

**Dinsmore & Shohl** LLP  
ATTORNEYS

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MAY 25 2007  
PUBLIC SERVICE  
COMMISSION

May 24, 2007

Mr. Michael F. Burford  
Director of Filings Division  
Public Service Commission  
211 Sower Blvd.  
P.O. Box 615  
Frankfort, KY 40602-0615

*RE Application of Cumberland Cellular Partnership for issuance of a Certificate of Public Convenience and Necessity to Construct a Cell Site (FLATROCK) in Rural Service Area #5 (MCCREARY) of the Commonwealth of Kentucky, Case No. 2007-00073*

Dear Mr. Burford:

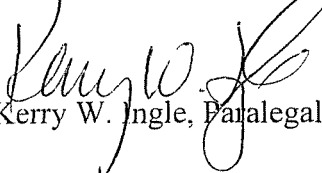
Enclosed for filing with the Kentucky Public Service Commission are an original and four (4) copies of the updated Federal Aviation Administration (FAA) and Kentucky Airport Zoning Commission (KAZC) approvals for the above referenced cellular tower application.

If you have any questions with respect to this matter, please call me.

Thank you very much.

Very truly yours,

DINSMORE & SHOHL LLP

  
Kerry W. Ingle, Paralegal

kwi  
Enclosures



*FLATROCK*  
 Federal Aviation Administration  
 Air Traffic Airspace Branch, ASW-520  
 2601 Meacham Blvd.  
 Fort Worth, TX 76137-0520

Aeronautical Study No.  
 2007-ASO-808-OE

Issued Date: 03/14/2007

Scott McCloud  
 Bluegrass Cellular, Inc.  
 2902 Ring Road  
 Elizabethtown, KY 42701

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**\*\* 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:

Structure: Antenna Tower  
 Location: Whitley City, KY  
 Latitude: 36-47-19.70 N NAD 83  
 Longitude: 84-28-52.00 W  
 Heights: 255 feet above ground level (AGL)  
 1591 feet above mean sea level (AMSL)

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 is marked and/or lighted in accordance with FAA Advisory Circular 70/7460-1 K Change 2, Obstruction Marking and Lighting, a med-dual system - Chapters 4, 8 (M-Dual), & 12.

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:

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

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

This determination expires on 09/14/2008 unless:

- (a) extended, revised or terminated by the issuing office.
- (b) the construction is subject to the licensing authority of 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 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.

This determination is based, in part, on the foregoing description which

includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power will void this determination. Any future construction or alteration, including increase to 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 (817)838-1995. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2007-ASO-808-OE.

**Signature Control No: 504504-536280**

(DNE)

Alice Yett  
Technician

Attachment(s)  
Frequency Data

7460-2 Attached

Frequency Data for ASN 2007-ASO-808-OE

LOW FREQUENCY	HIGH FREQUENCY	FREQUENCY UNIT	ERP	ERP UNIT
824	849	MHz	500	W
851	866	MHz	500	W
869	894	MHz	500	W



*FLAT ROCK*  
Kentucky Airport Zoning Commission  
200 Mero Street  
Frankfort, KY 40622

(502) 564-4480  
fax: (502) 564-7953  
No.: AS-074-181-07-088

RECEIVED  
MAY 25 2007  
PUBLIC SERVICE  
COMMISSION

May 16, 2007

APPROVAL OF APPLICATION

APPLICANT:  
BLUEGRASS CELLULAR  
SCOTT MCCLOUD  
2902 RING ROAD  
Elizabethtown, KY 42702

SUBJECT: AS-074-181-07-088


STRUCTURE: Antenna Tower  
LOCATION: Whitley City, KY  
COORDINATES: 36-47-19.7 N / 84-28-52.0 W  
HEIGHT: 255'AGL/1591'AMSL

The Kentucky Airport Zoning Commission has approved your application for a permit to construct 255'AGL/1591'AMSL Antenna Tower near Whitley City, KY 36-47-19.7 N / 84-28-52.0 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 50:100.

  
John Houlihan, Administrator



Kentucky Airport Zoning Commission
200 Mero Street
Frankfort, KY 40622

(502) 564-4480
fax: (502) 564-7953
No.: AS-074-181-07-088

CONSTRUCTION/ALTERATION STATUS REPORT

May 16, 2007

AERONAUTICAL STUDY NUMBER: AS-074-181-07-088

BLUEGRASS CELLULAR
SCOTT MCCLOUD
2902 RING ROAD
Elizabethtown, KY 42702

This concerns the permit which was issued to you by the Kentucky Airport Zoning Commission on May 10, 2007. This permit is valid for a period of 18 Month(s) from its date of issuance. If construction is not completed within the said 18-Month period, this permit shall lapse and be void, and no work shall be performed without the issuance of a new permit. When appropriate, please indicate the status of the project in the place below and return this letter to John Houlihan, Administrator, Kentucky Airport Zoning Commission, 200 Mero Street, Frankfort, KY 40622. (502) 564-4480.

STRUCTURE: Antenna Tower
LOCATION: Whitley City, KY
COORDINATES: 36-47-19.7 N / 84-28-52.0 W
HEIGHT: 255'AGL/1591'AMSL

CONSTRUCTION/ALTERATION STATUS

1. The project ( ) is abandoned. ( ) is not abandoned.

2. Construction status is as follows:

Structure reached its greatest height of \_\_\_\_\_ ft. AGL
\_\_\_\_\_ ft. AMSL on \_\_\_\_\_ (date).

Date construction was completed. \_\_\_\_\_

Type of obstruction marking/painting. \_\_\_\_\_

Type of obstruction lighting. \_\_\_\_\_

As built coordinates. \_\_\_\_\_

Miscellaneous Information: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

DATE \_\_\_\_\_

SIGNATURE/TITLE \_\_\_\_\_

Kentucky Transportation Cabinet, Kentucky Airport Zoning Commission, 125 Holmes Street, Frankfort KY 40622

Kentucky Aeronautical Study Number

APPLICATION FOR PERMIT TO CONSTRUCT OR ALTER A STRUCTURE

AS-074-181-07-088

1. APPLICANT - Name, Address, Telephone, Fax, etc.

Scott McCloud
Bluegrass Cellular
2902 Ring Road
Elizabethtown, KY 42702
Tel: 270-769-0339
Fax: 270-737-0580

2. Representative of Applicant - Name, Address, Telephone, Fax

Leila Rezanavaz
Lukas, Nace, Gutierrez & Sachs, Chartered
1650 Tysons Blvd., Suite 1500
McLean, VA 22102
T: 703-584-8668

3. Application for: [X] New Construction [ ] Alteration [ ] Existing

4. Duration: [X] Permanent [ ] Temporary (Months \_\_\_\_\_ Days \_\_\_\_\_)

5. Work Schedule: Start 4/10/07 End 4/15/07

6. Type: [X] Antenna Tower [ ] Crane [ ] Building [ ] Power Line
[ ] Landfill [ ] Water Tank [ ] Other \_\_\_\_\_

7. Marking/Painting and/or Lighting Preferred:

[ ] Red Lights and Paint [X] Dual - Red & Medium Intensity White
[ ] White - Medium Intensity [ ] Dual - Red & High Intensity White
[ ] White - High Intensity [ ] Other \_\_\_\_\_

8. FAA Aeronautical Study Number 2007-ASO-808-OE

9. Latitude: 36 ° 47 ' 19 . 7 "

10. Longitude: 84 ° 28 ' 52 . 0 "

11. Datum: [X] NAD 83 [ ] NAD 27 [ ] Other \_\_\_\_\_

12. Nearest Kentucky City Whitley City County: McCreary

13. Nearest Kentucky public use or Military airport:
McCreary County Airport

14. Distance from #13 to Structure: 8.1 Miles

15. Direction from #13 to Structure: Northwest

16. Site Elevation (AMSL): 1336 Feet

17. Total Structure Height (AGL): 255 Feet

18. Overall Height (#16 + #17) (AMSL): 1591 Feet

19. Previous FAA and/or Kentucky Aeronautical Study Number(s):
N/A

20. Description of Location: (Attach a USGS 7.5 minute Quadrangle Map or an Airport Layout Drawing with the precise site marked and any certified survey)

Site is located at:
72 Bryant Mill Road
Whitley City, KY 42653

21. Description of Proposal:

Structure: A tower with top-mounted antennas for overall height of 255' AGL.
ERP: 250 Watts (Max)
Frequencies: Cellular Band B

22. Has a "NOTICE OF CONSTRUCTION OR ALTERATION" (FAA Form 7460-1) been filed with the Federal Aviation Administration? [ ] No [X] Yes, When 2/21/2007

CERTIFICATION: I hereby certify that all the above statements made by me are true, complete and correct to the best of my knowledge and belief.

Leila Rezanavaz/ Consulting Engineer Leila Rezanavaz 2/21/2007
Printed Name Signature Date

PENALTIES: Persons failing to comply with Kentucky Revised Statutes (KRS 183.861 through 183.990) and Kentucky Administrative Regulations (602 KAR 050: Series) are liable for fines and/or imprisonment as set forth in KRS 183.990(3). Non-compliance with Federal Aviation Administration Regulations may result in further penalties.

Commission Action:

[ ] Chairman, KAZC [X] Administrator, KAZC

[X] Approved [ ] Disapproved

John Hurliman

Date 3/17/07