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RECEIVED

February 17, 2020

FEB 18 2020

Kent Chandler  
Executive Director  
Kentucky Public Service Commission  
211 Sower Boulevard  
Frankfort, KY 40601

PUBLIC SERVICE  
COMMISSION

RE: Kentucky Airport Zoning Commission (KAZC) Approval and  
Federal Aviation Administration ("FAA") Determination of No Hazard to  
Air Navigation  
PSC Case No.: 2019-00397  
Site Name: Crutchfield

Dear Director Chandler:

This letter and the enclosed exhibits are provided in response to the conditions of approval contained in the Kentucky Public Service Commission's ("PSC") Order granting a Certificate of Public Service and Convenience for this site. A copy of FAA's Determination of No Hazard to Air Navigation is enclosed. Also enclosed is a copy of the KAZC Approval. Having submitted both FAA and KAZC approval documentation to the PSC, Applicants respectfully request the PSC to consider the conditions placed on approval in the CPCN Order satisfied. Please include this correspondence and attachments in the administrative case file for this matter.

Sincerely,

A handwritten signature in blue ink that reads 'David A. Pike'.

David A. Pike  
Pike Legal Group, PLLC  
Attorney for Applicants

Enclosures  
cc: Brittany H. Koenig



**KENTUCKY AIRPORT ZONING COMMISSION**

Andy Beshear  
Governor

421 Buttermilk Pike  
Covington, KY 41017  
www.transportation.ky.gov  
859-341-2700

December 20, 2019

**APPROVAL OF APPLICATION**

**APPLICANT:**

Capital Telecom Holdings LLC  
Capital Telecom Holdings LLC  
820 Morris Turnpike|Suite 104  
Short Hills, NJ 07078

**SUBJECT:** AS-038-1M7-2019-121

**STRUCTURE:** Antenna Tower  
**LOCATION:** Clinton, KY  
**COORDINATES:** 36° 34' 48.40" N / 88° 58' 49.35" W  
**HEIGHT:** 300' AGL/734' AMSL

The Kentucky Airport Zoning Commission has approved your application for a permit to construct 300' AGL/ 734' AMSL Antenna Tower near Clinton, KY 36° 34' 48.40" N / 88° 58' 49.35" W.

This permit is valid for a period of 18 Month(s) from its date of issuance. If construction is not completed within said 18-Month period, this permit shall lapse and be void, and no work shall be performed without the issuance of a new permit.

Medium Dual Obstruction Lighting is required in accordance with 602 KAR 50:100.

A handwritten signature in cursive script that reads "John Houlihan".

John Houlihan  
Administrator



An Equal Opportunity Employer M/F/D



Mail Processing Center  
 Federal Aviation Administration  
 Southwest Regional Office  
 Obstruction Evaluation Group  
 10101 Hillwood Parkway  
 Fort Worth, TX 76177

Aeronautical Study No.  
 2019-ASO-31151-OE  
 Prior Study No.  
 2019-ASO-27936-OE

Issued Date: 11/18/2019

Compliance Dept  
 Capital Telecom Holdings LLC  
 820 Morris Turnpike  
 Suite 104  
 Short Hills, NJ 07078

**\*\* DETERMINATION OF NO HAZARD TO AIR NAVIGATION \*\***

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure: Antenna Tower Fulton KY007  
 Location: Clinton, KY  
 Latitude: 36-34-48.40N NAD 83  
 Longitude: 88-58-49.35W  
 Heights: 434 feet site elevation (SE)  
 300 feet above ground level (AGL)  
 734 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

As a condition to this Determination, the structure is to be marked/lighted in accordance with FAA Advisory circular 70/7460-1 L Change 2, Obstruction Marking and Lighting, a med-dual system - Chapters 4,8(M-Dual),&12.

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.

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

- At least 10 days prior to start of construction (7460-2, Part 1)
- Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

This determination expires on 05/18/2021 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.

- (c) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

**NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.**

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power, except those frequencies specified in the Colo Void Clause Coalition; Antenna System Co-Location; Voluntary Best Practices, effective 21 Nov 2007, will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA. This determination includes all previously filed frequencies and power for this structure.

If construction or alteration is dismantled or destroyed, you must submit notice to the FAA within 5 days after the construction or alteration is dismantled or destroyed.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

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

A copy of this determination will be forwarded to the Federal Communications Commission (FCC) because the structure is subject to their licensing authority.

If we can be of further assistance, please contact our office at (718) 553-2611, or [angelique.eersteling@faa.gov](mailto:angelique.eersteling@faa.gov). On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2019-ASO-31151-OE.

**Signature Control No: 420327786-423051145**  
Angelique Eersteling  
Technician

( DNE )

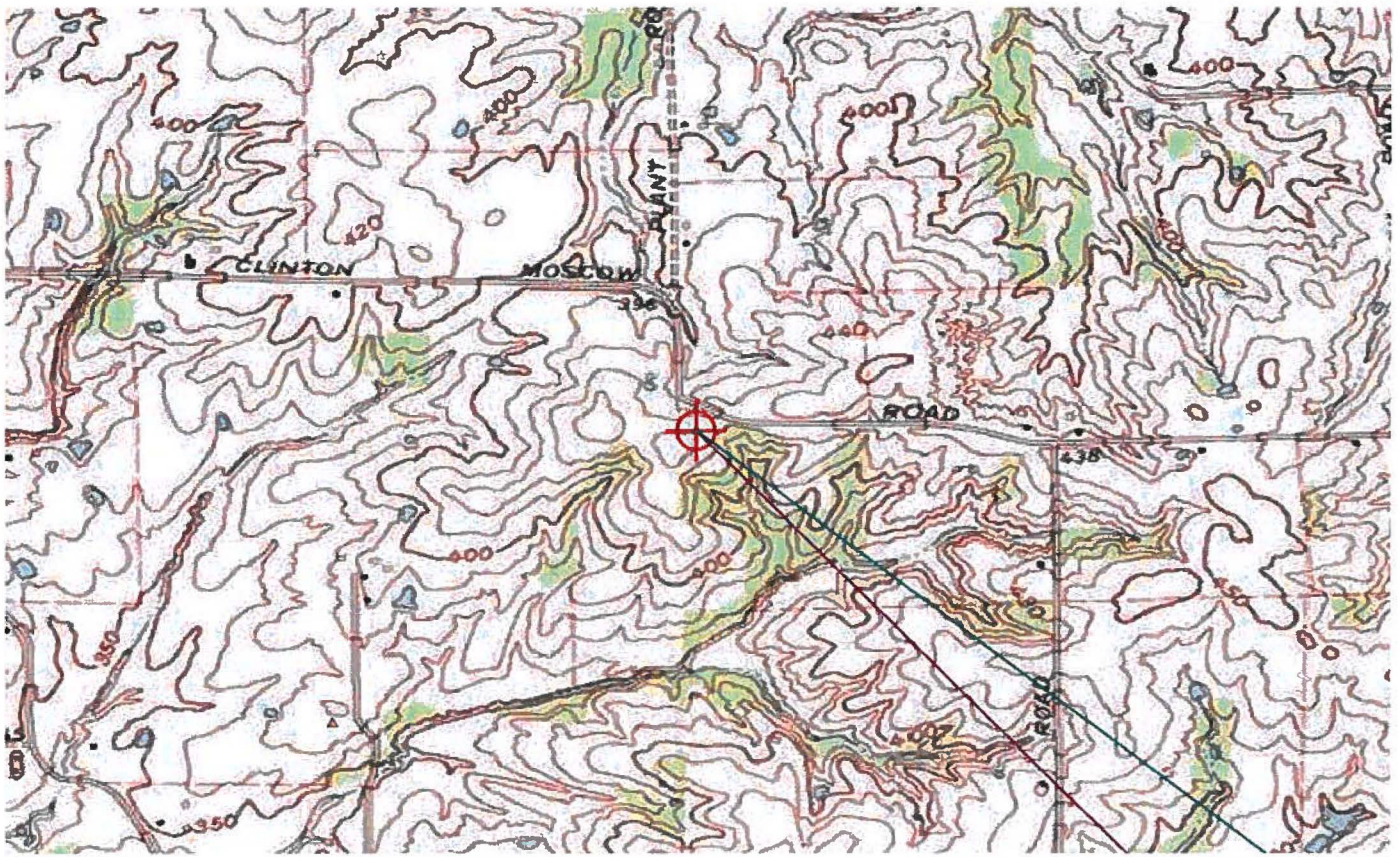
Attachment(s)  
Frequency Data  
Map(s)

cc: FCC

**Frequency Data for ASN 2019-ASO-31151-OE**

<b>LOW FREQUENCY</b>	<b>HIGH FREQUENCY</b>	<b>FREQUENCY UNIT</b>	<b>ERP</b>	<b>ERP UNIT</b>
6	7	GHz	55	dBW
6	7	GHz	42	dBW
10	11.7	GHz	55	dBW
10	11.7	GHz	42	dBW
17.7	19.7	GHz	55	dBW
17.7	19.7	GHz	42	dBW
21.2	23.6	GHz	55	dBW
21.2	23.6	GHz	42	dBW
614	698	MHz	1000	W
614	698	MHz	2000	W
698	806	MHz	1000	W
806	901	MHz	500	W
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
929	932	MHz	3500	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
1670	1675	MHz	500	W
1710	1755	MHz	500	W
1850	1910	MHz	1640	W
1850	1990	MHz	1640	W
1930	1990	MHz	1640	W
1990	2025	MHz	500	W
2110	2200	MHz	500	W
2305	2360	MHz	2000	W
2305	2310	MHz	2000	W
2345	2360	MHz	2000	W
2496	2690	MHz	500	W

Verified Map for ASN 2019-ASO-31151-OE



**TOPO Map for ASN 2019-ASO-31151-OE**

