension term shall be increased to the Dollars (\$4.4.1) five (5) year extension term shall be increased to the Dollars (\$4.4.1) (\$4.4.1) THOUSAND CARE HUNDRED (\$4.4.1) THOUSAND CARE HUNDRED (\$4.4.1) THOUSAND CARE HUNDRED

6. If at the end of the fourth (4th) five (5) year extension term this Agreement has not been terminated by either party by giving to the other written notice of an intention to terminate it at least six (6) months prior to the end of such term, this Agreement shall continue in force upon the same covenants, terms and conditions for a further term of one (1) year, and for the annual terms thereafter until terminated by either party by giving to the other written notice of its intention to so terminate at least six (6) months prior to the end of such term. Monthly rental for this period shall be equal to the rent paid for the last month of the fourth (4th) five- (5) year extension.

7. TENANT shall use the Property for the purpose of constructing, maintaining and operating a Communications Facility and uses incidental thereto, consisting of a building or buildings as necessary now or in the future to shelter telecommunications equipment and related office space, a free standing monopole or three-sided antenna structure of sufficient height now or in the future to meet TENANT's telecommunication needs and all necessary appurtenances, a security fence consisting of a chain-link construction or similar but comparable construction may at the option of TENANT be placed around the perimeter of the property (not including the access easements). All improvements shall be at TENANT's expense. LESSOR grants TENANT the right to use up to 10,000 square feet of adjoining and adjacent land to the Property as is reasonably required during construction and installation, of the Communications Facility. TENANT will maintain the Property in a reasonable condition. It is understood and agreed that TENANT's ability to use the Property is contingent upon its obtaining, after the execution date of this agreement, all of the certificates, permits and other approvals that may be required by any federal, state or local authorities. LESSOR shall reasonably cooperate (LESSOR shall not be required to incur any expenses in this regard) with TENANT in its effort to obtain such approvals and shall take no action which would adversely affect the status of the Property with respect to the proposed use thereof by TENANT. LESSOR agrees to sign such papers as required to file applications with the appropriate zoning authority and/or commission for the proper zoning of the property as required for the use intended by the TENANT. TENANT will perform all other acts and bear expenses associated with the rezoning procedure. LESSOR agrees not to register any written or verbal opposition to the rezoning procedures. In the event that any of such applications should be finally rejected or any certificate, permit, license or approval issued to TENANT is canceled, expires, lapses, or is otherwise withdrawn or terminated by governmental authority or soil boring tests or radio frequency propagation tests are found to be unsatisfactory so that TENANT, in its sole discretion, will be unable to use the Property for its intended purposes, TENANT shall have the right to terminate this Agreement. Notice of the TENANT's exercise of its right to terminate shall be given to LESSOR in writing by certified mail, return receipt requested, and shall be effective upon receipt of such notice by the LESSOR as evidenced by the return receipt. All rentals paid to said termination date shall be retained by the LESSOR. Upon such termination, this Agreement shall become null and void and all the parties shall have no further obligations, including the payment of money, to each other.

8. TENANT shall indemnify and hold LESSOR harmless against any claim of liability or loss from personal injury or property damage resulting from or arising out of the use and occupancy of the Property by the TENANT, its servants or agents, excepting, however, such claims or damages as may be due to or caused by the acts of the LESSOR, or its servants or agents.

9. LESSOR agrees that TENANT may self-insure against any loss or damage, which could be covered by a comprehensive general public liability insurance policy.

10. TENANT will be responsible for making any necessary returns for and paying any and all Property taxes separately levied or assessed against its improvements on the Property. TENANT shall reimburse LESSOR as additional rent for any increase in real estate taxes levied against the leased Property which are directly attributable to the improvements constructed by TENANT and are not separately levied or assessed against TENANT's improvements by the taxing authorities.

11. If TENANT's Communications Facility or improvements are damaged or destroyed by fire or other casualty, TENANT shall not be required to repair or replace the Communications Facility or any of TENANT's improvements made by TENANT. TENANT shall not be required to expend for repairs more than twenty-five percent (25%) of the replacement value of the Communications Facility or any improvements. Additionally, if completion of the repairs is not possible within ninety (90) days following the date of the damage or destruction, TENANT may terminate this Agreement by giving written notice to LESSOR. Termination shall be effective immediately after such notice is given. Upon such termination, this Agreement shall become null and void other than the requirement that the LESSOR pay any of the pro-rata share of the unused portion of the rent, LESSOR and TENANT shall have no other further obligations to each other, other than TENANT's obligation to remove its property as hereinafter provided.

12. Notwithstanding any other termination rights available to TENANT under this Lease, TENANT, at its sole and absolute discretion, shall have the right to terminate this Lease with ninety (90) days prior written notice to LESSOR and a lump sum payment to LESSOR in an amount equal to twelve (12) months rent or the total of the remaining months of the term, whichever is less. The rental rate shall be computed at the rate which is in effect at the time of termination. Upon termination TENANT shall execute upon the request of the LESSOR a written cancellation of the lease upon the TENANT vacating the Property or upon termination of the lease, in recordable form and TENANT shall have no other further obligations, other than TENANT's obligation to remove its property as hereinafter provided.

13. TENANT upon termination of this Agreement, shall, within a reasonable period, remove its real and personal property and fixtures and restore the Property, and all utilities, to its original above grade condition, reasonable wear and tear excepted. At LESSOR's option, when this Agreement is terminated and upon LESSOR's advance written notice to TENANT, TENANT will leave the foundation and security fence to become the property of the LESSOR. If such time for removal causes TENANT to remain on the Property after the termination of this Agreement, TENANT shall pay rent at the then existing monthly rate or on the existing monthly

pro-rata basis if based upon a longer payment term, until such time as the removal of personal property and fixtures are completed.

14. Should the LESSOR, at any time during the term of this Agreement, decide to sell all or any part of his real property which includes the parcel of property leased by TENANT herein and/or the right of way thereto to a purchaser other than TENANT, such sale shall be under and subject to this Lease Agreement and TENANT's right hereunder. LESSOR agrees not to sell, lease or use any other areas of the larger parcel upon which Property is situated for the placement of other communications facilities if, in TENANT's sole judgment, such installation would interfere with the facilities in use by TENANT.

15. LESSOR covenants that TENANT, on paying the rent and performing the covenants shall peaceably and quietly have, hold and enjoy the Property.

16. LESSOR covenants that LESSOR is seized of good and sufficient title and interest to the Property and has full authority to enter into and execute this Agreement. LESSOR further covenants that there are no other liens, judgments or impediments of title on the Property.

17. It is agreed and understood that this Agreement contains all agreements, promises and understandings between the LESSOR and TENANT and that no verbal or oral agreement, promises or understandings shall be binding upon either the LESSOR or TENANT in any dispute, controversy or proceeding at law, and any addition, variation or modification to this Agreement shall be void and ineffective unless made in writing and signed by the parties.

18. This Lease Agreement and the performance thereof shall be governed, interpreted, construed and regulated by the laws of the State of Kentucky.

19. This lease may not be sold, assigned, or transferred at any time except to TENANT's principal affiliates or subsidiaries of its principal or to any company upon which TENANT is merged or consolidated. As to other parties, this Lease may not be sold, assigned or transferred without the written consent of the LESSOR, such consent not to be unreasonably withheld. TENANT may sublease this Lease upon notice to LESSOR.

20. All notices hereunder must be in writing and shall be deemed validly given if sent by certified mail, return receipt requested, addressed as follows (or any other address that the party to be notified may have designated to the sender by like notice):

TENANT:	BellSouth Mobility Inc 1650 Lyndon Farms Court Louisville, KY 40223 Attn: Real Estate Manager
LESSOR:	Mr. Alvin D. Haynes 1225 W. High St. P.O. Box 8638 Lexington, KY 40508

21. This Agreement shall extend to and bind the heirs, personal representatives, successors and assigns of the parties hereto.

22. At LESSOR's option, this Agreement shall be subordinate to any mortgage by LESSOR which from time to time may encumber all or part of the Property or right of way; provided, however, every such mortgage shall recognize the validity of this Agreement in the event of a foreclosure of LESSOR's interest and also TENANT's right to remain in occupancy of and have access to the building as long as TENANT is not in default of this Agreement. TENANT shall execute in a timely manner whatever instruments as may reasonably be required to evidence this subordination clause. In the event the leased Property is encumbered by a mortgage, the LESSOR, no later than ten (10) days after this lease is exercised, shall have obtained and furnished to TENANT a non-disturbance instrument in recordable form for each such mortgage.

23. If the whole of the leased premises or such portion thereof as will make the premises unusable for the purposes herein leased, are condemned by any legally constituted authority for any public use or purpose, then in either of said events the term hereby granted shall cease from the time when possession thereof is taken by public authorities, and rental shall be accounted for as between LESSOR and TENANT as of that date. TENANT shall remove all of its equipment within 60 days from the receipt of notification of condemnation from the condemning authority. Any lesser condemnation shall in no way affect the respective rights and obligations of LESSOR and TENANT hereunder. Nothing in this provision shall be construed to limit or affect TENANT's right to an award of compensation of any eminent domain proceeding for the taking of TENANT's leasehold interest hereunder.

24. TENANT, at TENANT's option, may obtain title insurance on the space leased herein. LESSOR, at LESSOR's expense, shall cooperate with TENANT's efforts to obtain such title insurance policy by executing documents or obtaining requested documentation as required by the title insurance company. At TENANT's option, should the LESSOR fail to provide requested documentation within thirty (30) days of TENANT's request, or fail to provide the Non-Disturbance instrument(s) as noted in Paragraph 22 of this Agreement, TENANT may withhold and accrue the monthly rental until such time as the requested document(s) is (are) received.

25. LESSOR shall hold TENANT harmless from and indemnify TENANT against and from any damage, loss expenses or liability resulting from the discovery by any person of hazardous substances generated, stored, disposed of, or transported to or over Property, as long as such substance was not stored, disposed of, or transported to or over the Property by TENANT, its agents, contractors, employees or invitees. TENANT will be responsible for any and all damages, losses and expenses and will indemnify LESSOR against and from any discovery by any persons of hazardous wastes generated, stored or disposed of as a result of TENANT's equipment and uses of the aforementioned Property.

(Remainder of Page Intentionally Left Blank)

IN WITNESS WHEREOF, the parties hereto have set their hands and affixed their respective seals the day and year first above written.

Signed, sealed and delivered in the presence of:

N

LESSQ Alvin D. Haynes SS#/Tax I.D.

Signed, sealed and delivered in the presence of:

WITNESS

NOTARY PUBLIC

Notary Public, Gwinnett County, Georgia. My Commission Expires March 14, 2003.

TENANT: BELLSOUTH MOBILITY INC

BY: TITLE:

(CORPORATE SEAL)

# CERTIFICATION OF NOTIFICATION LIST - EXHIBIT K PSC CASE NO: 99-445 CROWN REFERENCE: KY 274 Mt. Sterling

PSC CASE NO: 99-445

Mt. Sterling	KY	40353
Lexington	KY	40533
Lexington	KY	40502
Mt. Sterling	KY	40353
	Lexington Lexington	Lexington KY

### EXHIBIT L COPY OF PROPERTY OWNER NOTIFICATION

Alvin Haynes P.O. Box 8638 Lexington, KY 40533

RE: Public Notice – Public Service Commission of Kentucky Case No.: 99-445 Our Site No.: KY 274

Dear Alvin:

Crown Communication Inc. and Kentucky CGSA, Inc., d/b/a BellSouth Mobility, Inc. have applied to the Public Service Commission of Kentucky ("Commission") for a Certificate of Public Convenience and Necessity to construct and operate a new facility to provide wireless telecommunication services. The facility will include a 250-foot tower with appurtenances attached to a maximum height of 265 feet, and a ground level equipment shelter to be located at Levee Road (Hwy 11), Mt. Sterling, KY 40355. A temporary tower of shorter stature might be erected at said location while awaiting final PSC approval, and the approved tower is operational. This notice is being sent to you because you own property within a 500' radius of the proposed tower.

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.: 99-445 in your correspondence.

Feel free to contact Lisa Miller, Project Manager, at (502) 240-0044 ext. 23, if you have any questions.

Sincerely, CROWN COMMUNICATION INC.

Kathryn Faupel P.O. Box 22319 Lexington, KY 40502

RE: Public Notice – Public Service Commission of Kentucky Case No.: 99-445 Our Site No.: KY 274

Dear Kathryn:

Crown Communication Inc. and Kentucky CGSA, Inc., d/b/a BellSouth Mobility, Inc. have applied to the Public Service Commission of Kentucky ("Commission") for a Certificate of Public Convenience and Necessity to construct and operate a new facility to provide wireless telecommunication services. The facility will include a 250-foot tower with appurtenances attached to a maximum height of 265 feet, and a ground level equipment shelter to be located at Levee Road (Hwy 11), Mt. Sterling, KY 40355. A temporary tower of shorter stature might be erected at said location while awaiting final PSC approval, and the approved tower is operational. This notice is being sent to you because you own property within a 500' radius of the proposed tower.

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.: 99-445 in your correspondence.

Feel free to contact Lisa Miller, Project Manager, at (502) 240-0044 ext. 23, if you have any questions.

Sincerely, CROWN COMMUNICATION INC. Lloyd McCarthy For Crown Communication Inc.

David Roberts 35 W. High Street Mt. Sterling, KY 40353

RE: Public Notice – Public Service Commission of Kentucky Case No.: 99-445 Our Site No.: KY 274

Dear David:

Crown Communication Inc. and Kentucky CGSA, Inc., d/b/a BellSouth Mobility, Inc. have applied to the Public Service Commission of Kentucky ("Commission") for a Certificate of Public Convenience and Necessity to construct and operate a new facility to provide wireless telecommunication services. The facility will include a 250-foot tower with appurtenances attached to a maximum height of 265 feet, and a ground level equipment shelter to be located at Levee Road (Hwy 11), Mt. Sterling, KY 40355. A temporary tower of shorter stature might be erected at said location while awaiting final PSC approval, and the approved tower is operational. This notice is being sent to you because you own property within a 500' radius of the proposed tower.

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.: 99-445 in your correspondence.

Feel free to contact Lisa Miller, Project Manager, at (502) 240-0044 ext. 23, if you have any questions.

Sincerely, CROWN COMMUNICATION INC.

Honorable Jeff Prater Montgomery County Judge Executive 33 N. Maysville Street Mt. Sterling, KY 40353

RE: Public Notice – Public Service Commission of Kentucky Case No.: 99-445 Our Site No.: KY 274 Called Mt. Sterling

Honorable Judge Prater:

Crown Communication Inc. and Kentucky CGSA, Inc., d/b/a BellSouth Mobility, Inc. have applied to the Public Service Commission of Kentucky ("Commission") for a Certificate of Public Convenience and Necessity to construct and operate a new facility to provide wireless telecommunication services. The facility will include a 250-foot tower with appurtenances attached to a maximum height of 265 feet, and a ground level equipment shelter to be located at Levee Road (Hwy 11), Mt. Sterling, KY 40355. A temporary tower of shorter stature might be erected at said location while awaiting final PSC approval and the approved tower is operational. This notice is being sent to you because you are the Judge Executive of Montgomery County.

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.: 99-445 in your correspondence.

Feel free contact me Lisa Miller, Project Manager, at (502) 240-0044 ext. 23, if you have any questions.

Sincerely, CROWN COMMUNICATION INC.

## **Copies of Posting Notices**

# Crown Communication, Inc proposes to construct a TELECOMMUNICATIONS TOWER

on this site. If you have questions, please contact the General Manager, Crown Communication, Inc., 11001 Bluegrass Parkway, Suite 330, Louisville, KY 40299, (502) 240-0044 or the Executive Director, Public Service Commission, 730 Schenkel Lane, P.O. Box 615, Frankfort, KY 40602. Please refer to Case # 99-445 in your correspondence.

# Crown Communication, Inc., proposes to construct a TELECOMMUNICATIONS TOWER

near this site. If you have questions, please contact the General Manager, Crown Communication, Inc., 11001 Bluegrass Parkway, Suite 330, Louisville, KY 40299, (502) 240-0044 or the Executive Director, Public Service Commission, 730 Schenkel Lane, P.O. Box 615, Frankfort, KY 40602. Please refer to Case # 99-445 in your correspondence.

### EXHIBIT O COPY OF RADIO FREQUENCY DESIGN SEARCH AREA

