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Energy and Environment Cabinet

Commonwealth of Kentucky  
**Public Service Commission**

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David L. Armstrong  
Chairman

James Gardner  
Vice Chairman

John W. Clay  
Commissioner

May 1, 2009

Gerald Robinette  
General Manager  
East Kentucky Network, LLC dba Appalachian Wireless  
101 Technology Trail  
Ivel, KY 41642

RE: Case No. 2009-00082  
East Kentucky Network, LLC dba Appalachian  
Wireless

The Commission staff has reviewed your response and has determined that your application in the above case now 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,

A handwritten signature in cursive script that reads "Ryan Gatewood".

Ryan Gatewood, Director  
Division of Filings

RG/tw  
Enclosure

RECEIVED

APR 02 2009

PUBLIC SERVICE COMMISSION  
**FILED**

APR 20 2009

PUBLIC SERVICE COMMISSION

CASE No 2008-00082

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the matter of:

THE APPLICATION OF EAST KENTUCKY NETWORK )  
LIMITED LIABILITY COMPANY FOR THE ISSUANCE )  
OF A CERTIFICATE OF PUBLIC CONVENIENCE AND )  
NECESSITY TO CONSTRUCT A TOWER IN HARLAN )  
COUNTY, KENTUCKY).

In case number 91-002 East Kentucky Network, LLC, formerly Mountaineer Cellular Limited Liability Company was granted a Certificate of Public Convenience and Necessity by the Kentucky Public Service Commission to construct and operate a cellular radio telecommunications system for KY RSA 10. East Kentucky Network LLC merger documents were filed with the Commission on February 2, 2001 in Case # 2001-022.

In an effort to improve service in Harlan County, East Kentucky Network, LLC pursuant to KRS 278.020 Subsection 1 and 807 KAR 5:001 Section 9 is seeking the Commission's approval to construct a tower near Cumberland. The proposed tower will be a 180 foot self-supporting tower with attached antennas located on a tract of land approximately 0.4 mi (0.6 km) N of Cumberland (Harlan), Kentucky (36°58' 53.00" N, 82° 59' 45.80"W). A map and detailed directions to the site can be found in Exhibit 8.

FAA and Kentucky Airport Zoning Commission approvals have been applied for and a copy of the application is included as Exhibit 4 and 6.

No Federal Communications Commission approval is required prior to construction of this facility. Once service is established from this tower we must immediately notify the Federal Communications Commission of its operation. Prior approval is needed only if the proposed facility increases the size of the cellular geographic service area. This cell site will not expand the cellular geographic service area.