

Dinsmore & Shohl LLP
ATTORNEYS

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November 7, 2005

via Hand Delivery
Ms. Beth O'Donnell
Executive Director
Kentucky Public Service Commission
211 Sower Blvd.
P. O. Box 615
Frankfort, KY 40601

RECEIVED

NOV 07 2005

PUBLIC SERVICE
COMMISSION

Re: *The Application of BellSouth Mobility, LLC, d/b/a Cingular Wireless - Kentucky for Issuance of a Certificate of Public Convenience and Necessity to Construct a Wireless Communications Facility at Rough and Tough Road, Prestonsburg, Kentucky 41653 or, in the Alternative, an Order Requiring Co-Location on Reasonable Terms and Conditions in the Wireless Communications License Area in the Commonwealth of Kentucky in the County of Floyd; Site name: Brainard; Case No. 2004-00413*

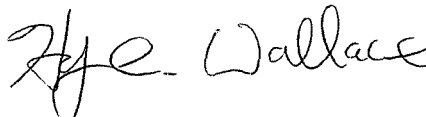
Dear Ms. O'Donnell:

Pursuant to the Kentucky Public Service Commission's Order of October 17, 2005, enclosed for filing with the Public Service Commission is one original and eight (8) copies of East Kentucky Network, LLC's Responses to New Cingular Wireless's Data Requests in the above-styled case.

Thank you, and if you have any questions with regard to this matter, please call me.

Very truly yours,

DINSMORE & SHOHL LLP



Holly C. Wallace

HCW/rk
Enclosures

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COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

ORIGINAL

In the Matter of:

THE APPLICATION OF)
NEW CINGULAR WIRELESS PCS, LLC)
F/D/B/A BELLSOUTH MOBILITY, LLC,)
FOR ISSUANCE OF A CERTIFICATE OF PUBLIC)
CONVENIENCE AND NECESSITY TO CONSTRUCT)
A WIRELESS COMMUNICATIONS FACILITY AT)
ROUGH AND TOUGH ROAD)
PRESTONSBURG, KENTUCKY 41653 OR, IN THE)
ALTERNATIVE, AN ORDER REQUIRING CO-LOCATION)
ON REASONABLE TERMS AND CONDITIONS)
IN THE WIRELESS COMMUNICATIONS)
LICENSE AREA IN THE COMMONWEALTH OF)
KENTUCKY IN THE COUNTY OF FLOYD)

CASE NO. 2004-0413

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PUBLIC SERVICE
COMMISSION

SITE NAME: BRAINARD

**RESPONSES TO NEW CINGULAR WIRELESS PCS, LLC'S
FIRST INFORMATION REQUESTS**

East Kentucky Network, LLC, ("EKN"), by counsel, in response to the first information requests of New Cingular Wireless PCS, LLC ("New Cingular"), states as follows.

GENERAL OBJECTIONS

The following general objections are incorporated into each and every one of the responses of EKN to New Cingular's data requests and shall have the same force and effect as if set forth in full in response to each individual interrogatory and request.

1. EKN objects to the seven pages of definitions and instructions submitted by New Cingular. Said definitions and instructions are tantamount to additional data requests and are unduly burdensome.

INTERROGATORIES

1. Identify all present and former subsidiaries, predecessors in interest, successors in interests, present and former affiliates, present and former members of East Kentucky Network, LLC d/b/a Appalachian Wireless.

ANSWER: EKN does not have any present or former subsidiaries or successors in interest. EKN's predecessors in interest include Appalachian Wireless, Appalachian Cellular, Mountaineer Cellular, Drake Paging, Cumberland Mountain Paging, and Appalachian Cellular LLC. EKN has five members, they are the following: Foothills Rural Telephone Cooperative Corporation, Inc., Thacker-Grigsby Telephone Company, Inc., People's Rural Telephone Cooperative Corporation, Inc., Coalfields Telephone Company and Mountain Telecommunications, Inc. East Kentucky Fiber Ring is an affiliate of EKN.

2. Identify all present and former officers, employees, agents, representatives, directors, and all other persons acting or purporting to act on behalf of East Kentucky Network, LLC d/b/a Appalachian Wireless with duties directly deriving from or relating to collocation.

ANSWER: Laura Phipps, the former General Manager of EKN, Gerald Robinette, the current General Manager of EKN, and Michael Huffman, the Chief Financial Officer of EKN

3. Public records indicate that your antennas and equipment have been collocated on cellular antenna towers owned or operated by Hour of Harvest, Inc.; New Par; SBA Properties, Inc.; Joe H. Martin d/b/a J & N Electronic; MidAmerica Towers; American Towers, Inc.; Highland Communications, Inc.; RBJ Communications; Cincinnati Communications; TV Service Inc.; Radioland Inc.; Inter Mountain Cable Inc.; Elby Partnership Limited; Mountain

Rural Telephone Coop; WYMT Licensee Corp.; BellSouth Telecommunications, Inc.; Appalachian Cellular General Partnership; Mountaineer Cellular General Partnership; Mountaineer Cellular, LLC; Mountain Communications, Inc. In respect each collocation please:

- (a) provide the street address, including the city and state in which the cellular antenna tower is located;
- (b) provide the coordinates (latitude, longitude, and datum) where the cellular antenna tower is located;
- (c) provide the amount of the per month rental, if any;
- (d) provide the amount of the per month collocation fee, if any;
- (e) provide the fees per month for each antenna installed or maintained on the tower or property;
- (f) provide the fees per month or rate per foot for each coaxial cable installed or maintained on the tower or property;
- (g) provide the monthly fees for each satellite dish installed or maintained on the tower or property;
- (h) identify each member, employee, officer, director, managing agent, or other persons with knowledge of the subject matter;
- (i) state whether there is a master collocation agreement between the parties;
- (j) state the amount of any lump sum up-front fees;
- (k) state the amount of any fees for access/utility easements;
- (l) describe any other fees not previously set out hereinabove;
- (m) identify with particularity any written documents related to the terms of the collocation.

ANSWER: EKN objects to this interrogatory on the grounds that it is unduly burdensome, outside the scope of discovery, and seeks confidential and proprietary information. Subject to and without waiving these objections, EKN responds by stating that it will provide information responsive to this interrogatory once New Cingular has executed an appropriate confidentiality and non-use agreement.

4. In respect to any collocation of your antennas or related equipment on a cellular antenna tower which was not identified in the previous interrogatory, for each state as follows:

- (a) provide the street address, including the city and state in which the cellular antenna tower is located;
- (b) provide the coordinates (latitude, longitude, and datum) where the cellular antenna tower is located;
- (c) provide the amount of the per month rental, if any;
- (d) provide the amount of the per month collocation fee, if any;
- (e) provide the fees per month for each antenna installed or maintained on the tower or property;
- (f) provide the fees per month or rate per foot for each coaxial cable installed or maintained on the tower or property;
- (g) provide the monthly fees for each satellite dish installed or maintained on the tower or property;
- (h) identify each member, employee, officer, director, managing agent, or other persons with knowledge of the subject matter;
- (i) state whether there is a master collocation agreement between the parties;

- (j) state the amount of any lump sum up-front fees;
- (k) state the amount of any fess for access/utility easements;
- (l) describe any other fees not previously setout hereinabove;
- (m) identify the owner of the tower;
- (n) identify with particularity any written documents related to the terms of the collocation.

ANSWER: EKN objects to this interrogatory on the grounds that it is unduly burdensome, outside the scope of discovery, and seeks confidential and proprietary information. Subject to and without waiving these objections, EKN responds by stating that it will provide information responsive to this interrogatory once New Cingular has executed an appropriate confidentiality and non-use agreement.

5. In respect to each collocation of antennas or related equipment owned by another company on your cellular antenna towers, for each state as follows:

- (a) identify the owner of the antennas or related equipment;
- (b) provide the street address, including the city and state in which the cellular antenna tower is located;
- (d) provide the coordinates (latitude, longitude, and datum) where the cellular antenna tower is located;
- (e) provide the amount of the per month rental, if any;
- (f) provide the amount of the per month collocation fee, if any;
- (g) provide the fees per month for each antenna installed or maintained on the tower or property;

- (h) provide the fees per month or rate per foot for each coaxial cable installed or maintained on the tower or property;
- (i) provide the monthly fees for each satellite dish installed or maintained on the tower or property;
- (j) identify each member, employee, officer, director, managing agent, or other persons with knowledge of the subject mailer;
- (k) state whether there is a master license collocation agreement between the parties;
- (l) state the amount of any lump sum up-front fees;
- (m) state the amount of any fees for access/utility easements;
- (n) describe any other fees not previously setout hereinabove;
- (o) identify with particularity any written documents related to the terms of the collocation.

ANSWER: EKN objects to this interrogatory on the grounds that it is unduly burdensome, outside the scope of discovery, and seeks confidential and proprietary information. Subject to and without waiving these objections, EKN responds by stating that it will provide information responsive to this interrogatory once New Cingular has executed an appropriate confidentiality and non-use agreement.

6. In respect to any collocation agreement in which you are a party and which has not been identified in the previous interrogatories, for each state as follows:

- (a) identify all parties to the agreement;
- (b) provide the name, address, and telephone number of the owner of the cellular antenna tower;
- (c) provide the street address, including the city and state in which the cellular antenna tower is located;
- (d) provide the coordinates (latitude, longitude, cellular antenna tower is located);
- (e) provide the amount of the per month rental, if any; (f) provide the amount of the per month collocation fee, if any;
- (g) provide the fees per month for each antenna installed or maintained on the tower or property;
- (h) provide the fees per month or rate per foot for installed or maintained on the tower or property;
- (i) provide the monthly fees for each satellite dish the tower or property;
- (j) identify each member, employee, officer, director, managing agent, or other persons with knowledge of the subject matter;
- (k) state whether there is a master collocation agreement between the parties;
- (l) state the amount of any lump sum up-front fees;
- (m) state the amount of any fess for access/utility easements;
- (n) describe any other fees not previously setout hereinabove;

- (o) identify with particularity any written documents related to the terms of the collocation.

ANSWER: EKN objects to this interrogatory on the grounds that it is unduly burdensome, outside the scope of discovery, and seeks confidential and proprietary information. Subject to and without waiving these objections, EKN responds by stating that it will provide information responsive to this interrogatory once New Cingular has executed an appropriate confidentiality and non-use agreement.

7. Describe with particularity your collocation policy for cellular antenna towers owned or operated by East Kentucky Network, LLC d/b/a Appalachian Wireless.

ANSWER: EKN does not have a specific, written co-location policy.

8. In respect to your response to Interrogatory No. 7, please identify any documents in your possession, custody or control that discuss, evaluate, analyze or otherwise relate to your collocation policy.

ANSWER: See answer to Interrogatory No. 7.

9. In respect to your answer to Interrogatory No. 7, identify each member, employee, officer, director, managing agent, or other persons with knowledge of the subject matter.

ANSWER: See answer to Interrogatory No. 7.

REQUESTS FOR PRODUCTION

1. Produce all documents identified in response to the First Set of Interrogatories

propounded to East Kentucky Network, LLC d/b/a Appalachian Wireless.

RESPONSE: EKN objects to this request on the grounds that it is unduly burdensome, outside the scope of discovery, and seeks confidential and proprietary information. Subject to and without waiving these objections, EKN responds by stating that it will provide information responsive to this request once New Cingular has executed an appropriate confidentiality and non-use agreement.

2. Produce each collocation agreement in which you are a party, each agreement which relates to the collocation of your antennas or related equipment on a tower owned by another company, and each agreement which relates to the collocation of another company's antennas or related equipment on a cellular antenna towers owned by you.

RESPONSE: EKN objects to this request on the grounds that it seeks confidential and proprietary information. EKN further objects on the grounds that the information sought is outside the scope of discovery. Subject to and without waiving these objections, EKN responds by stating that it will provide information responsive to this request once New Cingular has executed an appropriate confidentiality and non-use agreement.

3. Produce each master agreement or similar agreement relating to collocation in which you are a party.

RESPONSE: See response to Request No. 2.

4. Produce all documents identified in your response to Interrogatory No. 3.

RESPONSE: See answer to Interrogatory No. 3 and response to Request No. 2.

5. Produce all documents identified in your response to Interrogatory No. 4.

RESPONSE: See answer to Interrogatory No. 4 and response to Request No. 2.

6. Produce all documents identified in your response to Interrogatory No. 5.

RESPONSE: See answer to Interrogatory No. 5 and response to Request No. 2.

7. Produce all documents identified in your response to Interrogatory No. 6.

RESPONSE: See answer to Interrogatory No. 6 and response to Request No. 2.

8. Produce all documents identified in your response to Interrogatory No. 8.

RESPONSE: See answer to Interrogatory No. 8.

Respectfully submitted,



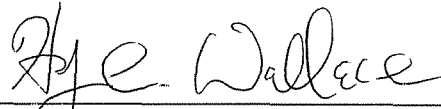
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Counsel to East Kentucky Network, LLC

CERTIFICATE OF SERVICE

It is hereby certified that a true and accurate copy of the foregoing was served by first class United States mail this 7th day of November, 2005, upon the following:

David A. Pike
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Shepherdsville, KY 40165-0369
Counsel to BellSouth Mobility



Counsel to East Kentucky Network, LLC

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