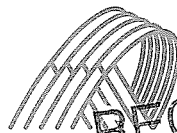


EAST KENTUCKY NETWORK
101 TECHNOLOGY TRAIL
IVEL, KY 41642
PHONE: (606) 874-7550
FAX: (606) 874-7551
EMAIL: INFO@EKN.COM
WEBSITE: WWW.EKN.COM

EAST KENTUCKY
NETWORK



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FEB 21 2013
PUBLIC SERVICE
COMMISSION

February 18, 2013

Linda Faulkner, Division Director Filings
Public Service Commission
211 Sower Blvd.
P.O. Box 615
Frankfort, KY 40602-0615

RE: Public Service Commission of Kentucky (Case No. 2012-00267)

Dear Ms. Faulkner:

Please find enclosed the approval letter from the FAA and the notice from the KAZC stating that a permit is not required for the Crummies Tower (Case No. 2012-00267).

If you have any questions, feel free to contact me at 606-477-2355, ext. 1007 or via email lhane@ekn.com.

Sincerely,

Lynn Haney
Compliance Coordinator

Enclosures



Mail Processing Center
Federal Aviation Administration
Southwest Regional Office
Obstruction Evaluation Group
2601 Meacham Boulevard
Fort Worth, TX 76137

Aeronautical Study No.
2012-ASO-8845-OE
Prior Study No.
2012-ASO-7136-OE

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PUBLIC SERVICE
COMMISSION

Issued Date: 10/10/2012

Ali Kuzehkanani
East Kentucky Network, LLC
8300 Greensboro Drive, Suite 1200
McLean, VA 22102

**** MARKING & LIGHTING RECOMMENDATION ****

The Federal Aviation Administration has completed an evaluation of your request concerning:

Structure:	Tower Cranks (Crummies)
Location:	Cranks, KY
Latitude:	36-46-03.78N NAD 83
Longitude:	83-11-52.96W
Heights:	1955 feet site elevation (SE) 190 feet above ground level (AGL) 2145 feet above mean sea level (AMSL)

Based on this evaluation, we have no objection to the change provided the structure is marked/lighted in accordance with FAA Advisory Circular 70/7460-1 K Change 2 Obstruction Marking and Lighting, a med-dual system - Chapters 4,8(M-Dual),&12.

So that aeronautical charts and records can be updated, it is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed when the new system is installed and operational.

If this structure is subject to the authority of the Federal Communications Commission a copy of this letter will be forwarded to them and application should be made for permission to change the marking/lighting as requested.

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

Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (877) 487-6867 so a Notice to Airmen (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.

If we can be of further assistance, please contact our office at (847) 294-7458. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2012-ASO-8845-OE.

Signature Control No: 173300218-174847841

(MAL)

Fred Souchet
Specialist

Attachment(s)
Map(s)

cc: FCC

TOPO Map for ASN 2012-ASO-8845-OE



Lynn Haney

From: Houlihan, John (KYTC) <John.Houlihan@ky.gov>
Sent: Friday, July 27, 2012 9:18 AM
To: Ali Kuzehkanani
Subject: RE: 638 - KAZC study request for the proposed Cranks (Crummies) tower

Importance: Low

The above subject does not require a permit from the Kentucky Airport Zoning Commission. The antenna does not exceed any of the following criteria:

602 KAR 50:030. Jurisdiction of the Kentucky Airport Zoning Commission.

RELATES TO: KRS 183.861, 183.865, 183.867, 183.870

STATUTORY AUTHORITY: KRS 183.861

NECESSITY, FUNCTION, AND CONFORMITY: KRS 183.867 specifies that the commission has jurisdiction over zoning for all public use and military airports. This administrative regulation defines the areas over which the Kentucky Airport Zoning Commission has jurisdiction for the purpose of zoning in accordance with KRS Chapter 183 and specifies when the owner or person who has control over a structure which encroaches on the jurisdiction of the Kentucky Airport Zoning Commission shall apply for a permit.

Section 1. The commission has zoning jurisdiction over that airspace over and around the public use and military airports within the Commonwealth which lies above the imaginary surface that extends outward and upward at one (1) of the following slopes:

(1) 100 to one (1) for a horizontal distance of 20,000 feet from the nearest point of the nearest runway of each public use and military airport with at least one (1) runway 3,200 feet or more in length; or

(2) Fifty (50) to one (1) for a horizontal distance of 10,000 feet from the nearest point of the nearest runway of each public use and military airport with its longest runway less than 3,200 feet in actual length.

Section 2. The commission has zoning jurisdiction over the use of land and structures within public use airports within the state.

Section 3. The commission has jurisdiction from the ground upward within the limits of the primary and approach surfaces of each public use and military airport as depicted on Airport Zoning Maps approved by the Kentucky Airport Zoning Commission.

Section 4. The commission has jurisdiction over the airspace of the Commonwealth that exceeds 200 feet in height above ground level.

Section 5. The owner or person who has control over a structure which penetrates or will penetrate the airspace over which the commission has jurisdiction shall apply for a permit from the commission in accordance with 602 KAR 50:090. (KAV-9-1; 1 Ky.R. 807; eff. 5-14-75; Am. 2 Ky.R. 306; eff. 3-10-76; 5 Ky.R. 599; eff. 3-7-79; 10 Ky.R. 445; eff. 1-4-84; 14 Ky.R. 267; eff. 9-10-87; 19 Ky.R. 800; eff. 11-4-92; 27 Ky.R. 2228; 2774; eff. 4-9-2001.)

Please keep this email for your records. Thank you.

Kentucky Airport Zoning Commission
John Houlihan, Administrator
90 Airport Road, Building 400
Frankfort, KY 40601
Desk 502.564.0310
Cell 502.330.3955

<http://transportation.ky.gov/Aviation/Pages/Zoning-Commission.aspx>

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From: Ali Kuzehkanani [<mailto:AKuzehkanani@fcclaw.com>]
Sent: Thursday, July 26, 2012 4:17 PM

To: Houlihan, John (KYTC)

Subject: 638 - KAZC study request for the proposed Cranks (Crummies) tower

Dear John:

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 180-foot communications support structure (Crummies) proposed near Cranks (Harlan), KY. The overall height of the structure (including the top-mounted antennas) will be 190' AGL. The site is located approximately 1.6 mi WNW of Cranks (Harlan), KY at geographic coordinates (**NAD83**) N 36-46-03.78; W 83-11-52.96.

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

8300 Greensboro Drive, Suite 1200

McLean, VA 22102

Direct (703) 584-8667

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Email ali@fcclaw.com

Email akuzehkanani@fcclaw.com