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April 19, 2010

RECEIVED

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PUBLIC SERVICE  
COMMISSION

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

*RE: Application of Cumberland Cellular Partnership for Issuance of a Certificate of Public Convenience and Necessity to Construct a Cell Site (Tompkinsville), Case No. 2009-00503*

Dear Mr. Gatewood:

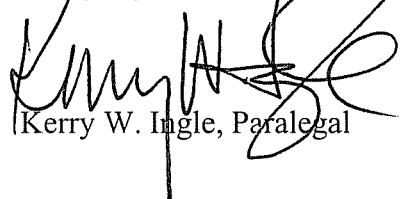
Enclosed for filing with the Kentucky Public Service Commission are an original and five (5) copies of the approvals from the Federal Aviation Administration (FAA) and Kentucky Airport Zoning Commission (KAZC) with respect to the above referenced cellular tower application.

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

Thank you very much.

Very truly yours,

DINSMORE & SHOHL LLP



Kerry W. Ingle, Paralegal

kwi  
Enclosures



## KENTUCKY AIRPORT ZONING COMMISSION

STEVEN BESHEAR  
Governor

90 Airport Road, Bldg 400  
FRANKFORT, KY  
[www.transportation.ky.gov/aviation](http://www.transportation.ky.gov/aviation)  
502 564-4480

January 26, 2010

### APPROVAL OF APPLICATION

APPLICANT:  
BLUEGRASS CELLULAR  
MR SCOTT McCLOUD  
2902 RING ROAD  
ELIZABETHTOWN, KY 42702

SUBJECT: AS-086-TZV-2009-223

STRUCTURE: Antenna Tower  
LOCATION: Tompkinsville, KY  
COORDINATES: 36° 44' 16.2" N / 85° 39' 31.77" W  
HEIGHT: 148' AGL/1186' AMSL

The Kentucky Airport Zoning Commission has approved your application for a permit to construct 148' AGL/ 1186' AMSL Antenna Tower near Tompkinsville, KY 36° 44' 16.2" N / 85° 39' 31.77" W.

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

A copy of the approved application is enclosed for your files.

Medium Dual Obstruction Lighting is required.

A handwritten signature in black ink, appearing to read "John Houlihan".

John Houlihan  
Administrator





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

Aeronautical Study No.  
2009-ASO-7165-OE

Issued Date: 03/10/2010

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

**\*\* 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 Tompkinsville II
Location:	Tompkinsville, KY
Latitude:	36-44-16.20N NAD 83
Longitude:	85-39-31.77W
Heights:	148 feet above ground level (AGL) 1186 feet above mean sea level (AMSL)

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

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be completed and returned to this office any time the project is abandoned or:

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

Based on this evaluation, marking and lighting are not necessary for aviation safety. However, if marking and/or lighting are accomplished on a voluntary basis, we recommend it be installed and maintained in accordance with FAA Advisory circular 70/7460-1 K Change 2.

Any height exceeding 148 feet above ground level (1186 feet above mean sea level), will result in a substantial adverse effect and would warrant a Determination of Hazard to Air Navigation.

This determination expires on 09/10/2011 unless:

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