

EAST KENTUCKY NETWORK, LLC
d/b/a APPALACHIAN WIRELESS

**CAWOOD
CELLULAR TOWER
APPLICATION**

HARLAN County, Kentucky
P.S.C. CASE # 2009-00306

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

RECEIVED
AUG 07 2009
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) CASE No 2009-00306
NECESSITY TO CONSTRUCT A TOWER IN HARLAN)
COUNTY, KENTUCKY).

East Kentucky Network, LLC, d/b/a Appalachian Wireless, was granted authorization to provide Personal Communications Service ("PCS") in the Middlesboro—Harlan, KY Basic Trading Area (BTA295) by the Federal Communications Commission (FCC). See attached FCC license. 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 180 foot self-supporting tower on a tract of land approximately one-fourth of a mile northwest of Cawood in Harlan County, Kentucky (36°47'18.1"N 83°14'15.7"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 applications are included as Exhibits 6 and 4, respectively.

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

A geologist was employed to determine soil and rock types and to ascertain the distance to solid bedrock. The geotechnical report is enclosed as Exhibit 3

A copy of the tower design information is enclosed as Exhibit 5. The proposed tower has been designed by engineers at World Tower Company, Inc and will be constructed under their supervision. Their qualifications are evidenced in Exhibit 5 by the seal and signature of the registered professional engineer responsible for this project.

The tower will be erected by S & S Tower Services of St. Albans, West Virginia. S & S Tower Services has vast experience in the erection of communications towers.

Enclosed, and filed as Exhibit 10 is a survey of the proposed tower site signed by a Kentucky registered professional engineer. Exhibit 2 is a list of all Property owners or residents according to the property valuation administrator's record who reside or own property within 500 feet of the proposed tower in accordance with the Public Valuation Administrator. No other properties are contiguous with East Kentucky's property.

Exhibit 12 contains a vertical sketch of the tower supplied by Coleman Engineering.

Pursuant to 807 KAR 5:063 Section 1 (1)(L) and Section 1(1)(n)(1) all affected property owners according to the property valuation administrator's record who reside or own property within 500 feet of the proposed Tower were notified by certified mail return receipt requested of East Kentucky Network, LLC's proposed construction and informed of their right to intervene. They were given the docket number under which this application is filed. Enclosed in Exhibit 2 is a copy of that notification.

Harlan County has no formal local planning unit. In absence of this unit the Harlan County Judge Executive's office was notified by certified mail, return receipt requested of East Kentucky Network Limited Liability Company's proposal and informed of their right to intervene. They

were given the docket number under which this application is filed. Enclosed in Exhibit (1) is a copy of that notification.

East Kentucky Network, LLC will finance the subject Construction with earned surplus in its General Fund.

Estimated Cost of Construction	\$ 350,000.00
Annual Operation Expense of Tower	\$ 12,500.00

Two notice signs meeting the requirements prescribed by 807 KAR 5:063, Section 1(2), measuring at least two (2) feet in height and four (4) feet in width and containing all required language in letters of required height, have been posted, one at a visible location on the proposed site and one on the nearest public road. The two signs were posted on August 5 and will remain posted for at least two weeks after filing of this application as specified.

Enclosed in Exhibit 9 is a copy of East Kentucky Network LLC's deeds to the site.

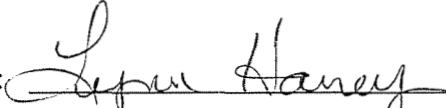
Notice of the location of the proposed construction was published on the first two weeks of August in the Harlan Daily Enterprise. Enclosed is a copy of that notice in Exhibit 1. The Harlan Daily Enterprise is the newspaper with the largest circulation in Harlan County.

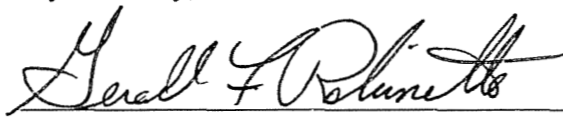
The proposed construction site is on a very rugged mountaintop some feet from the nearest structure. Prior to construction the site was wooded.

Due to the steep hillside surrounding the proposed site, the property in close proximity is unsuitable for any type of development. East Kentucky Network LLC's operation will not affect the use of nearby land nor its value. No more suitable site exists in the area. A copy of the search area map is enclosed in Exhibit 8. No other tower capable of supporting East Kentucky Network LLC's load exists in the general area; therefore, there is no opportunity for co-location of our facilities with anyone else.

WHEREFORE, Applicant respectfully requests that the PSC accept the foregoing Application for filing, and having met the requirements of KRS [278.020(1), 278.650, and 278.665] and all applicable rules and regulations of the PSC, grant a Certificate of Public Convenience and Necessity to construct and operate the proposed tower.

The foregoing document was prepared by the Accounting Department of East Kentucky Network, LLC d/b/a Appalachian Wireless. All related questions or correspondence concerning this filing should be mailed to the attention of Gerald Robinette at East Kentucky Network, LLC d/b/a/ Appalachian Wireless, 101 Technology Trail, Ivel, KY 41642.

SUBMITTED BY:  DATE: 8-7-09
Lynn Haney, Staff Accountant

APPROVED BY:  DATE: 8-7-09
Gerald Robinette, General Manager

CONTACT INFORMATION:

Gerald Robinette, General Manager
Phone: (606) 791-2375, Ext. 110
Email: grobinette110@ekn.com

Lynn Haney, Staff Accountant
Phone: (606) 791-2375, Ext. 1007
Email: lhaney@ekn.com

Mailing Address:

East Kentucky Network, LLC
d/b/a Appalachian Wireless
101 Technology Trail
Ivel, KY 41642



Universal Licensing System

[FCC](#) > [WTB](#) > [ULS](#) > [Online Systems](#) > License Search

[FCC Site Map](#)

ULS License

PCS Broadband License - WQEF975 - East Kentucky Network, LLC d/b/a Appalachian Wireless

[HELP](#)

[New Search](#) [Refine Search](#) [Return to Results](#) [Printable Page](#) [Reference Copy](#) [Map](#)
[License](#)

MAIN ADMIN MARKET

Call Sign	WQEF975	Radio Service	CW - PCS Broadband
Status	Active	Auth Type	Regular
Market			
Market	MTA044 - Knoxville	Channel Block	A
Submarket	12	Associated Frequencies (MHz)	001850.00000000-001865.00000000 001930.00000000-001945.00000000
Dates			
Grant	11/14/2005	Expiration	06/23/2015
Effective	11/27/2007	Cancellation	
Buildout Deadlines			
1st		2nd	
Notification Dates			
1st		2nd	
Licensee			
FRN	0001786607 (View Ownership Filing)	Type	Limited Liability Company
Licensee			
East Kentucky Network, LLC d/b/a Appalachian Wireless 101 Technology Trail Ivel, KY 41642 ATTN Gerald Robinette, Manager		P:(606)477-2355 F:(606)874-7551	
Contact			
Lukas, Nace, Gutierrez & Sachs, Chartered Pamela L Gist Esq 1650 Tysons Blvd., Suite 1500 McLean, VA 22102		P:(703)584-8665 F:(703)584-8695 E:pgist@fcclaw.com	

Ownership and Qualifications

Radio Service Type Mobile
Regulatory Status Common Carrier Interconnected Yes

Alien Ownership

The Applicant answered "No" to each of the [Alien Ownership](#) questions.

Basic Qualifications

The Applicant answered "No" to each of the [Basic Qualification](#) questions.

Tribal Land Bidding Credits

This license did not have tribal land bidding credits.

Demographics

Race
Ethnicity Gender

ULS Help [ULS Glossary](#) - [FAQ](#) - [Online Help](#) - [Technical Support](#) - [Licensing Support](#)

ULS Online Systems [CORES](#) - [ULS Online Filing](#) - [License Search](#) - [Application Search](#) - [Archive License Search](#)

About ULS [Privacy Statement](#) - [About ULS](#) - [ULS Home](#)

Basic Search =



Universal Licensing System

[FCC](#) > [WTB](#) > [ULS](#) > [Online Systems](#) > License Search

[FCC Site Map](#)

PCS Broadband License - WQEF975 - East Kentucky Network, LLC d/b/a Appalachian Wireless [? HELP](#)

Counties in Market Area

[New Search](#) [Refine Search](#) [Return to Results](#) [Printable Page](#) [Reference Copy](#) [Map](#)
[License](#)

MAIN **ADMIN** **MARKET**

Call Sign	WQEF975	Radio Service	CW - PCS Broadband
Market	MTA044 - Knoxville	Channel Block	A
Submarket	12	Associated Frequencies (MHz)	001850.00000000-001865.00000000 001930.00000000-001945.00000000
Auction	04 - BB PCS A/B		

Counties in BTA295 - Middlesboro-Harlan, KY

[Return to Market Summary](#)

County, State	FIPS Code	Population†
1 BELL, KY	21013	30060
2 HARLAN, KY	21095	33202
3 LETCHER, KY	21133	25277
4 CLAIBORNE, TN	47025	29862

†: Population data is based on 2000 Census.

ULS Help [ULS Glossary](#) - [FAQ](#) - [Online Help](#) - [Technical Support](#) - [Licensing Support](#)

ULS Online Systems [CORES](#) - [ULS Online Filing](#) - [License Search](#) - [Application Search](#) - [Archive License Search](#)

About ULS [Privacy Statement](#) - [About ULS](#) - [ULS Home](#)

Basic Search =

1	Notification of County Judge Executive and Newspaper
2	Copies of Cell Site Notices to Land Owners
3	Universal Soil Bearing Analysis
4	Kentucky Airport Zoning Commission Application
5	Tower Design
6	FAA Approval/Notice of Proposed Construction
7	Audited Financial Statements
8	Driving Directions from County Court House and Map to Suitable Scale
9	Deed/Lease Agreement for Proposed Site
10	Survey of Site Signed/Sealed by Professional Engineer Registered in State of Kentucky
11	Site Survey Map with Property Owners identified in Accordance with PVA of County
12	Vertical Profile Sketch of Proposed Tower

EAST KENTUCKY NETWORK
101 TECHNOLOGY TRAIL
IVEL, KY 41642
PHONE: (606) 874-7550
F 506) 874-7551
: INFO@EKN.COM
WEBSITE: WWW.EKN.COM



VIA: U.S. CERTIFIED MAIL

August 4, 2009

Joseph A. Grieshop, Judge Executive
P.O. Box 956
Harlan, KY 40831

RE: Public Notice-Public Service Commission of Kentucky (Case No. 2009-00306)

East Kentucky Network, LLC d/b/a Appalachian Wireless has applied to the Public Service Commission of Kentucky for a Certificate of Public Convenience and Necessity to construct and operate a new facility to provide cellular telecommunications service in Harlan County. The facility will include a 180 foot self-supporting tower with attached antennas extending upwards, and an equipment shelter located on a tract of land approximately one-fourth of a mile northwest of Cawood in Harlan County, Kentucky. A map showing the location of the proposed new facility is enclosed. This notice is being sent to you because you are the County Judge Executive of Harlan County.

The Commission invites your comments regarding the proposed construction. You also have the right to intervene in this matter. The Commission must receive your initial communication 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, P.O. Box 615, Frankfort, KY 40602. Please refer to Case No. 2009-00306 in your correspondence.

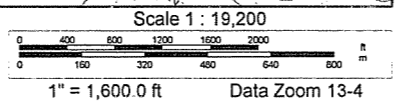
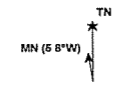
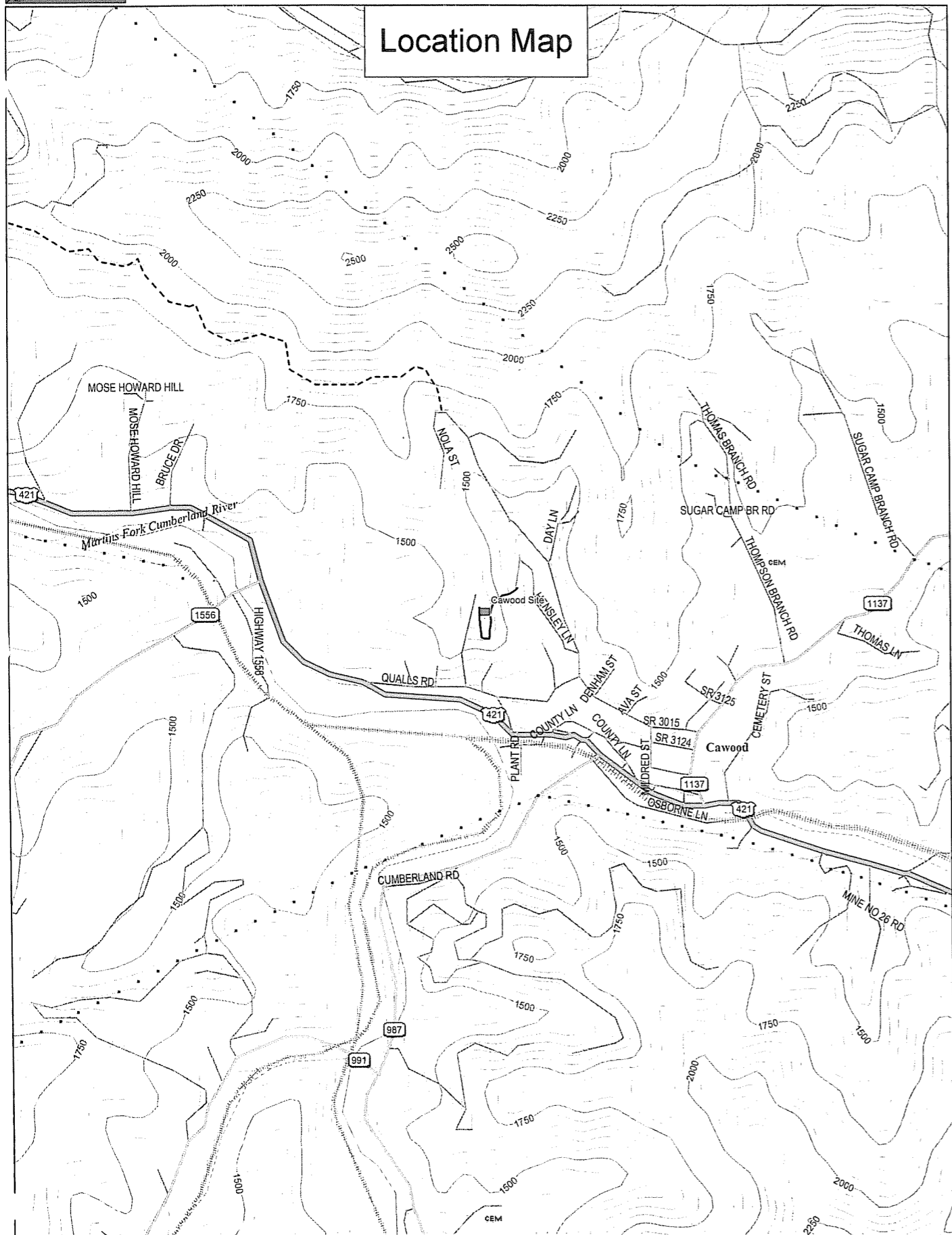
Sincerely,

A handwritten signature in cursive script that reads "Lynn Haney".

Lynn Haney
Staff Accountant

Enclosure

Location Map



d/b/a Appalachian Wireless
101 TECHNOLOGY TRAIL
IVEL, KY 41642
Phone: 606/874-7550
Fax: 606/791-2225



Fax

To: Harlan Daily Enterprise
Attn: Ad Manager

From: JANICE ROBINSON
East Kentucky Network,
d/b/a Appalachian Wireless

Fax: 606-573-0042 **Phone:** 606-874-7550, Ext. 166

Phone: 606-573-4510 **Pages:** 1 Page (INCLUDING COVER)

Re: PUBLIC NOTICE ADVERTISEMENT **Date:** 07/31/09

We would like to have the following public notice printed in the Harlan Daily Enterprise for the next two weeks. The notice should state the following:

PUBLIC NOTICE:

RE: Public Service Commission of Kentucky (CASE NO. 2009-00306)

Public Notice is hereby given that East Kentucky Network, LLC, dba Appalachian Wireless has applied to the Kentucky Public Service Commission to construct a cellular telecommunications tower on a tract of land located approximately one-fourth mile NW of Cawood in Harlan County, Kentucky. The proposed tower will be a 180-foot self-supporting tower with attached antennas. If you would like to respond to this notice, please contact the Executive Director, Public Service Commission, 211 Sower Boulevard, PO Box 615, Frankfort, Kentucky 40602. Please refer to Case No. 2009-00306.

If you have questions about the placement of the above mentioned notice, please call me at 606-874-7550, ext. 166.

Thank you, **Janice Robinson, Coordinator**

Accounting Department If you have any problems with this fax, please call 874-7550-7550. The message above and the information contained in the documents transmitted are confidential and intended only for the person(s) named above. Dissemination, distribution or copying of this communication by anyone other than the person(s) named above is prohibited. If you have received this communication in error, please notify us immediately by telephone and return the original message to us at the address listed above via regular mail. Thank you.

EXHIBIT II : LIST OF PROPERTY OWNERS:

Statement Pursuant to Section 1 (1) (I) 807 KAR 5:063

Section 1 (1)(I) 1. The following is a list of every property owner who according to property valuation administrator's records, owns property within 500 feet of the proposed tower and each have been: notified by certified mail, return receipt requested, of the proposed construction.,

Section 1 (1) I 2. : Every person listed below who, according to the property valuation administrator's records, owns property within 500 feet of the proposed tower has been: Given the Commission docket number under which the application will be processed: and

Section 1 (1) I 3. Every person listed below who, according to property valuation administrator's records, owns property within 500 feet of the proposed tower has been: Informed of his right to request intervention.

LIST OF PROPERTY OWNERS

Michael Todd Hensley
P. O. Box 604
Cawood, KY 40815

Lisa Renee & Terry Lynn Roddy
P. O. Box 544
Cawood, KY 40815

Darrell A. Middleton
P. O. Box 163
Cawood, KY 40815

Maryland Kron Sherry Pattro
P. O. Box 171
Lejunior, KY 40849

Thurman & Edna Ualls
540 Qualls Road
Cawood, KY 40815

Ruby Bennett
P. O. Box 510
Harlan, KY 40831

Robert H. Brewer
Qualls Road
Cawood, KY 40815

Myrtle Brewer
P. O. Box 33
Cawood, KY 40815

Derrick & Marlana Snyder
P. O. Box 542
Baxter, KY 40806

EAST KENTUCKY NETWORK
101 TECHNOLOGY TRAIL
LEVEL, KY 41642
PHONE: (606) 874-7550
FAX: (606) 874-7551
EMAIL: INFO@EKN.COM
WEBSITE: WWW.EKN.COM



VIA: U.S. CERTIFIED MAIL

PUBLIC NOTICE

August 4, 2009

Michael Todd Hensley
P.O. Box 604
Cawood, KY 40815

RE: Public Notice-Public Service Commission of Kentucky (Case No. 2009-00306)

East Kentucky Network, LLC d/b/a Appalachian Wireless has applied to the Public Service Commission of Kentucky for a Certificate of Public Convenience and Necessity to construct and operate a new facility to provide cellular telecommunications service in Harlan County. The facility will include a 180 foot self supporting tower with attached antennas extending upwards, and an equipment shelter located on a tract of land approximately one-fourth of a mile northwest of Cawood in Harlan County, Kentucky. A map showing the location of the proposed new facility is enclosed. This notice is being sent to you because you may own property or reside 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. The Commission must receive your initial communication 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, P.O. Box 615, Frankfort, KY 40602. Please refer to Case No. 2009-00306 in your correspondence.

Sincerely,

A handwritten signature in cursive script that reads "Lynn Haney".

Lynn Haney
Staff Accountant

Enclosure 1

EAST KENTUCKY NETWORK
101 TECHNOLOGY TRAIL
IVEL, KY 41642
PHONE: (606) 874-7550
FAX: (606) 874-7551
EMAIL: INFO@EKN.COM
WEBSITE: WWW.EKN.COM



VIA: U.S. CERTIFIED MAIL

PUBLIC NOTICE

August 4, 2009

Lisa Renee & Terry Lynn Roddy
P.O. Box 544
Cawood, KY 40815

RE: Public Notice-Public Service Commission of Kentucky (Case No. 2009-00306)

East Kentucky Network, LLC d/b/a Appalachian Wireless has applied to the Public Service Commission of Kentucky for a Certificate of Public Convenience and Necessity to construct and operate a new facility to provide cellular telecommunications service in Harlan County. The facility will include a 180 foot self supporting tower with attached antennas extending upwards, and an equipment shelter located on a tract of land approximately one-fourth of a mile northwest of Cawood in Harland County, Kentucky. A map showing the location of the proposed new facility is enclosed. This notice is being sent to you because you may own property or reside 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. The Commission must receive your initial communication 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, P.O. Box 615, Frankfort, KY 40602. Please refer to Case No. 2009-00306 in your correspondence.

Sincerely,

A handwritten signature in cursive script that reads "Lynn Haney".

Lynn Haney
Staff Accountant

Enclosure 1

EAST KENTUCKY NETWORK
101 TECHNOLOGY TRAIL
IVEL, KY 41642
PHONE: (606) 874-7550
FAX: (606) 874-7551
EMAIL: INFO@EKN.COM
WEBSITE: WWW.EKN.COM



VIA: U.S. CERTIFIED MAIL

PUBLIC NOTICE

August 4, 2009

Darrell A. Middleton
P.O. Box 163
Cawood, KY 40815

RE: Public Notice-Public Service Commission of Kentucky (Case No. 2009-00306)

East Kentucky Network, LLC d/b/a Appalachian Wireless has applied to the Public Service Commission of Kentucky for a Certificate of Public Convenience and Necessity to construct and operate a new facility to provide cellular telecommunications service in Harlan County. The facility will include a 180 foot self supporting tower with attached antennas extending upwards, and an equipment shelter located on a tract of land approximately one-fourth of a mile northwest of Cawood in Harland County, Kentucky. A map showing the location of the proposed new facility is enclosed. This notice is being sent to you because you may own property or reside 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. The Commission must receive your initial communication 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, P.O. Box 615, Frankfort, KY 40602. Please refer to Case No. 2009-00306 in your correspondence.

Sincerely,

A handwritten signature in cursive script that reads "Lynn Haney".

Lynn Haney
Staff Accountant

Enclosure 1

EAST KENTUCKY NETWORK
101 TECHNOLOGY TRAIL
LEVEL, KY 41642
PHONE: (606) 874-7550
FAX: (606) 874-7551
EMAIL: INFO@EKN.COM
WEBSITE: WWW.EKN.COM



VIA: U.S. CERTIFIED MAIL

PUBLIC NOTICE

August 4, 2009

Maryland Kron Sherry Pattro
P.O. Box 171
Lejunior, KY 40849

RE: Public Notice-Public Service Commission of Kentucky (Case No. 2009-00306)

East Kentucky Network, LLC d/b/a Appalachian Wireless has applied to the Public Service Commission of Kentucky for a Certificate of Public Convenience and Necessity to construct and operate a new facility to provide cellular telecommunications service in Harlan County. The facility will include a 180 foot self supporting tower with attached antennas extending upwards, and an equipment shelter located on a tract of land approximately one-fourth of a mile northwest of Cawood in Harlan County, Kentucky. A map showing the location of the proposed new facility is enclosed. This notice is being sent to you because you may own property or reside 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. The Commission must receive your initial communication 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, P.O. Box 615, Frankfort, KY 40602. Please refer to Case No. 2009-00306 in your correspondence.

Sincerely,

A handwritten signature in cursive script that reads "Lynn Haney".

Lynn Haney
Staff Accountant

Enclosure 1

EAST KENTUCKY NETWORK
101 TECHNOLOGY TRAIL
LEVEL, KY 41642
PHONE: (606) 874-7550
FAX: (606) 874-7551
EMAIL: INFO@EKN.COM
WEBSITE: WWW.EKN.COM



VIA: U.S. CERTIFIED MAIL

PUBLIC NOTICE

August 4, 2009

Thurman & Edna Ualls
540 Qualls Road
Cawood, KY 40815

RE: Public Notice-Public Service Commission of Kentucky (Case No. 2009-00306)

East Kentucky Network, LLC d/b/a Appalachian Wireless has applied to the Public Service Commission of Kentucky for a Certificate of Public Convenience and Necessity to construct and operate a new facility to provide cellular telecommunications service in Harlan County. The facility will include a 180 foot self supporting tower with attached antennas extending upwards, and an equipment shelter located on a tract of land approximately one-fourth of a mile northwest of Cawood in Harland County, Kentucky. A map showing the location of the proposed new facility is enclosed. This notice is being sent to you because you may own property or reside 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. The Commission must receive your initial communication 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, P.O. Box 615, Frankfort, KY 40602. Please refer to Case No. 2009-00306 in your correspondence.

Sincerely,

A handwritten signature in cursive script that reads "Lynn Haney".

Lynn Haney
Staff Accountant

Enclosure 1

EAST KENTUCKY NETWORK
101 TECHNOLOGY TRAIL
LEVEL, KY 41642
PHONE: (606) 874-7550
FAX: (606) 874-7551
EMAIL: INFO@EKN.COM
WEBSITE: WWW.EKN.COM



VIA: U.S. CERTIFIED MAIL

PUBLIC NOTICE

August 4, 2009

Ruby Bennett
P.O. Box 510
Harlan, KY 40831

RE: Public Notice-Public Service Commission of Kentucky (Case No. 2009-00306)

East Kentucky Network, LLC d/b/a Appalachian Wireless has applied to the Public Service Commission of Kentucky for a Certificate of Public Convenience and Necessity to construct and operate a new facility to provide cellular telecommunications service in Harlan County. The facility will include a 180 foot self supporting tower with attached antennas extending upwards, and an equipment shelter located on a tract of land approximately one-fourth of a mile northwest of Cawood in Harland County, Kentucky. A map showing the location of the proposed new facility is enclosed. This notice is being sent to you because you may own property or reside 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. The Commission must receive your initial communication 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, P.O. Box 615, Frankfort, KY 40602. Please refer to Case No. 2009-00306 in your correspondence.

Sincerely,

A handwritten signature in cursive script that reads "Lynn Haney".

Lynn Haney
Staff Accountant

Enclosure 1

EAST KENTUCKY NETWORK
101 TECHNOLOGY TRAIL
IVEL, KY 41642
PHONE: (606) 874-7550
FAX: (606) 874-7551
EMAIL: INFO@EKN.COM
WEBSITE: WWW.EKN.COM



VIA: U.S. CERTIFIED MAIL

PUBLIC NOTICE

August 4, 2009

Robert H. Brewer
Qualls Road
Cawood, KY 40815

RE: Public Notice-Public Service Commission of Kentucky (Case No. 2009-00306)

East Kentucky Network, LLC d/b/a Appalachian Wireless has applied to the Public Service Commission of Kentucky for a Certificate of Public Convenience and Necessity to construct and operate a new facility to provide cellular telecommunications service in Harlan County. The facility will include a 180 foot self supporting tower with attached antennas extending upwards, and an equipment shelter located on a tract of land approximately one-fourth of a mile northwest of Cawood in Harland County, Kentucky. A map showing the location of the proposed new facility is enclosed. This notice is being sent to you because you may own property or reside 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. The Commission must receive your initial communication 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, P.O. Box 615, Frankfort, KY 40602. Please refer to Case No. 2009-00306 in your correspondence.

Sincerely,

A handwritten signature in cursive script that reads "Lynn Haney".

Lynn Haney
Staff Accountant

Enclosure 1

EAST KENTUCKY NETWORK
101 TECHNOLOGY TRAIL
IVEL, KY 41642
PHONE: (606) 874-7550
FAX: (606) 874-7551
EMAIL: INFO@EKN.COM
WEBSITE: WWW.EKN.COM



VIA: U.S. CERTIFIED MAIL

PUBLIC NOTICE

August 4, 2009

Myrtle Brewer
P.O. Box 33
Cawood, KY 40815

RE: Public Notice-Public Service Commission of Kentucky (Case No. 2009-00306)

East Kentucky Network, LLC d/b/a Appalachian Wireless has applied to the Public Service Commission of Kentucky for a Certificate of Public Convenience and Necessity to construct and operate a new facility to provide cellular telecommunications service in Harlan County. The facility will include a 180 foot self supporting tower with attached antennas extending upwards, and an equipment shelter located on a tract of land approximately one-fourth of a mile northwest of Cawood in Harland County, Kentucky. A map showing the location of the proposed new facility is enclosed. This notice is being sent to you because you may own property or reside 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. The Commission must receive your initial communication 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, P.O. Box 615, Frankfort, KY 40602. Please refer to Case No. 2009-00306 in your correspondence.

Sincerely,

A handwritten signature in cursive script that reads "Lynn Haney".

Lynn Haney
Staff Accountant

Enclosure 1

EAST KENTUCKY NETWORK
101 TECHNOLOGY TRAIL
IVEL, KY 41642
PHONE: (606) 874-7550
FAX: (606) 874-7551
EMAIL: INFO@EKN.COM
WEBSITE: WWW.EKN.COM



VIA: U.S. CERTIFIED MAIL

PUBLIC NOTICE

August 4, 2009

Derrick & Marlana Snyder
P.O. Box 542
Baxter, KY 40806

RE: Public Notice-Public Service Commission of Kentucky (Case No. 2009-00306)

East Kentucky Network, LLC d/b/a Appalachian Wireless has applied to the Public Service Commission of Kentucky for a Certificate of Public Convenience and Necessity to construct and operate a new facility to provide cellular telecommunications service in Harlan County. The facility will include a 180 foot self supporting tower with attached antennas extending upwards, and an equipment shelter located on a tract of land approximately one-fourth of a mile northwest of Cawood in Harland County, Kentucky. A map showing the location of the proposed new facility is enclosed. This notice is being sent to you because you may own property or reside 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. The Commission must receive your initial communication 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, P.O. Box 615, Frankfort, KY 40602. Please refer to Case No. 2009-00306 in your correspondence.

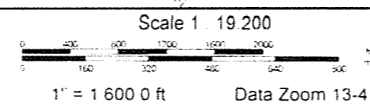
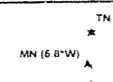
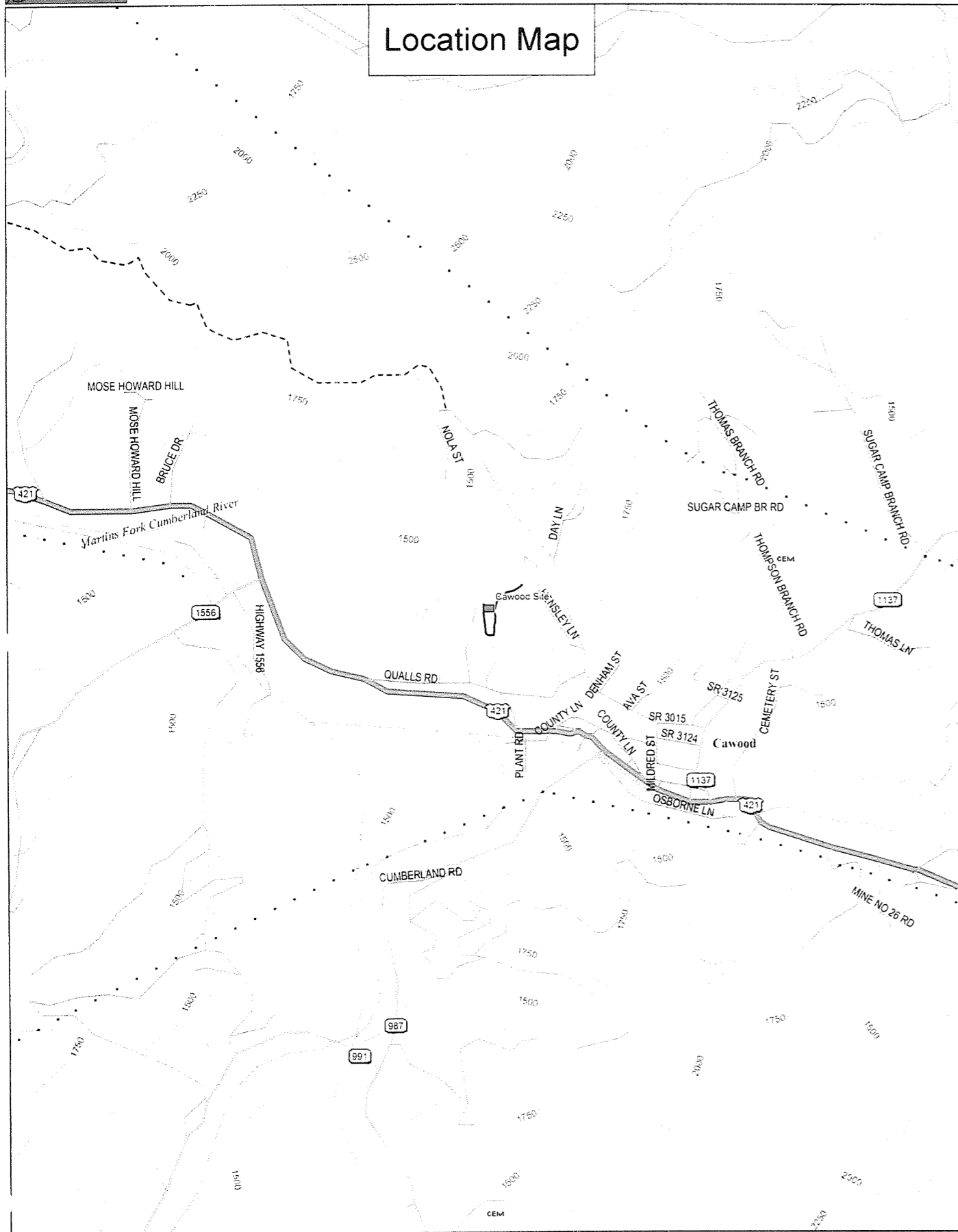
Sincerely,

A handwritten signature in cursive script that reads "Lynn Haney".

Lynn Haney
Staff Accountant

Enclosure 1

Location Map



WENDELL R. HOLMES, P.G.

120 Church Street
Whitesburg, KY 41858
(606) 438-7250

May 5, 2009

Cawood Tower Site

Purpose:

A site assessment was conducted for Appalachian Wireless on a tract of land located in Harlan County near Cawood, Kentucky. The site of the proposed tower is now forestland. The purpose of this investigation was to determine the depth to bedrock and of what type of rock the bedrock consists.

Site Investigation:

The trenching method was used to determine at what depth and what type of bedrock material is present at the proposed tower site. A Backhoe was used to expose the bedrock material. It is approximately 6.00 feet to the shale bedrock. (See attachments for location and descriptions of materials encountered.)

The terrain in Harlan County is slightly too moderately steep. The tower site is located on a point between Stillhouse Branch and Martins Fork, both being tributaries of the Cumberland River, approximately one fourth of a mile northwest of Cawood, Kentucky in Harlan County. The shale formation below the tower site is approximately 20.00 feet thick, based on the information obtained from the site investigation and geological maps of the area.

Conclusions:

The proposed tower site is located on a ridge in the area. The shale bedrock on the proposed tower site is part of the Mingo Formation, and is Lower to Middle Pennsylvanian in age. Tests were not conducted to determine the load-bearing strength of the bedrock. However, it is apparent that the tower will be constructed on the shale bedrock formation.

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

Wendell R. Holmes



WENDELL R. HOLMES, P.G.

120 Church Street
Apartment 2
Whitesburg, Ky. 41858

Geologist Log

Location: Cawood Tower Site

Unit Thickness	Total depth	Strata	Description
3.00'	3.00'	Soil	Yellow and brown, with shale and plant fragments
1.00'	4.00'	Coal	Black, Soft and Weathered
2.00'	6.00'	Fireclay	Gray, Black, Soft and Weathered
20.00'	26.00'	Shale	Dark Gray

EXHIBIT 4

KENTUCKY AIRPORT ZONING COMMISSION STATEMENT

This proposed antenna tower is not in the Kentucky Airport Zoning Commissions jurisdiction according to notification from the KYTC Airport Zoning Commission (KYTC) as shown in the attached email. The site is located beyond the 20,000 foot horizontal distance for Harlan Airport and does not exceed 200 feet above ground level.

Subject: Fw: 659 - KAZC study request for the proposed Cawood
From: m.thacker@tgtel.com
Date: Thu, 6 Aug 2009 20:29:02 +0000
To: "Janice Robinson" <jrobinson166a@ekn.com>

Janice,
This is the letter stating that we don't need KAZC for the Cawood site
Marty

Sent from my BlackBerry® wireless device

From: "Ali Kuzehkanani"
Date: Thu, 6 Aug 2009 09:21:52 -0400
To: Marty Thacker<m.thacker@tgtel.com>
Subject: FW: 659 - KAZC study request for the proposed Cawood

From: KYTC Airport Zoning Comm (KYTC) [mailto:KYTC.AirportZoningComm@ky.gov]
Sent: Thursday, August 06, 2009 9:21 AM
To: Ali Kuzehkanani
Subject: RE: 659 - KAZC study request for the proposed Cawood
Importance: Low

Ali,

This proposed antenna tower is not in the Kentucky Airport Zoning Commission's jurisdiction. The site is located beyond the 20,000 foot horizontal distance for Harlan Airport and does not exceed 200 feet above ground level. Keep this email for your records. If you have any questions, let me know.

Thank you.

From: Ali Kuzehkanani [mailto:AKuzehkanani@fcclaw.com]
Sent: Wednesday, August 05, 2009 3:12 PM
To: KYTC Airport Zoning Comm (KYTC)
Subject: 659 - KAZC study request for the proposed Cawood

Dear Madam/Sir:

Forwarded herewith in accordance with KRS 183.990 and Chapter 50 of Title 602 of the Kentucky Administrative Regulations, is an "Application for Permit to Construct or Alter a Structure" (Form TC 56-50) for a 190-foot communications support structure (Cawood) proposed near Cawood (Harlan), KY. The site is located approx. 0.2 mi (0.3 km) WNW of Cawood (Harlan), KY at geographic coordinates (NAD83) N 36-47-18.08; W 83-14-15.66.

Attached is a copy of the electronic FAA 7460-1 filing. A copy of the final FAA determination will be provided to you as soon as it is issued.

Please let me know if you have any questions or require any additional information.

Thank you in advance for your help in this matter.

Regards

Ali Kuzehkanani

Director of Engineering

Lukas, Nace, Gutierrez & Sachs, LLP

1650 Tysons Boulevard, Suite 1500

McLean, VA 22102

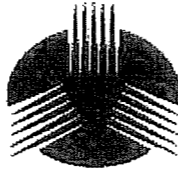
Tel (703) 584-8667

Fax (703) 584-8696

Mobile (703) 927-1961

Email ali@fcclaw.com

Email kuzehkanani@fcclaw.com

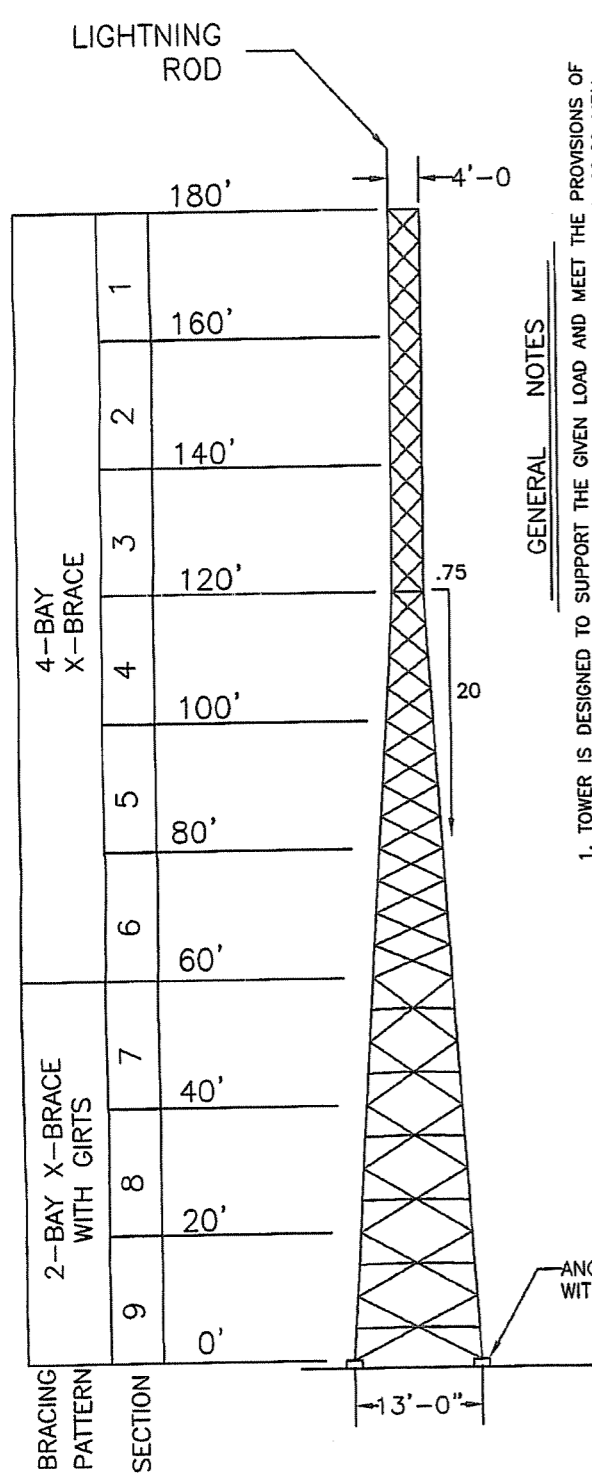


World Tower
COMPANY, INC.

1213 Compressor Drive
P.O. Box 508
Mayfield, KY 42066
270-247-3642
FAX: 270-247-0909
E-mail: worldtower@worldtower.com
Web: www.worldtower.com

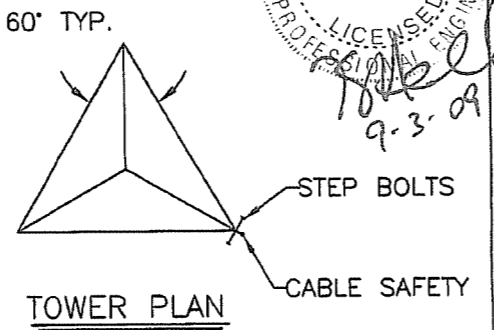
180' MODEL WSST TOWER
FOR: APPALACHIAN WIRELESS
SITE: CAWOOD, KY
DESIGN PACKAGE





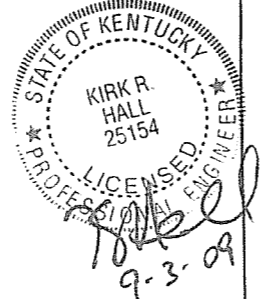
GENERAL NOTES

1. TOWER IS DESIGNED TO SUPPORT THE GIVEN LOAD AND MEET THE PROVISIONS OF TIA/EIA-222-F FOR A 70 MPH BASIC WIND SPEED WITH NO ICE OR 60.62 MPH WITH 1/2" ICE.
2. WELDED CONNECTIONS SHALL CONFORM TO THE LATEST REVISION OF THE AMERICAN WELDING SOCIETY AWS, D 1.1.
3. TOWER AND ALL FABRICATED ACCESSORIES ARE HOT-DIP GALVANIZED.
4. ALL BOLTS SHALL BE GALVANIZED ACCORDING TO THE STANDARD SPECIFICATION FOR ZINC COATING OF IRON AND STEEL HARDWARE ASTM A153.
5. LEG STEEL IS 50 KSI MIN YIELD SOLID ROUND AND BRACING STEEL IS 36 KSI MIN YIELD SOLID ROUND OR STRUCTURAL ANGLE.
6. ALL STRUCTURAL BOLTS ARE ASTM A325.
7. TOWER IS DESIGNED FOR ALL LINES TO BE MOUNTED IN ACCORDANCE WITH DRAWING NO. Q09232WG
8. TOWER SHOULD BE INSPECTED IN ACCORDANCE WITH TIA/EIA-222-F EVERY 5 YEARS.
9. TOWER INSPECTION SHOULD ONLY BE PERFORMED BY EXPERIENCED QUALIFIED PERSONNEL FOR ASSISTANCE IN PROPER MAINTENANCE OF YOUR TOWER, CALL WORLD TOWER AT 270-247-3642.
10. STEP BOLTS PROVIDED ON ONE LEG FOR FULL HEIGHT OF TOWER.
11. CABLE SAFETY PROVIDED FOR FULL TOWER HEIGHT.



TOWER PLAN

BASE REACTIONS	
OTM:	1702.0 FT. KIPS
COMP.	168.0 KIPS
UPLIFT	135.0 KIPS
SHEAR (3 LEGS)	15.0 KIPS
WT. (NO ICE)	26.0 KIPS
WT. (1/2" ICE)	50.0 KIPS



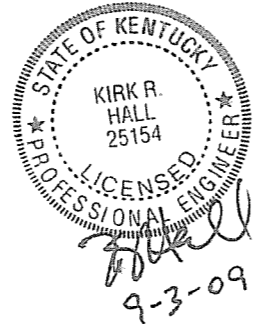
WORLD TOWER

TITLE: 180' MODEL WSST TOWER
FOR: APPALACHIAN WIRELESS
SITE: CAWOOD, KY

SCALE NONE DWN. LKB CRD. DATE 4-2-09
FILE DWG. NO. Q09232

SECTION NO.	LEGS	DIAGONALS	GIRTS	SPLICE BOLTS	DIAG BOLTS	GIRT BOLTS
1	1 3/4	1 3/4 X 1/8	2 X 1/8	4-3/4"	1/2	1/2
2	2 1/4	1 3/4 X 1/8	N/A			N/A
3	2 1/2	1 3/4 X 1/8		4-1"		
4	2 3/4	1 3/4 X 1/8	2 X 1/8			1/2
5	2 3/4	1 3/4 X 1/8	N/A			N/A
6	2 3/4	1 3/4 X 1/8				
7	3	2 X 1/8	2 X 1/8		5/8	5/8
8	3	2 1/2 X 3/16	2 X 1/8			
9	3	2 1/2 X 3/16	2 X 1/8	4-1" A-BOLTS		

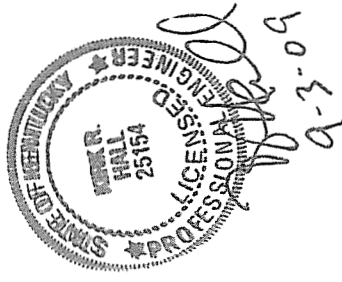
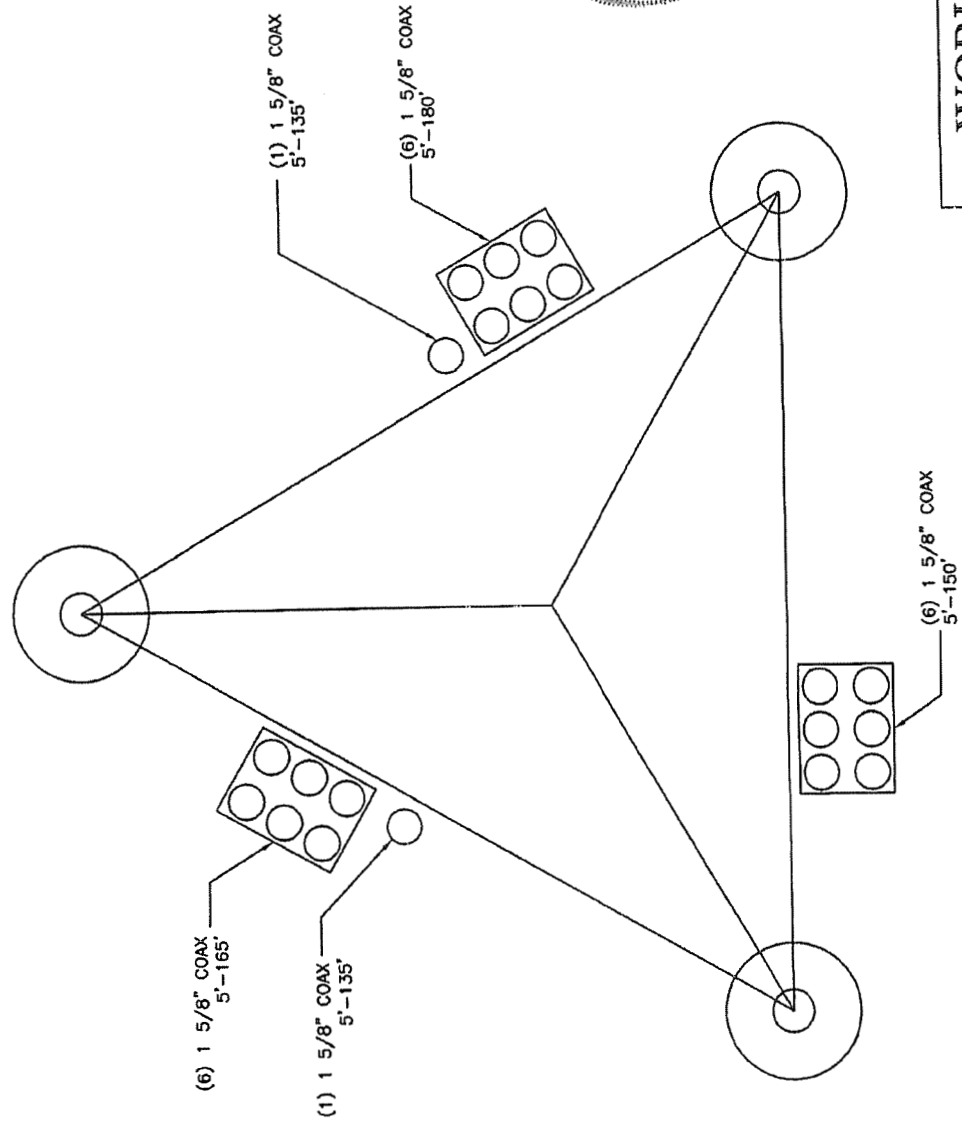
ANTENNA LOADING		
ELEV.	DESCRIPTION	LINE
180'	(6)- PANEL ANTENNAS (6'X1'X6") ON WD13X53 SECTOR MOUNT	6- 1 5/8"
165'	(6)- PANEL ANTENNAS (6'X1'X6") ON WD13X53 SECTOR MOUNT	6- 1 5/8"
150'	(6)- PANEL ANTENNAS (6'X1'X6") ON WD13X53 SECTOR MOUNT	6- 1 5/8"
135'	(2) 4' STANDARD DISHES	2- 1 5/8"



WORLD TOWER

TITLE: 180' MODEL WSST TOWER
FOR: APPALACHIAN WIRELESS
SITE: CAWOOD, KY

SCALE NONE DWG. NO. Q09232T
FILE DATE 4-2-09

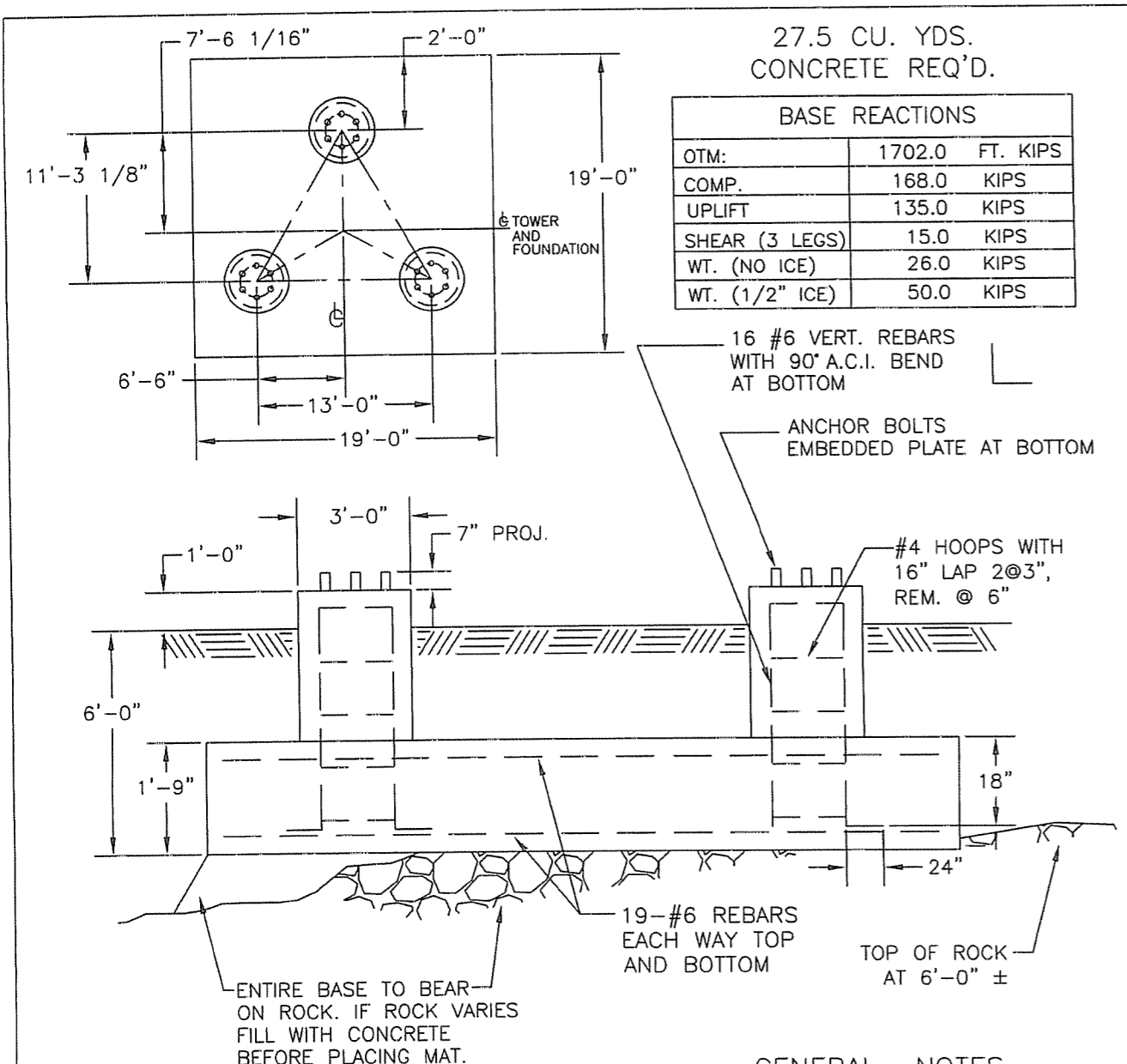


WORLD TOWER

TITLE:
 180' MODEL WSST TOWER
 FOR: APPALACHIAN WIRELESS
 SITE: CAWOOD, KY

SCALE	NONE	DWN.	LKB	CHKD.	DATE	4-2-09
FILE				DWG. NO.	Q09232WG	

PLAN VIEW



27.5 CU. YDS.
CONCRETE REQ'D.

BASE REACTIONS		
OTM:	1702.0	FT. KIPS
COMP.	168.0	KIPS
UPLIFT	135.0	KIPS
SHEAR (3 LEGS)	15.0	KIPS
WT. (NO ICE)	26.0	KIPS
WT. (1/2" ICE)	50.0	KIPS

16 #6 VERT. REBARS
WITH 90° A.C.I. BEND
AT BOTTOM

ANCHOR BOLTS
EMBEDDED PLATE AT BOTTOM

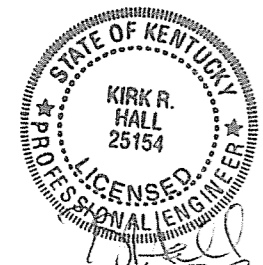
#4 HOOPS WITH
16" LAP 2@3",
REM. @ 6"

19-#6 REBARS
EACH WAY TOP
AND BOTTOM

TOP OF ROCK
AT 6'-0" ±

GENERAL NOTES

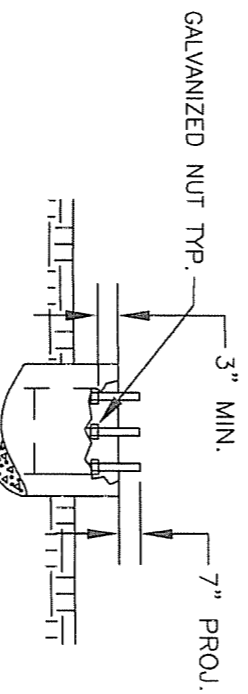
1. CONCRETE TO HAVE 4000 PSI MIN. COMPRESSIVE STRENGTH AFTER 28 DAYS.
2. ALL REINFORCEMENT STEEL IS DEFORMED AND MEETS THE STRENGTH REQUIREMENTS OF ASTM A615 GRADE 60.
3. EMBEDDED STEEL TO HAVE 3" MIN. CONCRETE COVER.
4. FOUNDATION DESIGN IS BASED ON CUSTOMER SUPPLIED SOIL DATA FROM WENDELL R. HOLMES, P.G. DATED MAY 5, 2009.



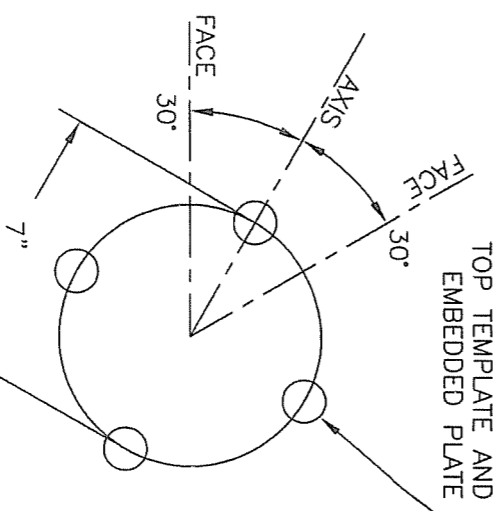
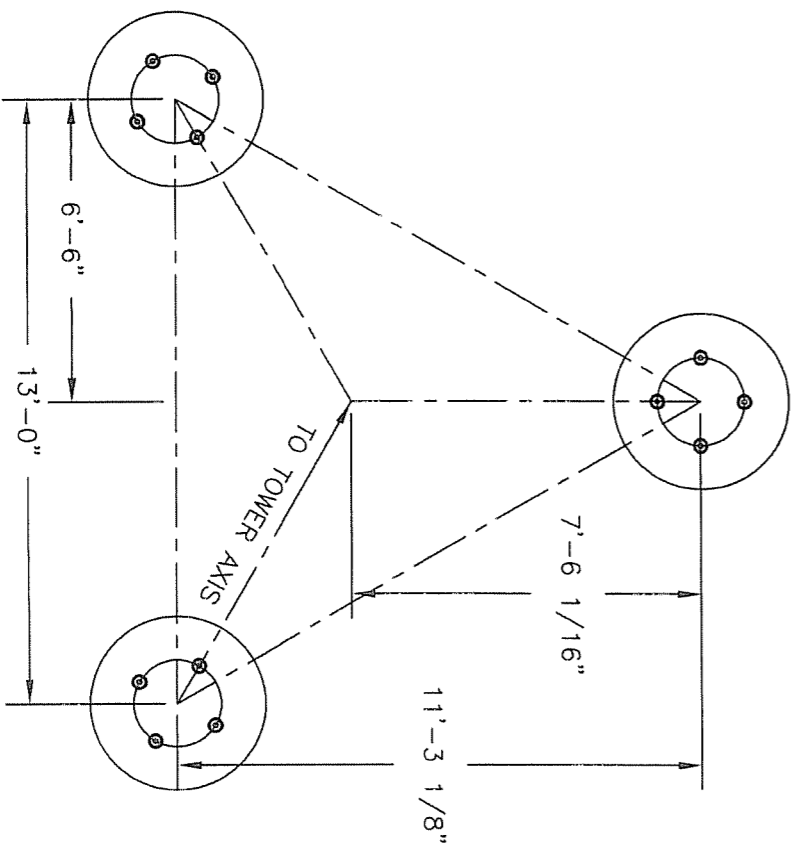
TITLE: FOUNDATION DETAIL
180' WSST TOWER
FOR: APPALACHIAN WIRELESS
SITE: CAWOOD, KY

WORLD TOWER

SCALE NONE	DWN. LKB	CKD.	DATE 5-7-09
FILE	DWG. NO.	Q09232F	



PIER ELEVATION



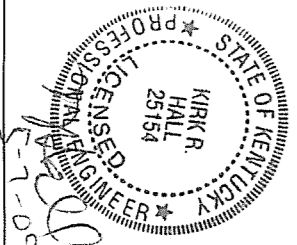
ANCHOR BOLTS
 (4) 1" X 85" ASTM A449
 EQUALLY SPACED
 ON A 7" DIA.
 BOLT CIRCLE WITH
 TOP TEMPLATE AND
 EMBEDDED PLATE

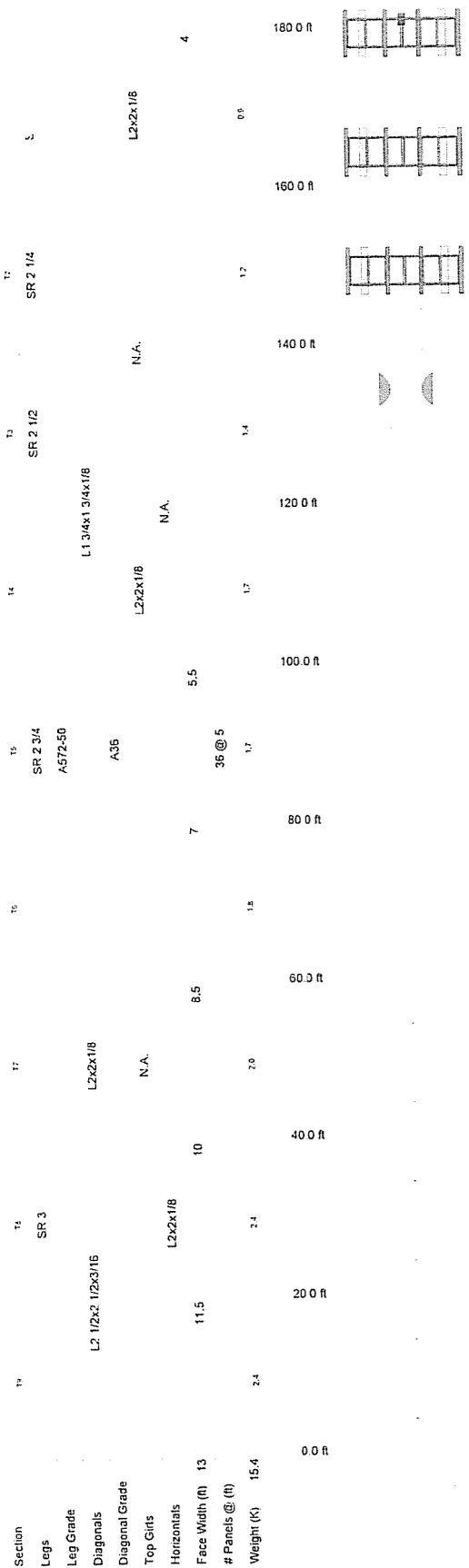
TITLE: ANCHOR BOLT LAYOUT

FOR: APPALACHIAN WIRELESS
 SITE: CAWOOD, KY

WORLD TOWER

SCALE	NONE	DWN.	LKB	CKD.	DATE	5-7-09
FILE			DWG. NO.			Q09232AB





DESIGNED APPURTENANCE LOADING

TYPE	ELEVATION	TYPE	ELEVATION
Flash Beacon Lighting	180	WD13X53 Antenna Mounting Frame	165
(2) Panel 6' x 1' x 6" w/ mnt. pipe*	180	WD13X53 Antenna Mounting Frame	165
(2) Panel 6' x 1' x 6" w/ mnt. pipe*	180	(2) Panel 6' x 1' x 6" w/ mnt. pipe*	150
(2) Panel 6' x 1' x 6" w/ mnt. pipe*	160	(2) Panel 6' x 1' x 6" w/ mnt. pipe*	150
WD13X53 Antenna Mounting Frame	180	(2) Panel 6' x 1' x 6" w/ mnt. pipe*	150
WD13X53 Antenna Mounting Frame	180	WD13X53 Antenna Mounting Frame	150
WD13X53 Antenna Mounting Frame	180	WD13X53 Antenna Mounting Frame	150
(2) Panel 6' x 1' x 6" w/ mnt. pipe*	165	WD13X53 Antenna Mounting Frame	150
(2) Panel 6' x 1' x 6" w/ mnt. pipe*	165	4 FT DISH	135
(2) Panel 6' x 1' x 6" w/ mnt. pipe*	165	4 FT DISH	135
WD13X53 Antenna Mounting Frame	165		

MATERIAL STRENGTH

GRADE	Fy	Fu	GRADE	Fy	Fu
A572-50	50 ksi	65 ksi	A36	36 ksi	58 ksi

TOWER DESIGN NOTES

1. Tower is located in Harlan County, Kentucky.
2. Tower designed for a 70.00 mph basic wind in accordance with the TIA/EIA-222-F Standard.
3. Tower is also designed for a 60.62 mph basic wind with 0.50 in ice.
4. Deflections are based upon a 50.00 mph wind.
5. Coax stacked and distributed to 3 tower faces - 4 maximum exposed to wind.
6. TOWER RATING: 96.7%

MAX. CORNER REACTIONS AT BASE:
 DOWN: 168 K
 UPLIFT: -135 K
 SHEAR: 10 K

AXIAL
 50 K

SHEAR 15 K MOMENT 1702 kip-ft

TORQUE 1 kip-ft
 60.62 mph WIND - 0.50 in ICE

AXIAL
 26 K

SHEAR 15 K MOMENT 1702 kip-ft

TORQUE 1 kip-ft
 REACTIONS - 70.00 mph WIND



World Tower Company	Job: 180' Model WSST Tower / Job Q09-232
1213 Compressor Drive Mayfield, Kentucky 42066	Project: Cawood, KY, Harlan County
Phone: (270) 247-3642	Client: Appalachian Wireless Drawn by: Kirk Hall App'd:
FAX: (270) 247-0909	Code: TIA/EIA-222-F Date: 04/01/09 Scale: NTS
	Path: C:\Tower\PE_Runs\2009\Q09-232_cawood\Q09-232.dwg Dwg No: E-1

Notice of Proposed Construction or Alteration - Off Airport

Project Name: EAST-000125951-09


Sponsor: East Kentucky Network, LLC

Details for Case : Cawood

Show Project Summary

Case Status

ASN: 2009-ASO-4743-OE
Status: Accepted

Date Accepted: 08/05/2009
Date Determined:
Letters: None
Documents: 08/05/2009  Cawood_FAA_Cover ...

Construction / Alteration Information

Notice Of: Construction
Duration: Permanent
if Temporary: Months: Days:
Work Schedule - Start: 08/20/2009
Work Schedule - End: 08/25/2009
State Filing: Filed with State

Structure Summary

Structure Type: Tower
Structure Name: Cawood
FCC Number:
Prior ASN:

Structure Details

Latitude: 36° 47' 18.08" N
Longitude: 83° 14' 15.66" W
Horizontal Datum: NAD83
Site Elevation (SE): 1640 (nearest foot)
Structure Height (AGL): 190 (nearest foot)
Requested Marking/Lighting: None
Other:
Recommended Marking/Lighting:
Current Marking/Lighting: None
Other:

Common Frequency Bands

Low Freq	High Freq	Freq Unit	ERP	ERP Unit
806	824	MHz	500	W
824	849	MHz	500	W
851	866	MHz	500	W
869	894	MHz	500	W
896	901	MHz	500	W
901	902	MHz	7	W
930	931	MHz	3500	W
931	932	MHz	3500	W
932	932.5	MHz	17	dBW
935	940	MHz	1000	W
940	941	MHz	3500	W
1850	1910	MHz	1640	W
1930	1990	MHz	1640	W
2305	2310	MHz	2000	W
2345	2360	MHz	2000	W

Specific Frequencies

Nearest City: Cawood
Nearest State: Kentucky
Description of Location: Approx. 0.2 mi (0.3 km) WNW of Cawood (Harlan), KY
Description of Proposal: A new 180' tower plus top-mounted antennas (overall height of 190' AGL).

**EAST KENTUCKY NETWORK, LLC
DBA APPALACHIAN WIRELESS**

FINANCIAL REPORT

December 31, 2008

CONTENTS

	Page
INDEPENDENT AUDITOR'S REPORT ON THE FINANCIAL STATEMENTS	1
FINANCIAL STATEMENTS	
Balance sheets	2
Statements of income	3
Statements of members' equity	4
Statements of cash flows	5-6
Notes to financial statements	7-14
INDEPENDENT AUDITOR'S REPORT ON THE SUPPLEMENTARY INFORMATION	15
SUPPLEMENTARY INFORMATION	
Statement of income detail	16 and 17

INDEPENDENT AUDITOR'S REPORT

To the Members
East Kentucky Network, LLC
dba Appalachian Wireless
Ivel, Kentucky

We have audited the accompanying balance sheets of East Kentucky Network, LLC, dba Appalachian Wireless as of December 31, 2008 and 2007 and the related statements of income, members' equity and cash flows for the years then ended. These financial statements are the responsibility of the Company's management. Our responsibility is to express an opinion on these financial statements based on our audits.

We conducted our audits in accordance with auditing standards generally accepted in the United States of America. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation. We believe that our audits provide a reasonable basis for our opinion.

In our opinion, the financial statements referred to above present fairly, in all material respects, the financial position of East Kentucky Network, LLC, dba Appalachian Wireless as of December 31, 2008 and 2007 and the results of its operations and its cash flows for the years then ended in conformity with accounting principles generally accepted in the United States of America.

Jones, Nale & Mattingly P.C.

Louisville, Kentucky
March 6, 2009

**EAST KENTUCKY NETWORK, LLC
DBA APPALACHIAN WIRELESS**

**BALANCE SHEETS
December 31, 2008 and 2007**

ASSETS	<u>2008</u>	<u>2007</u>
CURRENT ASSETS		
Cash and cash equivalents	\$ 5,078,319	\$ 1,751,689
Short-term investments	166,846	127,015
Accounts receivable, less allowance for doubtful accounts of \$1,054,283 in 2008 and \$803,092 in 2007	4,359,740	3,541,622
Accounts receivable, members (Notes 5 and 6)	88,078	79,803
Inventory	3,053,445	2,979,257
Prepaid expenses	411,948	431,859
Total current assets	<u>\$ 13,158,376</u>	<u>\$ 8,911,245</u>
 PROPERTY, PLANT AND EQUIPMENT (Note 3)		
Plant in service:		
General support	\$ 25,370,575	\$ 22,417,029
MTSO equipment	20,505,774	15,068,558
Cell equipment	55,340,782	45,543,309
Paging equipment	3,321,068	3,321,068
Fiber ring	7,429,057	6,606,546
Unfinished plant	1,960,503	1,825,466
	<u>\$ 113,927,759</u>	<u>\$ 94,781,976</u>
Less accumulated depreciation	48,072,427	40,355,585
	<u>\$ 65,855,332</u>	<u>\$ 54,426,391</u>
 OTHER ASSETS		
Investment in affiliated company, RTFC	\$ 112,712	\$ 112,653
Intangible assets, net of accumulated amortization of \$3,697,725 in 2008 and \$3,122,139 in 2007 (Note 2)	5,255,760	4,242,306
Other	25,403	26,431
	<u>\$ 5,393,875</u>	<u>\$ 4,381,390</u>
	<u>\$ 84,407,583</u>	<u>\$ 67,719,026</u>

The Notes to Financial Statements are an integral part of these statements.

LIABILITIES AND MEMBERS' EQUITY	<u>2008</u>	<u>2007</u>
CURRENT LIABILITIES		
Current maturities of long-term debt (Note 3)	\$ 3,852,381	\$ 1,400,000
Accounts payable	1,772,238	938,193
Capital distributions payable	--	615,383
Accounts payable, member (Notes 5 and 6)	49,579	45,267
Accrued expenses	1,208,138	1,123,649
Customer deposits	600,872	453,470
Total current liabilities	<u>\$ 7,483,208</u>	<u>\$ 4,575,962</u>
LONG-TERM DEBT, less current maturities (Note 3)	<u>\$ 16,388,735</u>	<u>\$ 12,350,000</u>
INTEREST RATE SWAPS (Note 8)	<u>\$ 2,067,821</u>	<u>\$ 572,632</u>
MEMBERS' EQUITY		
Members' capital accounts	\$ 60,535,640	\$ 50,793,064
Accumulated other comprehensive (loss)	<u>(2,067,821)</u>	<u>(572,632)</u>
	<u>\$ 58,467,819</u>	<u>\$ 50,220,432</u>
	<u><u>\$ 84,407,583</u></u>	<u><u>\$ 67,719,026</u></u>

**EAST KENTUCKY NETWORK, LLC
DBA APPALACHIAN WIRELESS**

**STATEMENTS OF INCOME
Years Ended December 31, 2008 and 2007**

	<u>2008</u>	<u>2007</u>
REVENUE		
Retail	\$ 35,590,860	\$ 29,480,700
Roamer	12,592,115	9,239,822
Long distance	214,296	196,787
Paging	566,677	684,064
Equipment sales, cellular	2,248,939	3,006,173
Equipment sales, paging	35,777	33,862
Other	<u>7,916,897</u>	<u>4,513,769</u>
Total revenue	<u>\$ 59,165,561</u>	<u>\$ 47,155,177</u>
EXPENSES		
Cost of cellular service	\$ 12,861,903	\$ 9,010,171
Cost of paging service	332,386	309,524
Cost of equipment sales, cellular	11,656,367	9,978,249
Cost of equipment sales, paging	56,705	59,307
Customer service	1,313,033	1,424,197
Billing	1,383,121	1,086,540
Selling	3,731,205	2,760,702
Maintenance	1,838,940	1,597,342
Utilities	711,446	562,455
Bad debts	802,158	1,165,669
Cell site rental	237,540	175,720
Taxes and licenses	965,327	873,366
Advertising	2,968,190	1,774,317
General and administrative	3,106,380	2,635,470
Occupancy	403,800	353,641
Depreciation	7,703,016	6,987,459
Amortization	<u>670,464</u>	<u>528,232</u>
Total expenses	<u>\$ 50,741,981</u>	<u>\$ 41,282,361</u>
Income from operations	<u>\$ 8,423,580</u>	<u>\$ 5,872,816</u>
OTHER INCOME (EXPENSE)		
Interest income	\$ 56,023	\$ 42,847
Interest expense	(1,242,505)	(885,156)
Universal Service Fund income (Note 7)	<u>6,680,698</u>	<u>4,910,497</u>
	<u>\$ 5,494,216</u>	<u>\$ 4,068,188</u>
Net income	<u>\$ 13,917,796</u>	<u>\$ 9,941,004</u>

The Notes to Financial Statements are an integral part of these statements.

**EAST KENTUCKY NETWORK, LLC
DBA APPALACHIAN WIRELESS**

**STATEMENTS OF MEMBERS' EQUITY
Years Ended December 31, 2008 and 2007**

	Cellular Services, Inc.	Gearhart Communi- cations Company, Inc.	Mountain Tele- communi- cations, Inc.	Thacker- Grigsby Telephone Co., Inc.	Peoples Rural Telephone Coop- erative Corp- oration, Inc.	Total
Balance, January 1, 2007	\$ 8,667,881	\$ 8,667,881	\$ 8,667,881	\$ 8,667,880	\$ 8,667,880	\$43,339,403
Comprehensive income:						
Net income	1,988,201	1,988,201	1,988,200	1,988,201	1,988,201	9,941,004
Change in fair value of interest rate swaps	<u>(78,861)</u>	<u>(78,861)</u>	<u>(78,862)</u>	<u>(78,861)</u>	<u>(78,861)</u>	<u>(394,306)</u>
Total comprehensive income	\$ 1,909,340	\$ 1,909,340	\$ 1,909,338	\$ 1,909,340	\$ 1,909,340	\$ 9,546,698
Capital distributions	<u>(533,134)</u>	<u>(533,134)</u>	<u>(533,133)</u>	<u>(533,134)</u>	<u>(533,134)</u>	<u>(2,665,669)</u>
Balance, December 31, 2007	<u>\$10,044,087</u>	<u>\$10,044,087</u>	<u>\$10,044,086</u>	<u>\$10,044,086</u>	<u>\$10,044,086</u>	<u>\$50,220,432</u>
Comprehensive income:						
Net income	2,783,559	2,783,559	2,783,559	2,783,560	2,783,559	13,917,796
Change in fair value of interest rate swaps	<u>(299,038)</u>	<u>(299,038)</u>	<u>(299,038)</u>	<u>(299,038)</u>	<u>(299,037)</u>	<u>(1,495,189)</u>
Total comprehensive income	\$ 2,484,521	\$ 2,484,521	\$ 2,484,521	\$ 2,484,522	\$ 2,484,522	\$12,422,607
Capital distributions	<u>(835,044)</u>	<u>(835,044)</u>	<u>(835,044)</u>	<u>(835,044)</u>	<u>(835,044)</u>	<u>(4,175,220)</u>
Balance, December 31, 2008	<u><u>\$11,693,564</u></u>	<u><u>\$11,693,564</u></u>	<u><u>\$11,693,563</u></u>	<u><u>\$11,693,564</u></u>	<u><u>\$11,693,564</u></u>	<u><u>\$58,467,819</u></u>

The Notes to Financial Statements are an integral part of these statements.

**EAST KENTUCKY NETWORK, LLC
DBA APPALACHIAN WIRELESS**

**STATEMENTS OF CASH FLOWS
Years Ended December 31, 2008 and 2007**

	<u>2008</u>	<u>2007</u>
CASH FLOWS FROM OPERATING ACTIVITIES		
Net income	\$ 13,917,796	\$ 9,941,004
Adjustments to reconcile net income to net cash provided by operating activities:		
Depreciation	7,703,016	6,987,459
Amortization	670,464	528,232
Changes in assets and liabilities, net of the effects of investing and financing activities:		
(Increase) in accounts receivable	(818,118)	(738,949)
(Increase) in accounts receivable, members	(8,275)	(42,191)
(Increase) in inventory	(74,188)	(1,395,218)
(Increase) decrease in prepaid expenses	19,911	(358,202)
Decrease in other assets	969	750,860
Increase (decrease) in accounts payable	834,045	(183,899)
Increase (decrease) in accounts payable, member	4,312	(2,449)
Increase (decrease) in accrued expenses	84,489	(1,222,038)
Increase in customer deposits	147,402	135,867
Net cash provided by operating activities	<u>\$ 22,481,823</u>	<u>\$ 14,400,476</u>
CASH FLOWS FROM INVESTING ACTIVITIES		
Purchase of property, plant and equipment	\$ (19,165,600)	\$ (12,765,603)
Purchase of intangible assets	(1,650,275)	(120,500)
Proceeds from sale of short-term investments	(39,831)	(80,744)
Net cash (used in) investing activities	<u>\$ (20,855,706)</u>	<u>\$ (12,966,847)</u>
CASH FLOWS FROM FINANCING ACTIVITIES		
Capital distributions	\$ (4,790,603)	\$ (2,050,286)
Proceeds from long-term borrowings	8,250,000	1,000,000
Payments on long-term borrowings	(1,758,884)	(1,450,000)
Net cash provided by (used in) financing activities	<u>\$ 1,700,513</u>	<u>\$ (2,500,286)</u>
Net increase (decrease) in cash and cash equivalents	\$ 3,326,630	\$ (1,066,657)
Cash and cash equivalents:		
Beginning	<u>1,751,689</u>	<u>2,818,346</u>
Ending	<u>\$ 5,078,319</u>	<u>\$ 1,751,689</u>

The Notes to Financial Statements are an integral part of these statements.

EAST KENTUCKY NETWORK, LLC
DBA APPALACHIAN WIRELESS

STATEMENTS OF CASH FLOWS (Continued)
Years Ended December 31, 2008 and 2007

	<u>2008</u>	<u>2007</u>
SUPPLEMENTAL DISCLOSURE OF CASH FLOW INFORMATION		
Cash payments for interest	<u>\$ 1,178,953</u>	<u>\$ 885,156</u>
 SUPPLEMENTAL SCHEDULE OF NONCASH INVESTING AND FINANCING ACTIVITIES		
Capital distributions declared	<u>\$ --</u>	<u>\$ 615,383</u>

The Notes to Financial Statements are an integral part of these statements.

**EAST KENTUCKY NETWORK, LLC
DBA APPALACHIAN WIRELESS**

NOTES TO FINANCIAL STATEMENTS

Note 1. Summary of Significant Accounting Policies

Nature of operations

East Kentucky Network, LLC, dba Appalachian Wireless, is a Kentucky limited liability company formed by the merger of Appalachian Cellular, LLC, Mountaineer Cellular, LLC and East Kentucky Network, LLC on January 1, 2000. The Company is engaged in cellular telephone communications and paging services to residential and commercial customers located in eastern Kentucky. The Company's five members consist of Cellular Services, Inc.; Gearheart Communications Company, Inc.; Mountain Telecommunications, Inc.; Peoples Rural Telephone Cooperative Corporation, Inc.; and Thacker-Grigsby Telephone Co., Inc.

Cash

The Company maintains its cash balances, which may exceed the federally insured limit, with several financial institutions. These financial institutions have strong credit ratings and management believes that credit risk related to the accounts is minimal.

Cash equivalents

For purposes of the statement of cash flows, the Company considers temporary investments having a maturity of three months or less to be cash equivalents.

Short-term investments

Certificates of deposit having original maturities between three and nine months are classified as short-term investments, are carried at cost, which approximates fair value, and are held to maturity. Fair value is determined by quoted prices for similar certificates of deposit in active markets.

Inventory

Inventory is composed of cellular telephone equipment, paging equipment, and accessories purchased for resale during the ordinary course of business. The inventory is valued at the lower of cost or market, cost being determined by the first-in, first-out (FIFO) method.

Property, plant and equipment

Property, plant and equipment are recorded at cost. Depreciation is provided using the straight-line method over the estimated useful lives of the assets.

Investment

The investment in affiliated company is composed of equity certificates in Rural Telephone Finance Cooperative and is reported at cost, which approximates fair value.

NOTES TO FINANCIAL STATEMENTS

Note 1. Summary of Significant Accounting Policies (Continued)

Intangible assets

The customer lists, non-compete agreements, FCC licenses, bond issuance costs, loan fees and use of name are recorded at cost and are being amortized over the life of the asset by the straight-line method.

Recognition of revenue

Cellular service and paging revenues are recognized when earned. Monthly access and feature charges are billed one month in advance and recognized as revenue the following month. Revenue from telephone and accessories sold are recognized as revenue upon delivery to the customer.

Advertising

Advertising costs are expensed as incurred. At December 31, 2008 and 2007, these costs were \$2,968,190 and \$1,774,317, respectively.

Income taxes

Under existing provisions of the Internal Revenue Code, the income or loss of a limited liability company is recognized by the members for income tax purposes. Accordingly, no provision for federal income taxes has been provided for in the accompanying financial statements.

The Company adopted the provisions of FASB Interpretation No. 48, *Accounting for Uncertainty in Income Taxes*, on January 1, 2008. The Company had no prior unrecognized tax benefits as a result of the implementation of Interpretation 48. There are no tax positions for which the ultimate deductibility is highly uncertain included in the balance sheet at December 31, 2008.

The Company recognizes interest accrued related to unrecognized tax benefits in interest expense and penalties in operating expenses. During the years ended December 31, 2008 and 2007 the Company did not recognize any interest or penalties.

Use of estimates

Management uses estimates and assumptions in preparing financial statements. Those estimates and assumptions affect the reported amounts of assets and liabilities, the disclosure of contingent assets and liabilities, and the reported revenues and expenses.

Comprehensive income

Comprehensive income consists of net income and other comprehensive income. Other comprehensive income includes the change in fair value of interest rate swaps which is also recognized as a separate component of equity.

NOTES TO FINANCIAL STATEMENTS

Note 1. Summary of Significant Accounting Policies (Continued)

Reclassification

Certain amounts presented in the prior period have been restated to conform with the current year presentation.

Note 2. Intangible Assets

Intangible assets consist of the following at December 31, 2008:

	<u>Gross Amount</u>	<u>Accumulated Amortization</u>
Customer lists	\$ 5,363,530	\$ (2,868,565)
Non-compete agreements	220,348	(150,977)
FCC licenses	2,452,368	(544,730)
Use of name	10,000	(5,669)
Other	907,239	(127,784)
	<u>\$ 8,953,485</u>	<u>\$ (3,697,725)</u>

Intangible assets consist of the following at December 31, 2007:

	<u>Gross Amount</u>	<u>Accumulated Amortization</u>
Customer lists	\$ 5,363,530	\$ (2,510,268)
Non-compete agreements	220,348	(136,257)
FCC licenses	1,262,093	(399,017)
Use of name	10,000	(5,001)
Other	508,474	(71,596)
	<u>\$ 7,364,445</u>	<u>\$ (3,122,139)</u>

NOTES TO FINANCIAL STATEMENTS

Note 2. Intangible Assets (Continued)

Aggregate amortization expense related to these intangible assets for the years ended December 31, 2008 and 2007 totaled \$575,586 and \$475,226, respectively. The following represents the total estimated amortization of intangible assets for each of the succeeding five years:

Year ending December 31:

2009	\$ 625,000
2010	625,000
2011	625,000
2012	625,000
2013	625,000

Note 3. Long-Term Debt

Long-term debt consists of the following at December 31:

	2008	2007
Note payable, Fifth Third Bank (a)	\$ 11,600,000	\$ 13,000,000
Line of credit, Fifth Third Bank (b)	-	750,000
Note payable, Fifth Third Bank (c)	8,641,116	-
	\$ 20,241,116	\$ 13,750,000

(a) On February 28, 2006, the Company issued \$14,200,000 in adjustable rate notes to restructure its debt. The notes were issued pursuant to a trust indenture between the Company and U.S. Bank National Association. Principal and interest on the notes are paid from funds drawn by the Trustee under an irrevocable letter of credit issued by Fifth Third Bank. The Notes are collateralized by the assets of the Company and mature on February 1, 2016. The Notes bear interest at a floating interest rate as determined by U.S. Bank National Association (4.60% at 12/31/08). However, the Company entered into an interest rate swap contract (original notional amount of \$14,200,000) that effectively converts its floating-rate debt into a fixed-rate of 5.32% (see Note 8). The note is payable in 10 annual installments of \$1,200,000 for 2007, \$1,400,000 for 2008 through 2012, and \$1,500,000 for 2013 through 2016, with a variable interest rate.

On February 2, 2009, the Company refinanced the remaining \$10,200,000 of the note with a new note payable that matures November 1, 2013, and renegotiated the terms of the interest rate swap contract.

(b) The line of credit agreement with Fifth Third Bank provides for borrowing up to \$2,000,000. The agreement carries a variable interest rate (4.90% at 12/31/08), is secured by the assets of the Company, and is due September 1, 2010.

NOTES TO FINANCIAL STATEMENTS

Note 3. Long-Term Debt (Continued)

(c) On September 1, 2008, the Company borrowed \$9,000,000 to restructure existing debt, purchase new equipment and upgrade existing equipment. The note is collateralized by the assets of the Company. Interest on the note is floating at monthly LIBOR plus 3.00% as determined by Fifth Third Securities, Inc (4.90% at 12/31/08). The Company also entered into an interest rate swap contract (original notional amount of \$9,000,000) that effectively converts its floating-rate debt into a fixed rate of 7.20% (see Note 8). The note is payable in monthly installments of \$107,143 plus interest with a balloon payment due on September 1, 2013.

Under terms of the Notes, the Company has also agreed, among other things, to maintain minimum debt service coverage and minimum debt to tangible worth ratios.

Approximate maturities or payments required on principal under note payable agreements for each of the succeeding five years are as follows:

Year ending December 31:

2009	\$ 3,852,381
2010	2,685,714
2011	2,685,714
2012	2,769,048
2013	8,248,258

Note 4. Retirement Plans

The Company has a 401(k) plan for qualifying employees who have reached twenty-one years of age. Eligible employees are allowed to invest up to 15% of their compensation and the Company has agreed to match 100% of the first 3% of the employees' contribution and 50% of the employees' contribution between 3% and 5%. The Company contributed \$112,235 and \$81,606 matching funds for its 401(k) plan during the years ended December 31, 2008 and 2007, respectively.

The Company also offers an employer sponsored retirement savings plan for qualified employees who have reached twenty-one years of age. The Company has agreed to contribute 9% of the eligible employee's compensation, plus an additional 5% of the original contribution.

The Company contributed \$371,105 and \$355,059 to its retirement savings plan during the years ended December 31, 2008 and 2007, respectively.

Note 5. Related Party Transactions

The Company shares personnel with four of its members. The Company paid \$157,825 and \$137,799 for shared personnel during the years ended December 31, 2008 and 2007, respectively. The Company also leased offices and warehouse space from three members. The leases are for an unspecified length of time. The annual lease expense related to these leases was \$20,301 and \$18,642 during the years ended December 31, 2008 and 2007, respectively.

NOTES TO FINANCIAL STATEMENTS

Note 5. Related Party Transactions (Continued)

The Company incurred interconnection, telephone, cable and internet access charges from its members aggregating \$1,047,239 and \$892,626 for the years ended December 31, 2008 and 2007, respectively.

The Company leases two cellular tower sites from the officers and majority shareholders of a member. The annual lease expense related to these leases was \$2,400 for the years ended December 31, 2008 and 2007. The leases are for an unspecified length of time. The Company also pays part of an annual lease for sharing a tower with a member for an annual fee of \$450. In addition, the Company leases one other site from a company owned by a member for an annual fee of \$3,600. The Company leases cellular tower sites from the parent company of one of its other members. The annual lease expense related to these leases was \$12,463 for the years ended December 31, 2008 and 2007. The leases are for five years with options to renew.

The Company pays commissions to two of its members for phone sales to customers. The amount of commissions paid to related parties during the years ended December 31, 2008 and 2007 was \$51,872 and \$43,644, respectively.

The Company pays fees to companies owned by its members for advertisement in telephone directories, television and on local billboards. The amount of advertising paid to related parties was \$98,276 and \$18,885 for the years ended December 31, 2008 and 2007, respectively.

Note 6. Operating Leases

The Company has entered into operating leases with its members and other customers to provide fiber optic transmission capacity and ancillary services. The terms of these leases are for 15 years. Total rental income earned from these operating lease commitments included in the statements of income was \$1,612,227 and \$1,267,544 for the years ended December 31, 2008 and 2007, respectively. Rental income earned from the Company's members from these leases was \$780,931 and \$607,789 for the years ended December 31, 2008 and 2007, respectively.

Investments in operating leases are as follows at December 31:

	<u>2008</u>	<u>2007</u>
Fiber ring	\$ 7,429,057	\$ 6,606,546
Accumulated depreciation	<u>(2,143,096)</u>	<u>(1,687,693)</u>
	<u>\$ 5,285,961</u>	<u>\$ 4,918,853</u>

The future minimum rental payments expected to be received under these lease agreements for each of the succeeding five years are approximately \$1,500,000 each year.

NOTES TO FINANCIAL STATEMENTS

Note 6. Operating Leases (Continued)

The Company has also entered into lease agreements to obtain fiber optic transmission and digital microwave transmission services; and to rent retail office facilities. The terms of these leases are between 5 and 15 years. Total rental expense incurred from these operating lease commitments included in the statements of income was \$805,277 and \$646,474 for the years ended December 31, 2008 and 2007, respectively. Rental expense incurred from the Company's members from these leases was \$291,461 and \$188,539 for the years ended December 31, 2008 and 2007, respectively. The future minimum lease payments required under these lease agreements for each of the succeeding five years are \$800,000 each year.

Note 7. Eligible Telecommunication Carrier

During 2005, the Company was granted Eligible Telecommunication Carrier (ETC) status by the Kentucky Public Service Commission. As an ETC, the Company receives funding from the federal Universal Service Fund (USF) to support the high cost of providing local telephone service in rural areas. USF payments amounted to \$6,680,698 and \$4,910,497 for 2008 and 2007, respectively.

Note 8. Derivative Financial Instruments, Interest Rate Swaps

The Company entered into two interest rate swap contracts with Fifth Third Bank for the purpose of converting floating-rate interest on its long-term debt to fixed rates. The interest rate swap effectively fixed \$14,200,000 at a rate of 5.32% until February 1, 2016 and fixed \$9,000,000 at a rate of 7.20% until September 1, 2013.

Under the swap contracts, the Company pays interest at 5.32% and 4.20% on the notional amounts and receives interest at LIBOR observed weekly (1.075% at December 31, 2008) and LIBOR observed monthly (1.90% at December 31, 2008), respectively. The interest rate swaps qualify as, and are designated as, cash flow hedges. The swaps are designed to hedge the risk of changes in interest payments on the notes caused by changes in LIBOR. The notional amounts do not represent actual amounts exchanged by the parties, but instead represent the amounts on which the contracts are based.

The swaps were issued at market terms so that they had no fair value or carrying value at their inception. The carrying amount of the swaps has been adjusted to their fair value at the end of the year, which because of changes in forecasted levels of LIBOR, resulted in reporting a liability for the fair value of the future net payments forecasted under the swaps. The swap contracts permit settlement prior to maturity only through termination by the Company. The settlement amounts are determined based on forecasted changes in interest rates required under fixed and variable legs of the swaps. The Company believes the settlement amounts are the best representation of the fair value of the swaps and has adjusted their carrying amounts to the settlement amounts at the end of the year.

NOTES TO FINANCIAL STATEMENTS

Note 8. Derivative Financial Instruments, Interest Rate Swaps (Continued)

The carrying amounts of the swaps are classified as noncurrent since management does not intend to terminate the swaps during 2009. Since the critical terms of the swaps and the notes are approximately the same, the swaps are assumed to be effective as hedges, and none of the changes in fair values are included in income. Accordingly, all of the adjustment of the swaps' carrying amount is reported as other comprehensive income or loss in the accompanying statements of members' equity. If the swaps are terminated early, the corresponding carrying amount would be reclassified into earnings. The Company does not hold or issue interest rate swaps or other financial instruments for trading purposes.

Directions to Cawood Tower

From the Harlan County Courthouse located at the intersection of first St. and Central St. Take Central St. .1 mile to the Jct. of Central St. and 421. Turn left onto 421 and go 9.4 miles to Hwy 987. Turn left onto Hwy. 987 and continue for .6 miles to the JCT of Hwy. 987 & 3001. Stay straight ahead onto Hwy. 3001 to Quail's Rd. Turn right onto Quail's Rd. and Continue for .2 miles to Hensley Lane. Turn right onto Hensley Lane and continue for .1 miles to the end of pavement. At the end of pavement take the gravel road to the right side of barn and continue for .15 miles. Road stops at site.

Directions were written by,

Marty Thacker
Appalachian Wireless
606-438-2355 Ext 111 (office)
606-634-9505 (Cell Phone)
m.thacker@tgtel.com (email)

DECLARATION and GRANT OF PERPETUAL EASEMENT
and RIGHT OF WAY

THIS DECLARATION and GRANT OF PERPETUAL EASEMENT AND
RIGHT OF WAY made and executed on 14th day of April, 2009 by and
between **Michael Todd Hensley, and his wife, Billie Michelle Hensley**, whose address
is P.O. Box 604 Cawood, Ky 40815, GRANTORS
and **East Kentucky Network, LLC d/b/a Appalachian Wireless**, of 101 Technology
Trail, Ivel, Kentucky 41642, GRANTEE:

WHEREAS, Grantors are the owners of that certain tract of land located in Harlan
County, Kentucky as more particularly described in that certain Deed of Conveyance
from: (1) Gina Michelle Begley, et al in Deed Book 421, Page 228; (2) Gina Michelle
Begley et al., recorded in Deed Book 421 Page 223, all recorded in the Harlan County
Clerk's Office;

WHEREAS, Grantors and Grantee have, for a valuable consideration as set out
hereinafter, agreed to the dedication and grant of a perpetual easement and right of way
in favor of the Grantee, its successors and assigns, for a portion of the Property,
described by metes and bounds in the description attached hereto and made a part hereof
as Exhibit "A", and as shown on the Plat dated the 12th day of February, 2009,
prepared by James W. Caudill, PLS, and attached hereto and made a part hereof as
Exhibit "B", said real property being hereinafter referred to as the "Premises", together
with certain non-exclusive easements and right of ways as set out hereinafter;

NOW THEREFORE, for and in consideration of the sum of \$20,000.00
Dollars, the receipt and sufficiency of which is hereby acknowledged, the Grantors do

hereby grant and convey unto Grantee, its successors and assigns, the perpetual and exclusive right and easement to use the Premises as described at Exhibit "A" and shown upon the Plat at Exhibit "B", respectively, attached hereto and made a part of hereof, for the purpose of constructing buildings, towers, guy lines, anchors and other related facilities, including, but not limited to telephone lines, coaxial lines, power lines and the installation of any and all other equipment deemed necessary by Grantee to receive and transmit any and all electronic signals in the rural service area now or hereafter to be served by the facility. The parties hereto recognize that technology in the communications field is advancing at a rapid rate and that this site may be used for any other purpose now in the development stage or which may later be developed in the communications industry to carry out the objectives of Grantee, that being to transmit and receive signals and communications by wire, fiber optics, radio and satellite, in connection with Grantee's business.

And for the consideration aforesaid, Grantors grant and convey to Grantee the non-exclusive easement and right of way for ingress and egress by any method, whether pedestrian, or motorized vehicles of all types and descriptions, together with the right, privilege and easement to construct and locate, with Grantors' input to such roadway or easement for a width of twenty feet (20'); together with a non-exclusive easement and right of way of twenty feet (20') either side along any such roadway for the construction, installation and maintenance of utility lines, including telephone, electric power, including wires, poles, cables, conduits, and pipes over, under or along a twenty foot (20') wide right of way across the Property of Grantor extending from the nearest public right of way to the Premises. Grantee may gate its access road in a manner to best

prevent trespassing. The gate shall be kept locked with a lock furnished by Grantee, who shall also furnish the Grantors with a key to the lock.

It is understood that the easements and rights of way granted above whether exclusive or non-exclusive, as applicable, are perpetual in nature. The Grantee, if in its sole and exclusive judgment determines that the Premises are no longer needed in connection with Grantee's business, shall have the right to surrender the perpetual easements and rights of way granted herein upon sixty (60) days written notice of such intention to Grantors, and thereafter, shall have one hundred eighty (180) days within which to remove any and all of its buildings, equipment or facilities constructed upon the Premises, after such time the Premises shall revert to Grantors.

Grantors warrant generally the Premises, rights, easements, and privileges granted herein.

Grantors shall not use the remainder of the property of Grantors of which this Grant of Easement and Right of Way is a part for the construction, installation or operation of any wireless communications facilities which would unreasonably interfere with Grantee's communications facility.

This grant and the exhibits attached hereto constitute the entire agreement of the Parties, and no oral or implied agreements or representations will be binding upon the Parties hereto.

This instrument shall be interpreted under the laws of the Commonwealth of Kentucky.

The terms, covenants and provisions of this Grant of Easement and Right of Way shall be binding upon the Parties hereto, their respective executors, administrators, heirs, successors and assigns.

Grantee shall pay all personal property taxes assessed on, or any portion of such taxes attributable to, the equipment used by Grantee on the Premises. Grantors shall pay when due all real property taxes and all other fees and assessments attributable to the Premises. Grantee shall reimburse the Grantors as additional compensation for any increase in real estate taxes levied against the Grantors (or their heirs or assigns) which are attributable to or arise as a result of the improvements constructed by the Grantee, its successors or assigns.

Grantee shall indemnify and save harmless the Grantors of any liability by virtue of Grantee's activities upon the Premises or in the exercise of any of the rights, privileges and rights of way granted herein, specifically including but not limited to any claim, loss, fine, penalty and costs (including reasonable attorney's fees) arising out of any violation of any environmental laws or regulation. This provision shall survive the termination of this Grant of Easement.

All notices, demands or other writings provided to be given, made or sent hereunder, shall be deemed to have been given when made in writing and deposited into the United States mail, certified and postage prepaid, to Grantors and Grantee at the address stated in the caption of this Grant, unless addresses have been changed by written notice given by either Party.

WITNESS OUR HANDS, the day and year aforesaid.

GRANTORS:

Michael T. Hensley
MICHAEL TODD HENSLEY

Billie Michelle Hensley
BILLIE MICHELLE HENSLEY

GRANTEE:

EAST KENTUCKY NETWORK, LLC.,
D/B/A APPALACHIAN WIRELESS

BY: Gerald F. Robinette

ITS: GENERAL MANAGER

STATE OF KENTUCKY,

COUNTY OF Harlan.

Subscribed and acknowledged to before me by MICHAEL TODD HENSLEY
AND BILLIE MICHELLE HENSLEY this 14th day of April, 2009.

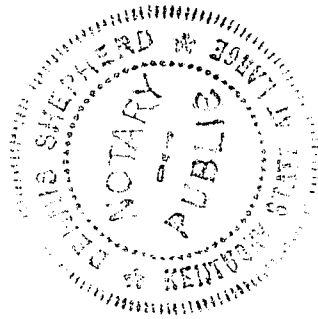
Dennis Shepherd
NOTARY PUBLIC, STATE AT LARGE
My commission expires: oct: 22, 2009

STATE OF KENTUCKY,

COUNTY OF Floyd.

Subscribed and acknowledged to before me by Gerald F. Robinette
General Manager of EAST KENTUCKY NETWORK, LLC., D/B/A,
APPALACHIAN WIRELESS, this 9th day of April, 2009.

Dennis Shepherd
NOTARY PUBLIC, STATE AT LARGE
My commission expires: oct: 22, 2009



**DEED DESCRIPTION
FOR SUBDIVISION OF**
Property of
MICHAEL TODD HENSLEY
P.O. BOX 604
CAWOOD, KY 40815

February 12, 2009

A portion of the property lying on the ridge between Martins Fork and Stillhouse Br of Crummies Creek in Harlan County Kentucky, near old highway 421 in Cawood. Being a portion of the property conveyed by deed from the Gina Michelle Begley and her husband Kenneth R Begley, to Michael Todd Hensley, and recorded in Deed Book 421 Page 223 and Deed Book 421 Page 228 of the Harlan County Court House.

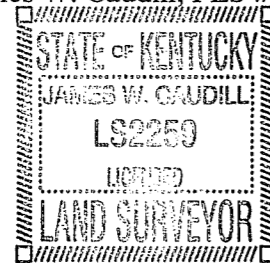
Unless stated otherwise, any monument referred to herein as "set iron pin with cap" is a set ½" diameter rebar, at least eighteen (18") in length, with a plastic cap stamped "LS-2259". All bearings stated herein are referred to the NAD83 KY South State Plane north. This survey preformed by James W. Caudill, LS2259, February 12, 2009.

Lot A1

Beginning on a set iron pin with cap marked ls2259 at base of 24" Maple tree with wire fence on the ridge and the line of Ruby Bennett (Book 306 Page 709) and on the line of Lisa & Terry Roddy (Book 324 Page 01); thence running with the fence and the property line of Lisa & Terry Roddy South 02 deg 27 min 06 sec West, 83.29 feet to a set iron pin with cap marked ls2259 at depression where a white oak once stood (The tree is now laying on the ground); thence leaving the line of Roddy and running with the line of Darrell Anthony Middleton (Book 325 Page 105) around the hill with the fence South 67 deg 50 min 40 sec West, 4.37 feet to a 24" hickory tree with wire fence, North 77 deg 49 min 34 sec West, 58.05 feet to a set iron pin with cap marked ls2259 at the base of 48" oak corner tree with wire fence; thence leaving the fence and the Middleton line and severing the land of Michael Todd Hensley (Book 421 Pages 223 & 228) North 46 deg 20 min 41 sec West, 103.17 feet to a set iron pin with cap in old fence line on a spur ridge, being on the line of Ruby Bennett (Book 306 Page 709); thence running with the fence and the up the spur with the line of Ruby Bennett North 89 deg 25 min 27 sec East, 139.01 feet to the beginning.

Containing a calculated area of 7622 sq ft or 0.18 acres.

This according to a survey by James W. Caudill, PLS #2259, on February 12, 2009.



James W. Caudill
James W. Caudill, PLS #2259

Exhibit "A"

PREPARED BY:

Clint Harris

CLINT J. HARRIS
21 BANKERS ALLEY
MANCHESTER, KENTUCKY 40962

STATE OF KENTUCKY, COUNTY OF HARLAN

I WANDA S. CLEM, Clerk of the County in and for
the County and State aforesaid, certify that the foregoing

Perpetual Easement

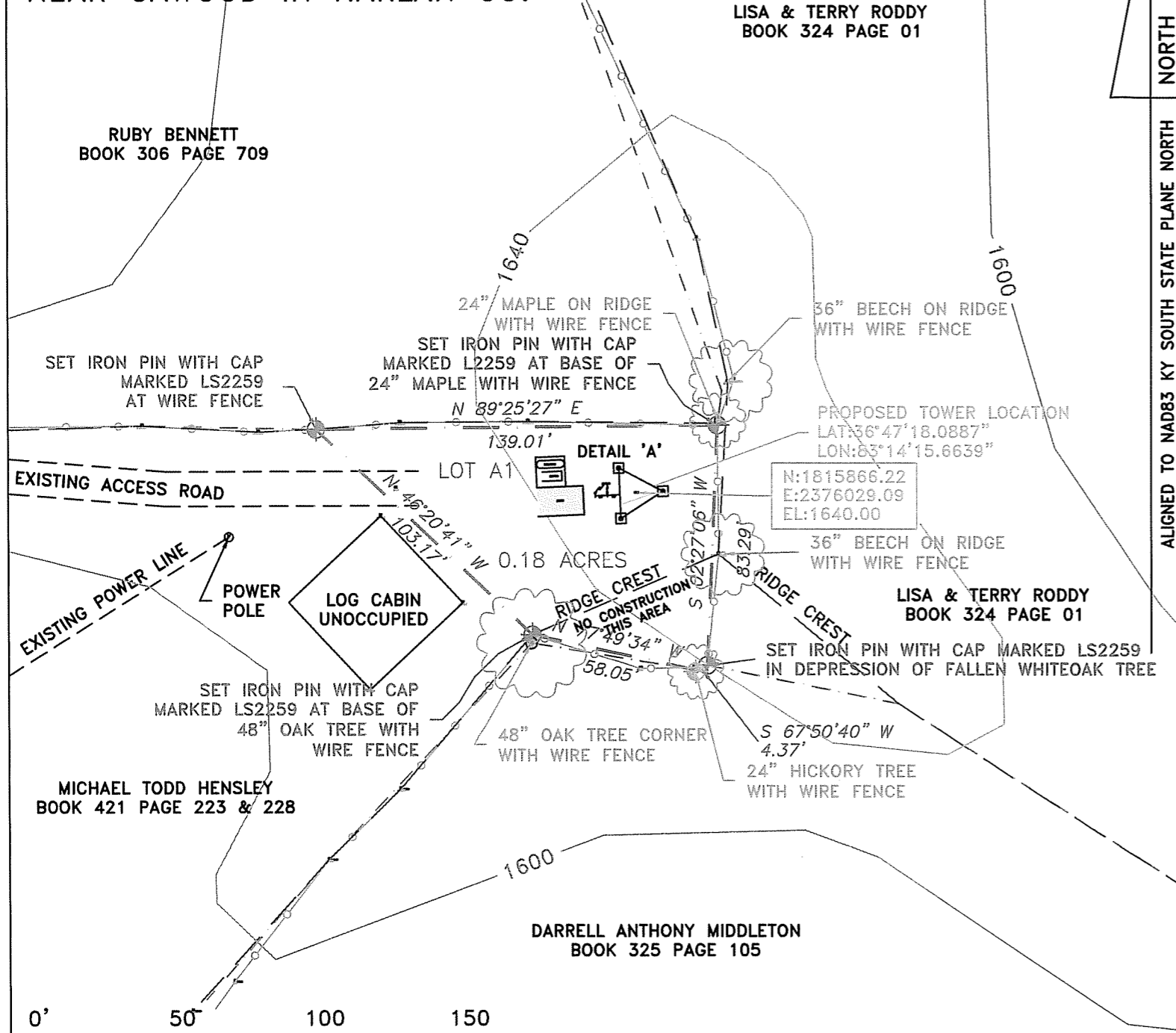
was on the 15TH day of Apr 2009, at 11:45 AM
lodged for record, whereupon the samewith the foregoing
and this Certificate, have been duly recorded in my office
in Deed BOOK NO. 422 PAGE 590

Witness my hand this 15TH day

of April . 2009
WANDA S. CLEM, Clerk
By: Sue Barnett D.C.

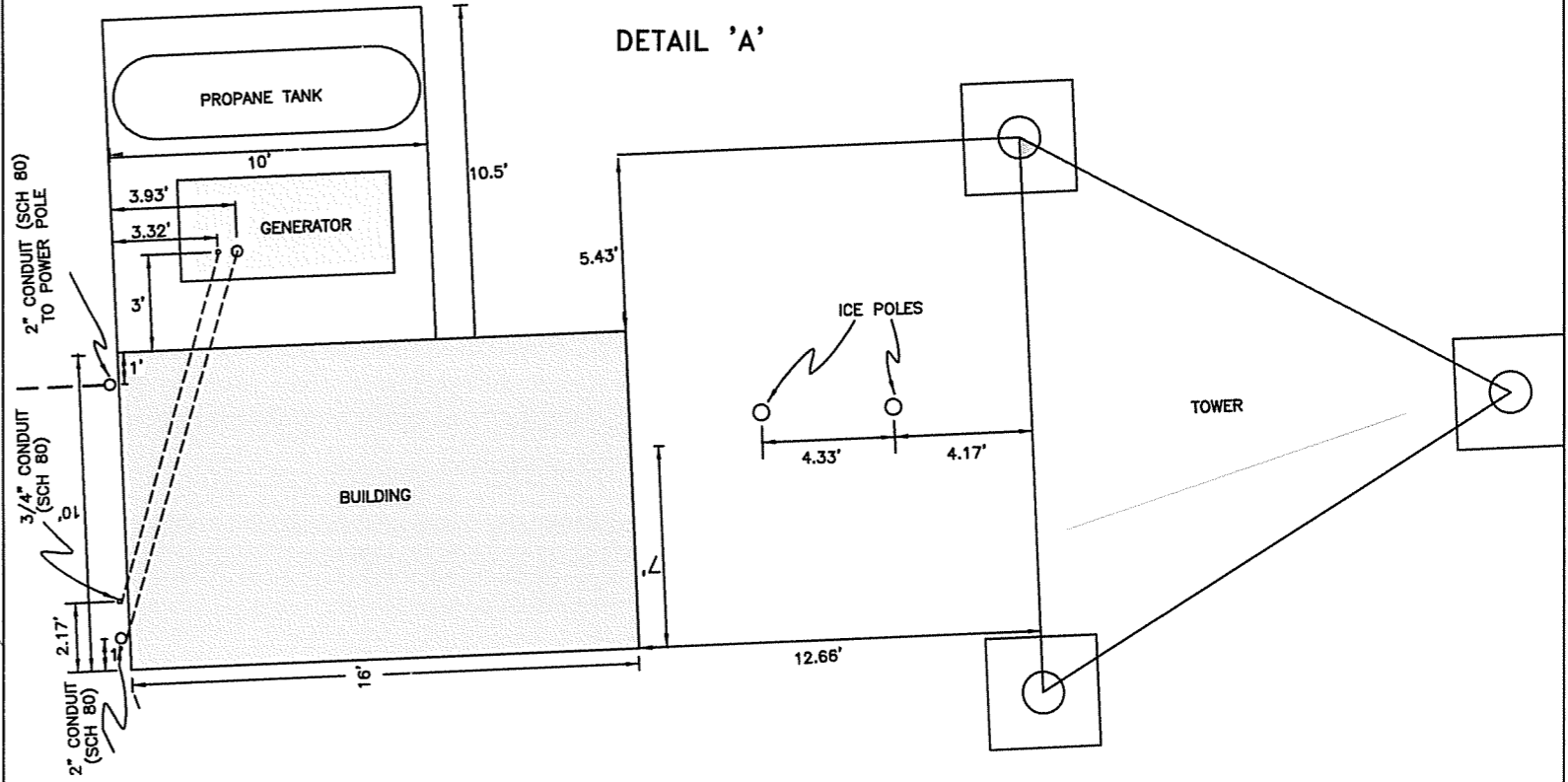
**SITE SURVEY
STRUCTURE LOCATION
MICHAEL TODD HENSLEY
NEAR CAWOOD IN HARLAN CO.**

APPALACHIAN WIRELESS
101 TECHNOLOGY TRAIL
IVEL, KY. 41642
PROPOSED TOWER SITE
MICHAEL TODD HENSLEY
NEAR CAWOOD IN HARLAN CO.

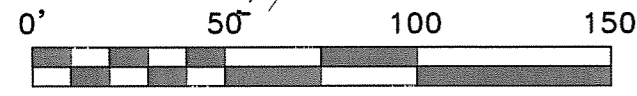


ALIGNED TO NAD83 KY SOUTH STATE PLANE NORTH

NORTH

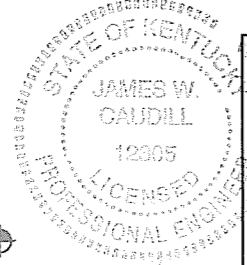


NOTE: * USE SWEEPS IN CONDUIT FOR ALL TURNS
* CONDUITS SHALL BE PLACED 3.25" OUTSIDE CONCRETE SLAB



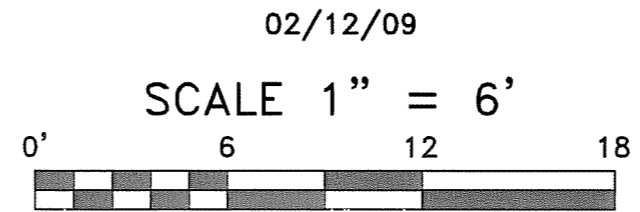
SCALE 1" = 50'

- LEGEND**
- SURVEY STA FOUND SET**
 - IRON PIN WITH CAP (18" X .5" REBAR PLASTIC CAP MARKED LS2259)
 - BOUNDARY LINE
 - ACCESS ROAD
 - PARENT TRACT LINE



—THE PROPOSED TOWER HAS BEEN LOCATED USING DUAL FREQUENCY GPS UNIT PROCESSED BY "OPUS"
STATE PLANE COORDINATES NAD 83 KY SOUTH ZONE N 1815866.22, E 2376029.09, EL 1640 FT MSL
—PRECISION: HORIZONTAL=0.30' VERTICAL=0.50'
—PROPERTY LINE INFORMATION TAKEN FROM DEEDS AND VERIFIED IN THE FIELD.

James W. Caudill 12305 2-12-09
JAMES W. CAUDILL P.E. DATE

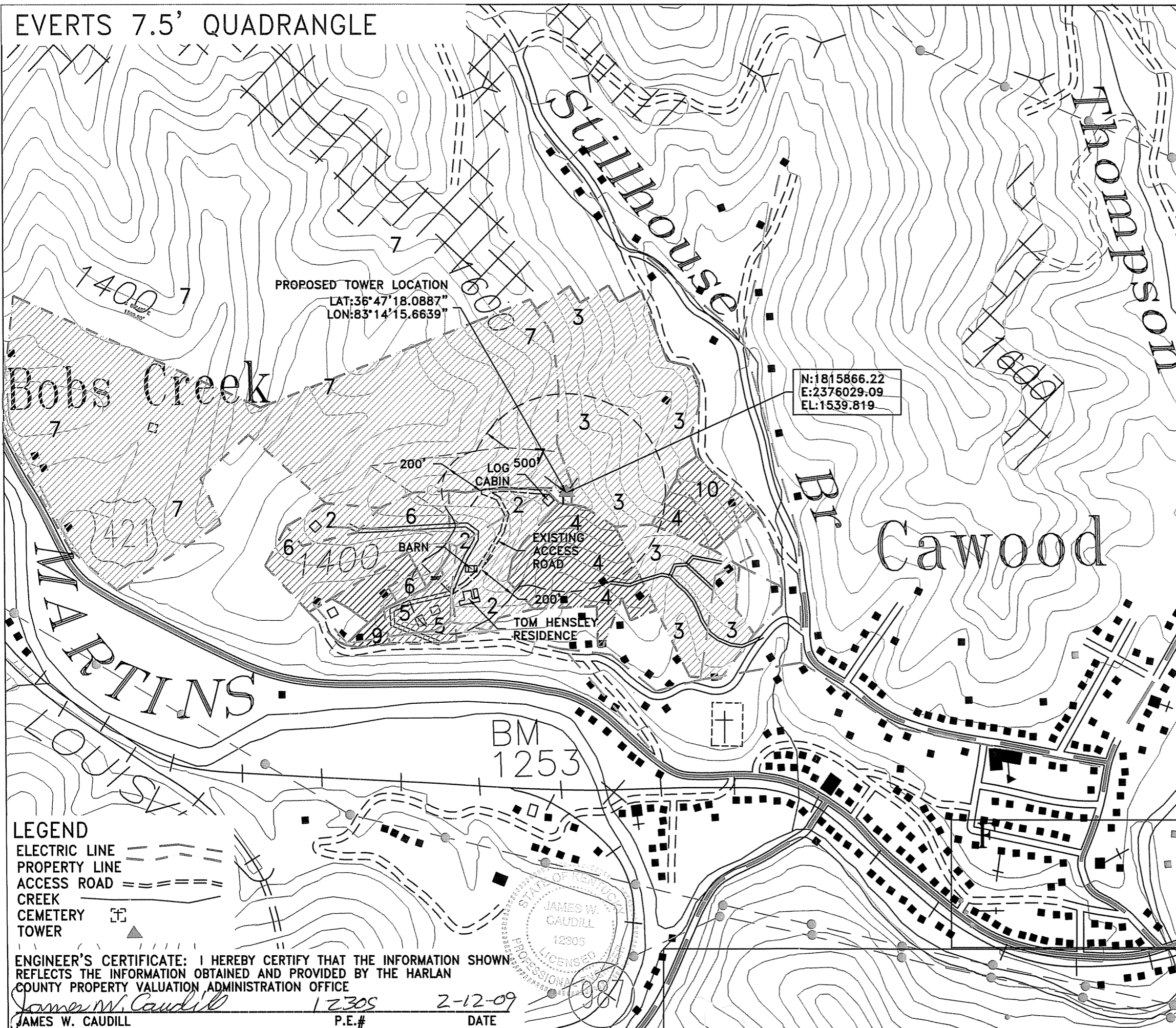


SITE SURVEY/STR LOCATION

GOLEMAN ENGINEERING

P.O. BOX 153, HINDMAN, KY 41822

EVERTS 7.5' QUADRANGLE



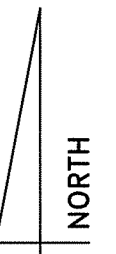
APPALACHIAN WIRELESS

101 TECHNOLOGY TRAIL
IVEL, KY. 41642

PROPOSED TOWER SITE
TODD HENSLEY TR HARLEN CO.

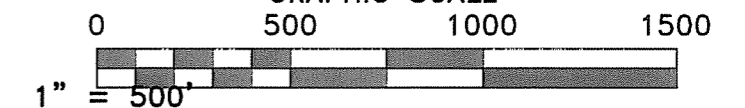
LAND OWNERS:

- 1 APPALACHIAN WIRELESS (PENDING)
101 TECHNOLOGY TRAIL
IVEL, KY 41642
- ◐ 2 MICHAEL TODD HENSLEY
P.O. BOX 604
CAWOOD, KY 40815
- ◑ 3 LISA RENEE & TERRY LYNN RODDY
P.O. BOX 544
CAWOOD, KY 40815
- ◒ 4 DARRELL A MIDDLETON
P.O. BOX 163
CAWOOD, KY 40815
- ◓ 5 MARYLAND KRON SHERRY PATTRO
P.O. BOX 171
LEJUNIOR, KY 40849
- ◔ 6 THURMAN & EDNA UALLS
540 QUALLS ROAD
CAWOOD, KY 40815
- ◕ 7 RUBY BENNETT
P.O. BOX 510
HARLAN, KY 40831
- ◖ 8 ROBERT H BREWER
QUALLS ROAD
CAWOOD, KY 40815
- ◗ 9 MYRTLE BREWER
P.O. BOX 33
CAWOOD, KY 40815
- ◘ 10 DERRICK & MARLANA SNYDER
P.O. BOX 542
BAXTER, KY 40806



2/12/09

GRAPHIC SCALE

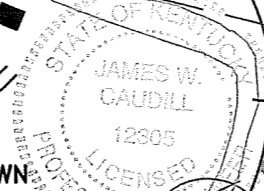


LEGEND

- ELECTRIC LINE
- PROPERTY LINE
- ACCESS ROAD
- CREEK
- CEMETERY
- TOWER

ENGINEER'S CERTIFICATE: I HEREBY CERTIFY THAT THE INFORMATION SHOWN REFLECTS THE INFORMATION OBTAINED AND PROVIDED BY THE HARLAN COUNTY PROPERTY VALUATION ADMINISTRATION OFFICE

James W. Caudill 12305 2-12-09
JAMES W. CAUDILL P.E.# DATE

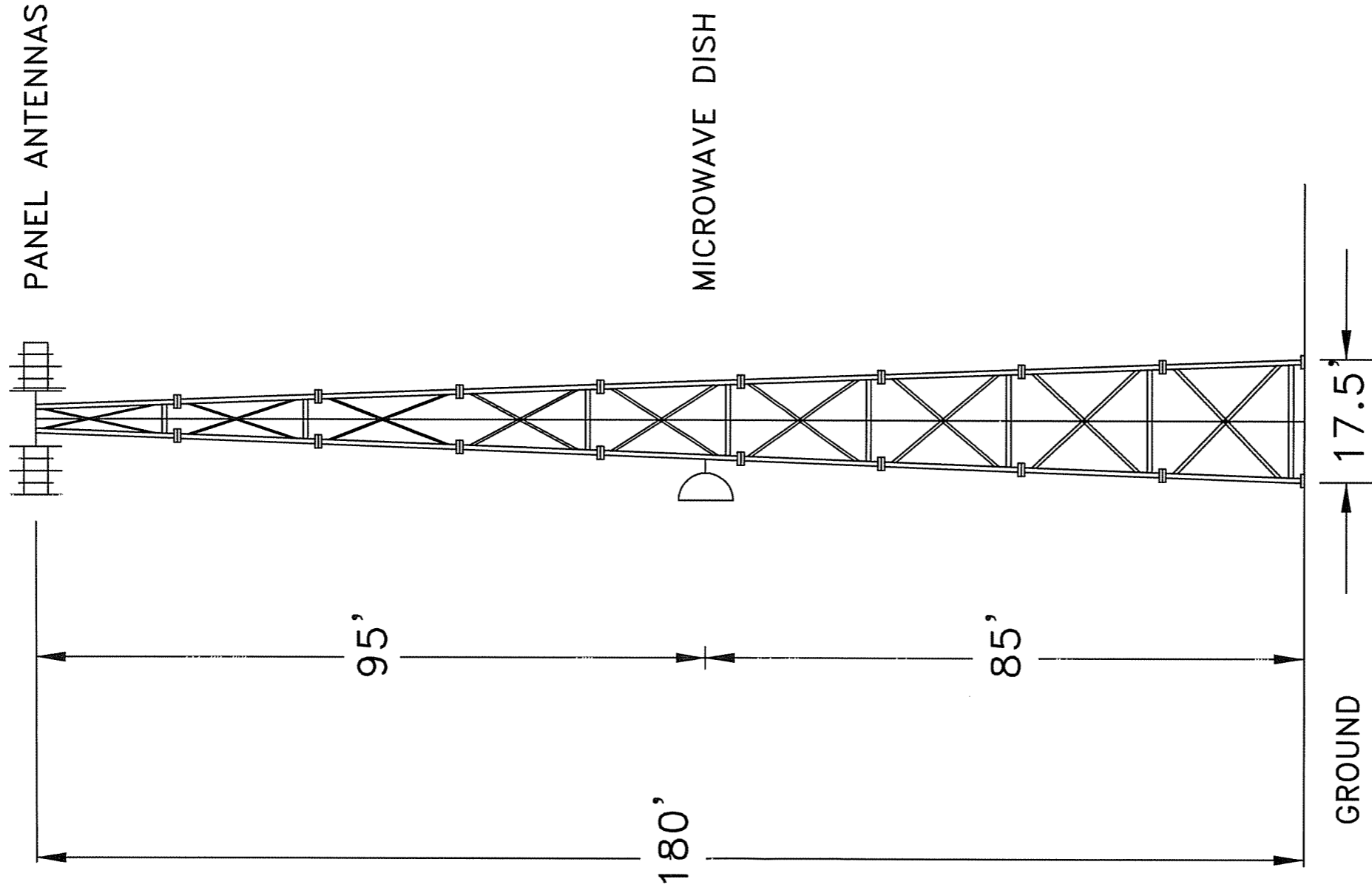


MAP SHOWING STRUCTURES & LAND OWNERS
WITHIN 500 FT OF THE PROPOSED TOWER

P.O. BOX 153, HINDMAN, KY 41822

APPALACHIAN WIRELESS
101 TECHNOLOGY TRAIL
IVEL, KY. 41642

PROPOSED TOWER SITE
HENSLEY TR NR CAWOOD IN HARLAN CO OF KY



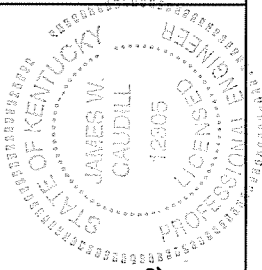
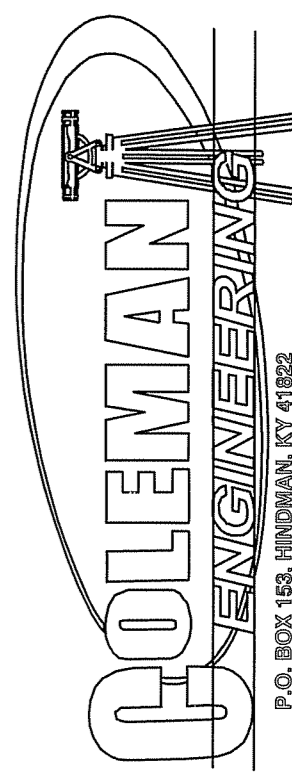
GRAPHIC SCALE



THIS IS A VERTICAL PROFILE SKETCH OF THE TOWER INDICATING THE PROPOSED ANTENNA AND DISH ELEVATIONS. NO DESIGN CRITERIA WAS CONSIDERED IN THE PREPARATION OF THIS DRAWING.

02/12/09

VERTICAL PROFILE SKETCH



James W. Caudill 12305 2-12-09 DATE
JAMES W. CAUDILL P.E.