

**COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION**

In the matter of:

THE APPLICATION OF EAST KENTUCKY NETWORK, )  
LLC FOR THE ISSUANCE OF A CERTIFICATE OF )  
PUBLIC CONVENIENCE AND NECESSITY TO ) CASE NO. 2023-00264  
CONSTRUCT A REPLACEMENT TOWER IN ESTILL )  
COUNTY, KENTUCKY )

East Kentucky Network, LLC d/b/a Appalachian Wireless was granted authorization to provide cellular service in the KY-10 Cellular Market Area (CMA452) by the Federal Communications Commission (FCC). The FCC license is included as Exhibit 1. East Kentucky Network, LLC merger documents were filed with the Commission on February 2, 2001 in Case No. 2001-022. East Kentucky Network, LLC is a Kentucky limited liability company that was organized on June 16, 1998. East Kentucky Network, LLC is in good standing with the Commonwealth of Kentucky.

In an effort to improve service in Estill County, pursuant to KRS 278.020 Subsection 1 and 807 KAR 5:001, East Kentucky Network, LLC is seeking the Commission's approval to construct a 300-foot self-supporting replacement tower on a tract of land located at 5700 Winchester Road, Irvine, Estill County, Kentucky (37°46'54.600" N 84°00'01.800" W). A map and detailed directions to the site can be found in Exhibit 7.

Construction of the proposed replacement tower is required by public convenience and necessity. Due to increasing demand for telecommunications service, the proposed replacement is necessary to provide adequate coverage. The proposed replacement will improve service in Estill County by providing an interconnection between East Kentucky Network, LLC's other sites thereby forming a cohesive network.

Exhibit 2 is a list of all Property owners according to the Property Valuation Administrator's record who own property within 500 feet of the proposed replacement tower and all property owners

who own property contiguous to the property upon which construction is proposed in accordance with the Property Valuation Administrator's record.

Pursuant to 807 KAR 5:063 Section 1(1)(l), Section 1(m) and Section 2, all affected property owners according to the Property Valuation Administrator's record who own property within 500 feet of the proposed replacement tower or contiguous to the property upon which construction is proposed 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.

Estill County has no formal local planning unit. In absence of this unit, the Estill County Judge Executive's office was notified by certified mail, return receipt requested, of East Kentucky Network, LLC's proposal and informed of their right to intervene. The Estill County Judge Executive's office was also given the docket number under which this application is filed. Enclosed in Exhibit 3 is a copy of that notification.

Notice of the location of the proposed construction will be published in the Estill County Tribune, August 16, 2023 edition. Enclosed is a copy of that notice in Exhibit 3. The Estill County Tribune is the newspaper with the largest circulation in Estill County.

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 4.

A copy of the replacement tower design information is enclosed as Exhibit 5. The proposed replacement 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. Their qualifications are described in Exhibit 13.

FAA and Kentucky Airport Zoning Commission applications are included as Exhibit 6.

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

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 4, 2023, and will remain posted for at least two weeks after filing of this application as specified.

Enclosed in Exhibit 8 is a copy of East Kentucky Network, LLC's Lease Agreement for the site location along with a lot description, as well as a Memorandum of Amendment to Lease Agreement with lot description.

The proposed construction site for the replacement tower is a few feet away from East Kentucky Network's current tower on said property.

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 7. Although another tower is nearby, the existing East Kentucky Network, LLC tower predates the other tower and serves as a major fiber hub for East Kentucky Network, LLC's network. Relocating the fiber to the other tower is impractical and cost-prohibitive.

Enclosed, and filed as Exhibit 9 is a survey of the proposed replacement tower site signed by a Kentucky registered professional engineer.

Exhibit 10 is a map in one (1) inch equals 200 feet scale identifying every structure and every owner of real estate within 500 feet of the proposed replacement tower and all property owners who own contiguous property to the property upon which construction is proposed.

Exhibit 11 contains a vertical sketch of the replacement tower supplied by James W. Caudill, Kentucky registered professional engineer.

Enclosed as Exhibit 12 is a list of utilities, corporations, or persons with whom the replacement tower is likely to compete.

**[THE REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK.]**

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

The foregoing document was prepared by Krystal Branham, Regulatory Compliance Attorney for East Kentucky Network, LLC d/b/a Appalachian Wireless. All related questions or correspondence concerning this filing should be mailed to East Kentucky Network, LLC d/b/a/ Appalachian Wireless, 101 Technology Trail, Ivel, KY 41642.

SUBMITTED BY: *Raina Helton* DATE: 8/11/23  
Raina Helton, Regulatory Compliance Director

APPROVED BY: *Michael L. Johnson* DATE: 8/11/23  
Michael L. Johnson, CEO

ATTORNEY: *Krystal Branham* DATE: 8/11/23  
Hon. Krystal Branham, Attorney

**CONTACT INFORMATION:**

**Michael L. Johnson**  
Phone: (606) 477-2355, Ext. 1212  
Email: [mjohnson@ekn.com](mailto:mjohnson@ekn.com)

**Raina Helton, Regulatory Compliance Director**  
Phone: (606) 477-2355, Ext. 1005  
Email: [rehelton@ekn.com](mailto:rehelton@ekn.com)

**Krystal Branham, Attorney**  
Phone: (606) 477-2355, Ext. 1009  
Email: [kbranham@ekn.com](mailto:kbranham@ekn.com)

**Mailing Address:**

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

1	FCC License
2	Copies of Cell Site Notice to Land Owners
3	Notifications of County Judge Executive and Newspaper
4	Universal Soil Bearing Analysis
5	Tower Design
6	FAA and KAZC Applications
7	Driving Directions from County Court House and Map to Suitable Scale
8	Lease for Proposed Site with Legal Description and Memorandum of Amendment to Lease Agreement with Legal Description
9	Survey of Site Signed/Sealed by Professional Engineer Registered in State of Kentucky
10	Site Survey Map with Property Owners Identified in Accordance with PVA of County
11	Vertical Profile Sketch of Proposed Tower
12	List of Competitors
13	Qualifications
14	
15	

# Exhibit 1



## ULS License

**Cellular License - KNKN809 - East Kentucky Network, LLC d/b/a Appalachian Wireless**

Call Sign	KNKN809	Radio Service	CL - Cellular
Status	Active	Auth Type	Regular

**Market**

Market	CMA452 - Kentucky 10 - Powell	Channel Block	B
Submarket	0	Phase	2

**Dates**

Grant	10/26/2021	Expiration	10/01/2031
Effective	06/02/2023	Cancellation	

**Five Year Buildout Date**

10/17/1996

**Control Points**

**1** US Route 23, FLOYD, Harold, KY  
P: (606)478-2355

**Licensee**

FRN	0001786607	Type	Limited Liability Company
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**Licensee**

East Kentucky Network, LLC d/b/a Appalachian Wireless 101 Technology Trail Ivel, KY 41642 ATTN Michael L. Johnson	P:(606)477-2355 E:compliance@ekn.com
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**Contact**

East Kentucky Network, LLC d/b/a Appalachian Wireless Michael L Johnson Esq 101 Technology Trail Ivel, KY 41642 ATTN Compliance Dept.	P:(606)339-1006 E:compliance@ekn.com
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**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.

**Demographics**

Race

# Exhibit 2

**EXHIBIT 2 – 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.

**Section 2.** If the construction is proposed for an area outside the incorporated boundaries of a city, the application shall state that public notices required by Section 1(1)(L) have been sent to every person who, according to the property valuation administrator, owns property contiguous to the property upon which the construction is proposed

**LIST OF PROPERTY OWNERS**

Presbytery of Transylvania, Inc  
412 Rose Street  
Lexington, KY 40507

Clare David Clayton and  
Caitlyn Michelle Taylor  
699 Tuttle Road  
Irvine, KY 40336

Norma Curry - Land Contract  
Timothy and Jennifer Johnson  
103 Estes Lane  
Irvine, KY 40336

Anne E. Napier, Mary F. Clark  
Patrick Branam & Collier L. Branam  
12156 Old Hickory Boulevard  
Hermittage, TN 37076

Kenneth Elliot, II  
6120 Winchester Road  
Irvine, KY 40336

Estill County Water District  
76 Cedar Grove  
Irvine, KY 40336

Gregory L. & Cindy L. Turner  
4520 Windstar Way  
Lexington, KY 40515

Jimmie R. and Shelia H. Wise  
PO Box 479  
Irvine, KY 40336

Harry M. Hadden Irrevocable Trust  
Michael, Matthew, and E. Webster Hadden  
262 South Ashland Avenue  
Lexington, KY 40502

Bilie Joe Estes, Jr.  
5660 Winchester Road  
Irvine, KY 40336

Jason Cox  
3110 Harris Ferry Road  
Irvine, KY 40336

William Michael Kavanaugh  
650 Sugarloaf Lane  
Irvine, KY 40336

James A. Cooper Estate  
c/o James Cooper Jr.  
5434 Northcrest Lane, Apt. 19  
Cincinnati, OH 45247

Vertical Bridge Development, LLC  
750 Park of Commerce Drive, Suite 200  
Boca Raton, FL 33487



VIA: U.S. CERTIFIED MAIL

PUBLIC NOTICE

August 11, 2023

Presbytery of Transylvania, Inc  
412 Rose Street  
Lexington, KY 40507

RE: Public Notice-Public Service Commission of Kentucky (Case No. 2023-00264)

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 replacement facility to provide cellular telecommunications service in Estill County. The facility will include a 300-foot self-supporting tower with attached antennas extending upwards, and an equipment shelter located on a tract of land near 5700 Winchester Road, Irvine. A map showing the location of the proposed replacement facility is enclosed. This notice is being sent to you because you may own property within a 500' radius of the proposed tower or own property contiguous to the property upon which construction is proposed.

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. 2023-00264 in your correspondence.

If you have any questions for East Kentucky Network, LLC, please direct them to my attention at the following address: East Kentucky Network, LLC, 101 Technology Trail, Ivel, KY 41642 or call me at 606-477-2355, Ext. 1005.

Sincerely,

A handwritten signature in blue ink that reads "Raina Helton".

Raina Helton, CKP  
Regulatory Compliance Director  
Enclosure 1



VIA: U.S. CERTIFIED MAIL

PUBLIC NOTICE

August 11, 2023

Clare David Clayton and  
Caitlyn Michelle Taylor  
699 Tuttle Road  
Irvine, KY 40336

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Regulatory Compliance Director  
Enclosure 1



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PUBLIC NOTICE

August 11, 2023

Norma Curry - Land Contract  
Timothy and Jennifer Johnson  
103 Estes Lane  
Irvine, KY 40336

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Patrick Branam & Collier L. Branam  
12156 Old Hickory Boulevard  
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August 11, 2023

Kenneth Elliot, II  
6120 Winchester Road  
Irvine, KY 40336

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PUBLIC NOTICE

August 11, 2023

Estill County Water District  
76 Cedar Grove  
Irvine, KY 40336

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PUBLIC NOTICE

August 11, 2023

Gregory L. & Cindy L. Turner  
4520 Windstar Way  
Lexington, KY 40515

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Enclosure 1



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PUBLIC NOTICE

August 11, 2023

Jimmie R. and Shelia H. Wise  
PO Box 479  
Irvine, KY 40336

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Regulatory Compliance Director  
Enclosure 1



VIA: U.S. CERTIFIED MAIL

PUBLIC NOTICE

August 11, 2023

Harry M. Hadden Irrevocable Trust  
Michael, Matthew, and E. Webster Hadden  
262 South Ashland Avenue  
Lexington, KY 40502

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PUBLIC NOTICE

August 11, 2023

Bilie Joe Estes, Jr.  
5660 Winchester Road  
Irvine, KY 40336

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Raina Helton, CKP  
Regulatory Compliance Director  
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VIA: U.S. CERTIFIED MAIL

PUBLIC NOTICE

August 11, 2023

Jason Cox  
3110 Harris Ferry Road  
Irvine, KY 40336

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Raina Helton, CKP  
Regulatory Compliance Director  
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VIA: U.S. CERTIFIED MAIL

PUBLIC NOTICE

August 11, 2023

William Michael Kavanaugh  
650 Sugarloaf Lane  
Irvine, KY 40336

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VIA: U.S. CERTIFIED MAIL

PUBLIC NOTICE

August 11, 2023

James A. Cooper Estate  
c/o James Cooper Jr.  
5434 Northcrest Lane, Apt. 19  
Cincinnati, OH 45247

RE: Public Notice-Public Service Commission of Kentucky (Case No. 2023-00264)

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 replacement facility to provide cellular telecommunications service in Estill County. The facility will include a 300-foot self-supporting tower with attached antennas extending upwards, and an equipment shelter located on a tract of land near 5700 Winchester Road, Irvine. A map showing the location of the proposed replacement facility is enclosed. This notice is being sent to you because you may own property within a 500' radius of the proposed tower or own property contiguous to the property upon which construction is proposed.

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. 2023-00264 in your correspondence.

If you have any questions for East Kentucky Network, LLC, please direct them to my attention at the following address: East Kentucky Network, LLC, 101 Technology Trail, Ivel, KY 41642 or call me at 606-477-2355, Ext. 1005.

Sincerely,

A handwritten signature in blue ink that reads "Raina Helton".

Raina Helton, CKP  
Regulatory Compliance Director  
Enclosure 1



VIA: U.S. CERTIFIED MAIL

PUBLIC NOTICE

August 11, 2023

Vertical Bridge Development, LLC  
750 Park of Commerce Drive, Suite 200  
Boca Raton, FL 33487

RE: Public Notice-Public Service Commission of Kentucky (Case No. 2023-00264)

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Raina Helton, CKP  
Regulatory Compliance Director  
Enclosure 1

# Hargett Replacement

Location:  
5700 Winchester Road  
Irvine, KY 40336

Coordinates:  
37°46' 54.600"N  
84°00' 01.800"W



Google Earth

2000 ft

# Exhibit 3

dba Appalachian Wireless  
101 Technology Trail  
Ivel, KY 41642  
Phone: 606-477-2355  
Fax: 606-791-2225

EAST KENTUCKY  
NETWORK



**To:** The Estill County Tribune  
Attn: Classifieds

**From:** Libby Ratliff  
Regulatory Compliance Assistant

---

**Email:** Tribune6135@alltell.net

**Date:** August 11, 2023

---

**Re:** PUBLIC NOTICE ADVERTISEMENT

**Pages:** 1

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**Please place the following Public Notice Advertisement in The Estill County Tribune to be ran on August 16, 2023.**

**PUBLIC NOTICE:**

RE: Public Service Commission of Kentucky (CASE NO. 2023-00264)

Public Notice is hereby given that East Kentucky Network, LLC dba Appalachian Wireless has applied to the Kentucky Public Service Commission to construct a replacement cellular telecommunications tower on a tract of land located at 5700 Winchester Road, Irvine, Estill County, Kentucky. The proposed replacement tower will be a 300-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. 2023-00264.

If you have any questions about the placement of the above-mentioned notice, please call me at 606-477-2375, ext. 1010.

Thank you,

Libby Ratliff  
Regulatory Compliance Assistant

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.



VIA: U.S. CERTIFIED MAIL

PUBLIC NOTICE

August 11, 2023

Judge Executive  
Estill County Courthouse  
130 Main Street, Room 101  
Irvine, KY 40336

RE: Public Notice-Public Service Commission of Kentucky (Case No. 2023-00264)

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Sincerely,

A handwritten signature in blue ink that reads "Raina Helton".

Raina Helton, CKP  
Regulatory Compliance Director  
Enclosure 1

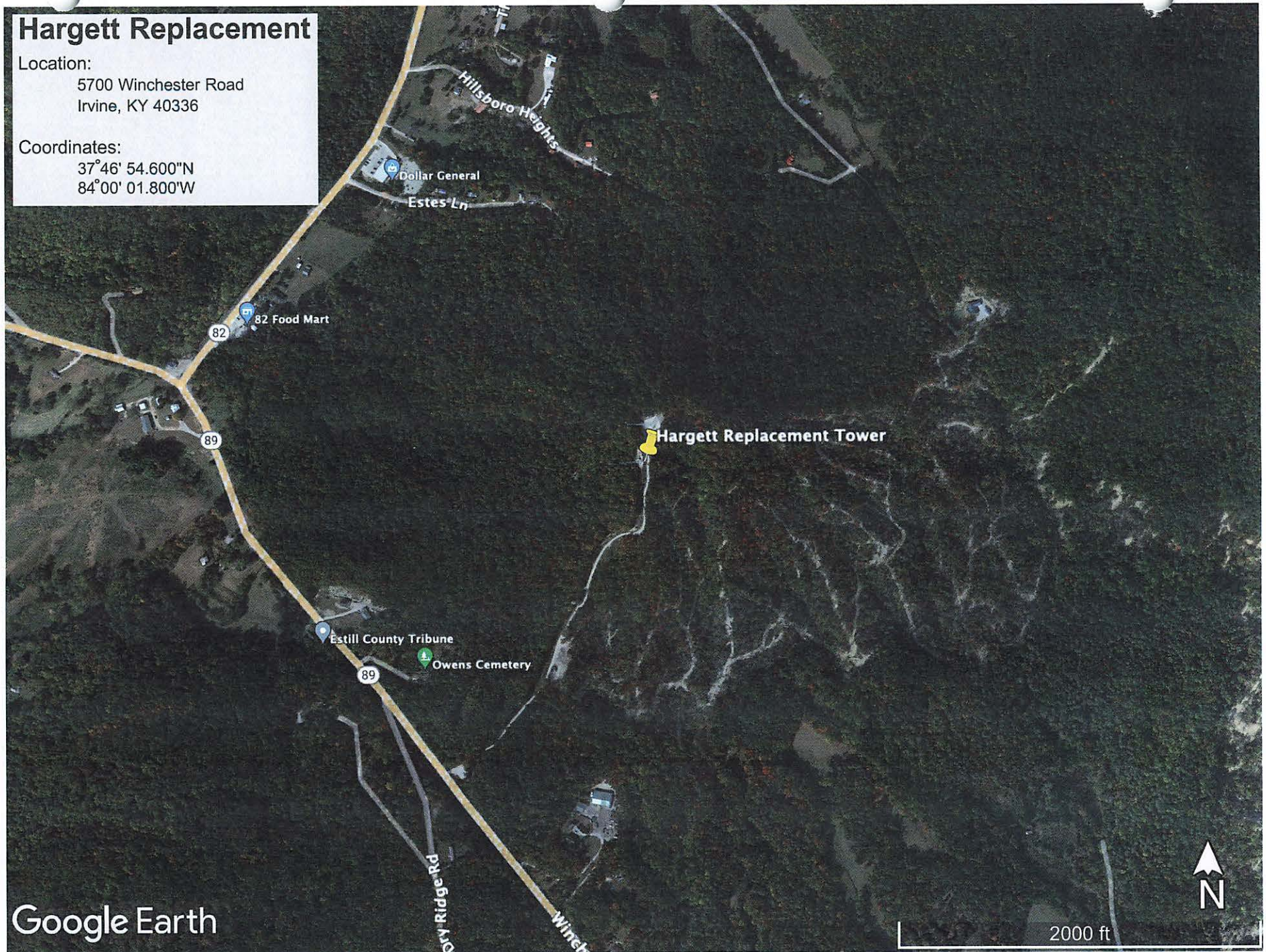
# Hargett Replacement

Location:

5700 Winchester Road  
Irvine, KY 40336

Coordinates:

37°46' 54.600"N  
84°00' 01.800"W



Google Earth

# Exhibit 4



GEOTECHNICAL ASSESSMENT FOR  
HARGETT CELLULAR TOWER SITE

for

East Kentucky Network, LLC  
dba Appalachian Wireless  
Located on Iron Mountain  
Near Hargett in Estill County, KY

*prepared by*

Tim Malone, PE, PLS

Synergy Engineering Services, PLLC  
611 Hambley Blvd, Suite #3  
Pikeville, KY 41501

**SYNERGY ENGINEERING SERVICES, PLLC**  
**611 Hambley Boulevard, Suite #3**  
**Pikeville, KY 41501**  
**(606) 433-0336**

August 4, 2022

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

Re: Geotechnical Assessment and Report  
Hargett Tower Site  
Near Hargett, Estill County, Kentucky

Dear Stanton,

Attached please find our report of the Geotechnical Assessment for the new tower site located on Iron Mountain near Hargett in Estill County, Kentucky. This report includes a description of the scope of the proposed tower, a discussion of our findings of the foundation investigation and a listing of our concerns and recommendations for construction of the tower site.

If you should have any questions or need additional information in this matter, please do not hesitate to contact me.



Respectfully,

*Tim Malone* 2022.08.04 17:08:09 -04'00'  
Tim Malone, PE, PLS  
Synergy Engineering Services, PLLC

## TABLE OF CONTENTS

### **1.0 Executive Summary**

- 1.1 Summary of Findings
- 1.2 Recommendations

### **2.0 Project Information**

- 2.1 Purpose and Scope of Services
- 2.2 Project Description
- 2.3 Site Conditions
- 2.4 Structural Loading Information
- 2.5 Site Grading and Topography
- 2.6 Flooding Hazard

### **3.0 Subsurface Findings and Encountered Conditions**

- 3.1 Published Geologic Information
- 3.2 Subsurface Exploration Program
- 3.3 Boring Logs
- 3.4 Groundwater
- 3.5 Review of Previous Mining and Potential for Subsidence

### **4.0 Geotechnical Concerns and Construction Considerations**

- 4.1 Faulting or Fracturing in the Bedrock
- 4.2 Removal of Material from Beneath Mat Foundation
- 4.3 Placement of Non-Structural Fill

### **5.0 Recommendations**

- 5.1 Site Preparation
- 5.2 Non-Structural Fill Placement
- 5.3 Shallow Mat Foundation Preparation
- 5.4 Foundation Backfilling and Final Grading

### **6.0 Report Limitations**

### **7.0 Associated Geotechnical Risks**

## **APPENDICES**

Appendix A	Trenching Site Photographs
Appendix B	Core Logs
Appendix C	Underground Mine Maps
Appendix D	FEMA Flood Map

## **1.0 Executive Summary**

Synergy Engineering Services, PLLC (Synergy), has been retained by East Kentucky Network, LLC (EKN) to perform a geotechnical exploration and technical report in support of the proposed Iron Mountain Tower Site located near Hargett in Estill County, KY. The proposed tower site is located on a knob hill (Iron Mountain), east of the intersection of KY Routes 82 (Spout Springs Rd) and 89 (Winchester Rd) overlooking Hargett, KY. The site coordinates are Latitude: 37°46'55.2" and Longitude: 84°00'01.9". The site is located on the Palmer USGS 7.5' Quadrangle map.

### **1.1 Summary of Findings**

Synergy conducted research relating to the tower site consisting of corehole drilling and examination of rock cores under the observation of a Registered Professional Engineer, a search of past underground quarrying records and subsurface investigations consisting of visual inspection of an existing highwall, immediately adjacent, and along the access road to the site. Due to the fact that the soils along the mountain ridges are generally very shallow and that the tower site will be excavated to bedrock in order to create a level site large enough to accommodate the facility, no soil testing was conducted.

### **1.2 Recommendations**

Synergy proposes the following general recommendations for design and construction of the proposed tower site. However, this report should be read in its entirety and the recommendations contained therein fully implemented.

- EKN has indicated that the tower will be 300 feet tall and will be constructed upon a shallow reinforced concrete mat foundation situated on bedrock. Foundations bearing on competent bedrock may be designed for a maximum net allowable bearing pressure of 1000 K/sqft. This bearing strength far exceeds the strength of the concrete foundation.
- All soils and subsoils will be excavated to bedrock beneath the mat foundation and used as non-structural fill or will be disposed of offsite.
- A seismic site classification of "A" is recommended for foundation design. The structure Seismic Risk Classification is II.

## **2.0 Project Information**

### **2.1 Purpose and Scope of Services**

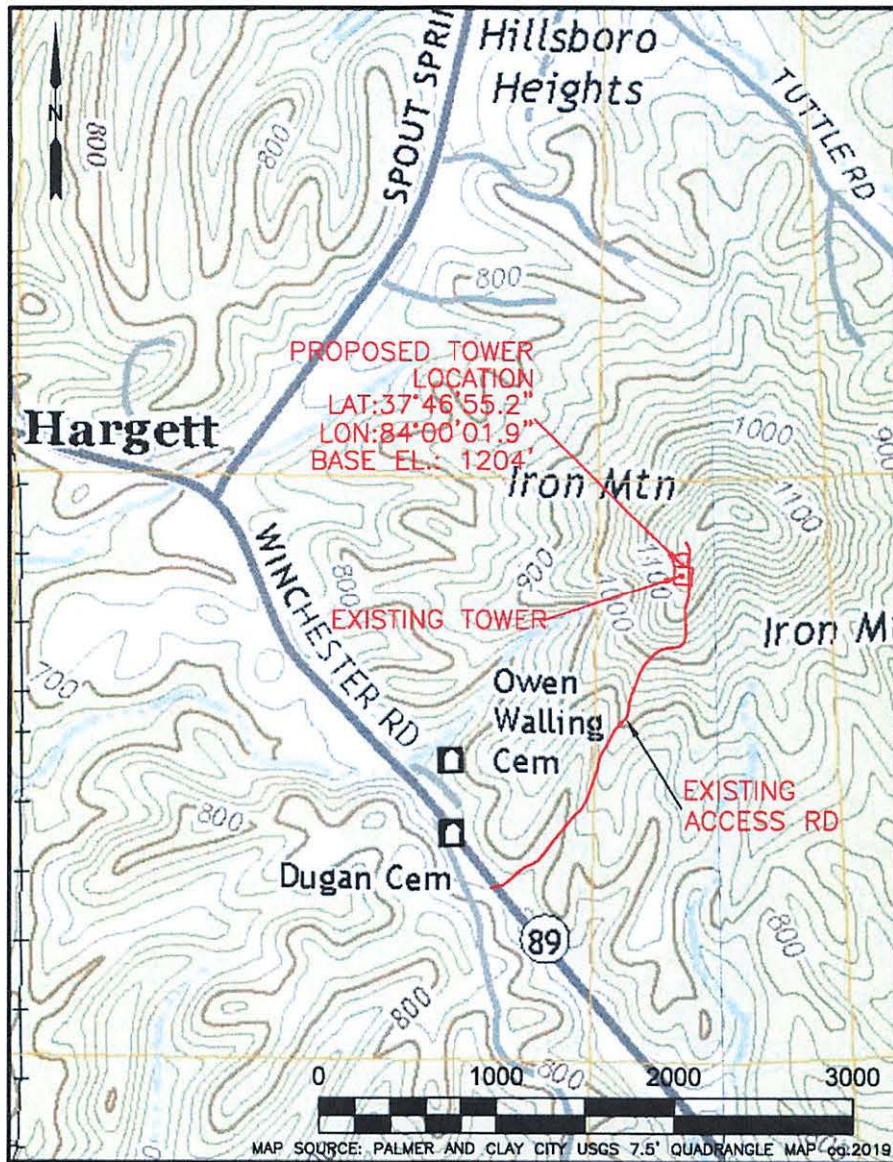
The purpose of this subsurface exploration was to prepare recommendations for design and construction of foundations for the tower and support buildings. Our scope of work included the following:

- A discussion of site surface conditions.
- A discussion of subsurface conditions encountered and published geologic conditions at the site.
- A review of the bedrock geology beneath the tower using drilled corehole information.
- A review and assessment of any past surface and underground mining affecting the tower site and the potential for subsidence beneath the tower.
- Field exploration operations utilizing corehole drilling and highwall observation for identification of the immediate bearing strata beneath the tower site and all overburden to be excavated. The stratigraphy encountered and the quality/condition of each will be summarized in the report and included in the appendices.
- A discussion of specific geotechnical conditions and concerns which may affect the design or construction of the project.
- Recommendations for site preparation and construction of compacted fills.
- Recommended general design and construction criteria for the project foundations.
- A recommendation for seismic site class according to the 2018 Kentucky Building Code (KBC).

### **2.2 Project Description**

The proposed cellular tower site level footprint is approximately 50 feet wide by 80 feet long. The site will be constructed by excavating the area to bedrock. The tower will be 300 feet tall. The free-standing steel tower will be mounted on a reinforced concrete mat built directly on the bedrock foundation. The tower legs will be mounted on reinforced concrete columns cast into the base mat. The mat will then be backfilled with excavated subsoil to a depth of 4 to 6 feet in order to create the final finished grade of the site. The approximate site location is depicted below. Reference Figure 2.2.A.

Figure 2.2.A Site Location Map



### 2.3 Site Conditions

The site is located near the community of Hargett in Estill County, KY near the top of a forested knob hill, locally known as Iron Mountain, east of the intersection of KY Routes 82 (Spout Springs Rd) and 89 (Winchester Rd) Tim Malone, PE of Synergy, visited the site on July 6, 2022 to conduct site investigations. During this visit, efforts were made to observe existing conditions, to assist the contractor with core drilling operations, to interpret the subsurface data and to detect conditions which could affect recommendations. The tower site was observed to be immediately adjacent to an existing tower and was disturbed during adjacent tower's construction. Also observed was another tower higher on hill, approximately 175 feet north east of the proposed tower location. An existing access road lies along the eastern side of the proposed site. No mining, quarrying, oil and gas operations, etc. were observed within or near the site.

### 2.4 Structural Loading Information

The proposed site will consist of a self-supporting tower approximately three hundred feet tall and ancillary support areas. The shallow mat footing area is estimated to be forty feet by forty feet with an estimated maximum base of the tower footer elevation at 1204'. Based on the information provided to Synergy by EKN, we estimate the structural loads will be similar to those provided in the table below:

**Table 2.4.A**

CONDITION	LOAD
Total Shear	50 Kips
Static Axial Load	325 Kips
Maximum Dynamic Load	600 Kips

We anticipate that overturning will govern the structural design. If the loading is significantly different than these expected values, Synergy should be notified to re-evaluate the recommendations provided in this report.

### 2.5 Site Grading and Topography

The proposed tower base elevation is 1204'. The site was partially excavated during construction of the adjacent tower that this tower is apparently replacing. Based on the existing site topography, extensive excavations will be necessary in order to create a flat bench wide enough to accommodate the proposed facilities. This excavation will remove all of the topsoil, subsoils, weathered rock and will expose the un-weathered bedrock upon which the reinforced

concrete shallow mat foundation will be constructed. Excavation of the bedrock will be accomplished using heavy equipment with a pneumatic hammer. It is anticipated that blasting will not be required. The excavated material will be disposed of by use as non-structural fill on the site or used to improve the existing access road. This material will not be used beneath the tower foundation in any load bearing capacity. The tower mat foundation will be constructed directly on the bedrock.

## **2.6 Flooding Hazard**

Due to the location of the tower site along the ridgeline of the mountain and that the site is approximately 500 vertical feet above the valley floor, flooding of the site will not be an issue. This site falls within FEMA Zone X, and is well above the 0.2% chance of annual flooding zone. A FEMA NFHL Firmette map of the site is included in the Appendix.

## **3.0 Subsurface Investigations and Encountered Conditions**

### **3.1 Published Geologic Information**

Geologic information was referenced from the Kentucky Geological Survey (KGS) Geologic Maps of the Palmer, Clay City and Irvine 7.5' Quadrangles, Estill County, Kentucky. Please reference Figure 3.1 for an excerpt of the Palmer and Clay City Geologic Quadrangle Maps. Additionally, the KGS corehole database was researched for any available adjacent coreholes representing the subsurface stratigraphy at the site. The exposed geology of the site is sedimentary in nature and is of Mississippian age. The rocks underlying the tower site are mapped as the Borden Formation and appear to be of the Cowbell Member. The stratigraphy is described as being interbedded greenish gray to yellowish gray siltstones and light olive gray to medium gray shales with yellow orange staining from limonite. This matches what was observed from the coreholes drilled on site.

The Nancy Member of the Borden formation is known to contain quantities of iron ore and was mined more than a century ago. Due to the technology of the day these mines were small surface operations and were very limited in scale. No iron ore mining appears to have been conducted near the proposed tower location.

Limestone quarrying has occurred in the Newman Limestone at several sites within a few miles of the proposed tower location. However, the Newman Limestone occurs above the Borden Formation and does not occur within or adjacent to the proposed tower location. The KGS



mapping indicates no karst in the immediate vicinity of the proposed tower. While limestones and dolomites exist below proposed tower location, they lie several hundred feet down. Based on published geological information and observations at the site, it appears that there is a minimum potential for foundation problems caused by karst within or near the proposed tower location.

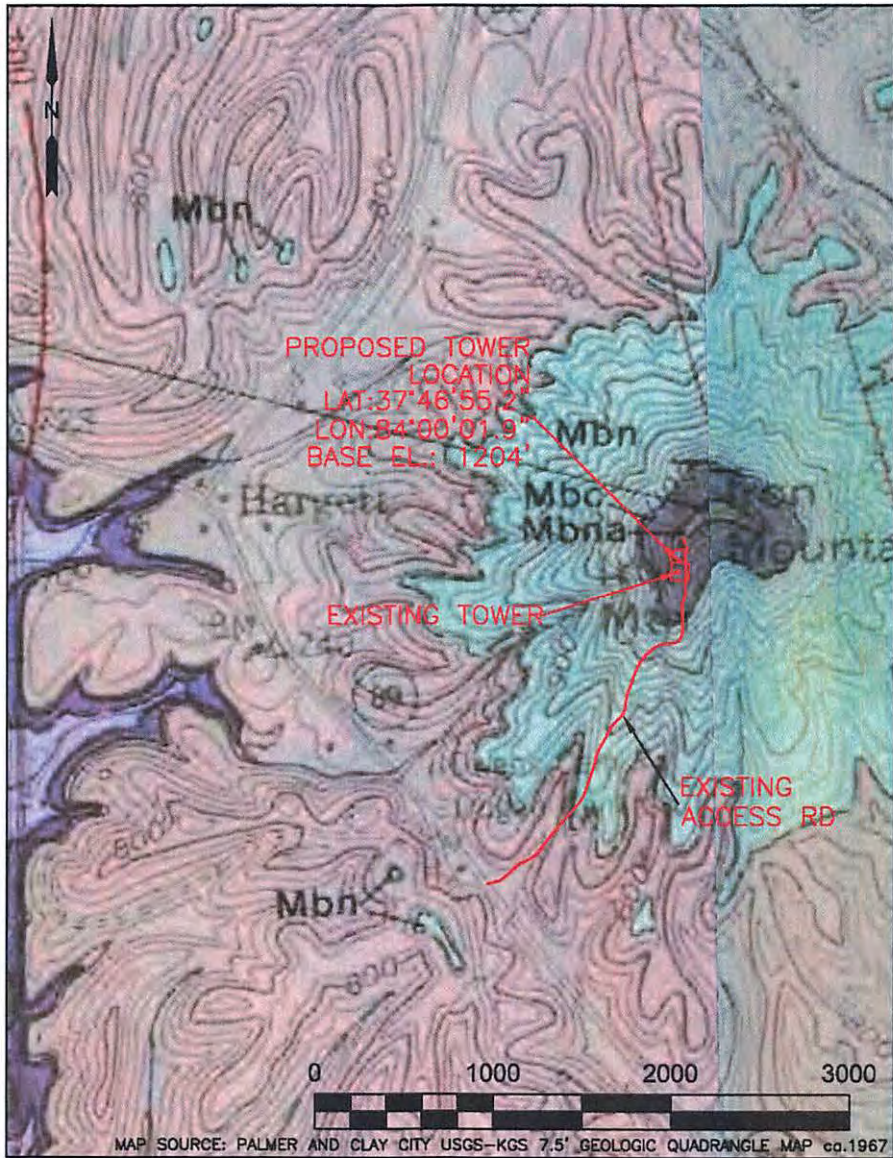
### **3.2 Subsurface Exploration Program**

Due to the mountainous terrain, the steep slopes leading to the site, and existing access road it was determined that corehole boring with a small track drill would be the best method to determine the depth to bedrock and the bedrock stratigraphy beneath the tower site. The site is located on a narrow ridge on a knob hill. The narrow ridges radiate from the knob hill like spokes on a wheel. As has been mentioned previously in this report, an existing road provides access to the site. The site has been partially excavated during construction of a previously existing tower. The ridge is just wide enough to allow for the road and tower site. Coreholes B-1 and B-2 were drilled on either side of the proposed tower location, with B-1 being on the side furthest from the road and B-2 being nearest the road. The holes were started at the excavated elevation. With hole B-1 drilled 29.0' and Hole B-2 drilled 29.5'. Both holes went through an aggregate base and weathered shale to a depth 4.0'-4.5'. A split spoon sampler was used in hole B-1 at a depth of approximately 2.5' and only moved 2" with 50 blows. A soil auger was utilized to refusal through the weathered shale at which point the holes were cored to their final depth with the rock recovered for examination. The rock encountered consisted primarily of layers of gray shale. Vertical fracturing was present in the core columns as noted on the core logs. Also noted on the core logs was the final depth of standing drill water after the steel was pulled from the hole. The relatively high elevation of the water in the holes indicates that the fractures are tight and confined, indicating that fracturing isn't compromising the strength of intact, in place bedrock.

Please find in Table 3.2 a summary of the boring data for Corehole B-1 and B-2. Copies of the original "Field Boring Logs" can be found in the appendix.

The road was built on the more gently sloping side of the ridge in most likely a cut and fill configuration. A small highwall exists along the road cut beneath the existing adjacent tower. The observed exposed rock matched what was observed in the rock cores recovered from coreholes B-1 and B-2. Photos of the rock cores and the road cut highwall can be found in the appendix.

Figure 3.1.A – Pikeville Geologic Quadrangle Map



**Table 3.2.A**

Corehole B-1			
Top of Strata El.	Thickness	Description	Condition (RQD)
1206.0'	0.4'	Aggregate Base	n/a
1205.6'	0.9'	Soil-silt, clayey, brown	n/a
1204.7'	2.7'	Shale, weathered	Very Poor
1202.0'	5.0'	Shale, gray	Fair
1197.0'	10.0'	Shale, gray	Good
1187.0	10.0'	Shale, gray	Very Good

Corehole B-2			
Top of Strata El.	Thickness	Description	Condition (RQD)
1207.0'	1.0'	Aggregate Base	n/a
1206.0'	3.5'	Shale, weathered	Very Poor
1202.5'	7.0'	Shale, gray	Poor
1192.5'	10.0'	Shale, gray	Good
1184.5'	8.0'	Shale, gray	Very Good

**3.3 Boring Logs**

The Kentucky Geological Survey corehole database was also searched for adjacent corehole locations that are relevant to the site. No additional relevant coreholes were found. As mentioned in Item 3.2 Appalachian Wireless conducted their own drilling program. Copies of the original core logs have been included in the Appendix.

**3.4 Groundwater**

Groundwater was not encountered in either of the coreholes. Given the location of the tower along the top of the ridge, there are no problems anticipated from groundwater. Generally, in the Appalachian region, groundwater is limited to the alluvial aquifer system located in the valley

bottoms. Groundwater can be found above aquacludes in the form of small “perched” aquifers, but no evidence of this condition was indicated by the test borings or visual inspection of the field conditions.

### **3.5 Review of Previous Mining and Potential for Subsidence**

A review of the Kentucky Geologic Survey Palmer and Clay City Geologic Quadrangle Map was conducted to determine if there is coal, limestone or other resources that could support underground mining. Along with the geologic quadrangle maps a review of the Kentucky Mine Mapping Information System (KMMIS) was also conducted. At this time the KMMIS only indicates coal mining or coal related activities.

No coal bearing rock was indicated on the geologic quadrangle maps and no coal mines were shown in the vicinity of the proposed tower site on KMMIS.

It is not uncommon for limestone to be quarried underground in the vicinity of the proposed tower site. A review of the geologic quadrangles, aerial photos and information available from the Kentucky Department of Natural Resources indicates that the nearest underground limestone quarry is approximately 7.5 miles to the southeast. This quarry and others in the region appear to be in the strata known as the Newman Limestone. The Newman Limestone occurs stratigraphically above the Borden formation. There are limestones and dolomites suitable for quarrying that occur stratigraphically several hundred feet below the proposed tower site. These strata don’t appear to be typically mined in the area. There is no indication that there are underground quarries in the vicinity of the proposed tower site. Additionally, underground limestone quarries are typically very stable.

Historically, there were iron ore mines and furnaces in operation in the region from the early to late 1800’s. The Nancy Member of the Borden formation is known to contain quantities of iron ore and lies immediately below the proposed tower site. Mining would have occurred more than 140-150 years ago. Due to the nature of the resource and the technology of the day, these mines were most likely small surface operations and were very limited in scale. While the site location for the proposed tower is known as Iron Mountain, Synergy can find no evidence or reference to any iron mining in the immediate vicinity of the proposed tower site.

No evidence of past surface or underground mining of any type appears to have occurred in the immediate vicinity of the proposed tower site. If past underground mining has occurred subsidence generally happens very quickly. Subsequently, no adverse effects to the tower foundation are expected from past mining.

## **4.0 Geotechnical Concerns and Construction Considerations**

Based on the results of the subsurface exploration and experience with similar past projects, we believe the project site is generally suitable for the proposed development. However, some concerns exist with the subsurface conditions, as discussed below.

### **4.1 Faulting or Fracturing in the Bedrock**

Based on the information gathered from the subsurface investigations and past knowledge and experience conducting excavations in the bedrock strata, a potential concern exists with the potential for large faults, cracks or fissures that may be exposed during excavation of the site. The bedrock underwent severe compressional forces during the uplift of the Appalachian Plateau, thereby creating multiple series of fractures along with occasional intermittent folds and faults. These occasional faults can have an adverse effect on the integrity of the foundation. Normal fracturing exists in all of the bedrock strata and normally does not decrease the compressional strength of the rock when the rock interface along the fracture stays tight and does not lose contact. However, whenever there is subsidence or lateral movement of the strata and the fracture interface loses contact, it can greatly reduce the stability of the foundational support. Vertical fractures were observed in the rock core samples of corehole B-1 and B-2. According to the core logs the drill water remained near the top of the hole after the drill steel was removed indicating the fractures were very tight and unlikely to cause stability issues. **Care should be taken during excavation of the site to look for and note the presence of any fissures, voids or large cracks in the bedrock beneath the foundation mat.** In the event that any of these features are found, Synergy should be notified such that remedial measures can be formulated and implemented.

### **4.2 Removal of Unsuitable Material from Beneath Mat Foundation**

In order for the reinforced concrete mat foundation to develop the full compressional strength of the underlying bedrock, it is important to remove all organic material, topsoil, subsoil, and weak rock from beneath the tower foundation footprint. The tower foundation should be situated on competent bedrock only, with an underlying leveling run of compacted dense grade aggregate or lean concrete.

### **4.3 Placement of Non-Structural Fill**

Level areas may be created along the outer edge of the tower site above the outslope by shallow fills using portions of the excavated subsoil. Due to the hard rock beneath the site and the

resulting steepness of slope, fills placed in these areas have a tendency to slide if the ground surface is not prepared properly and the fill is not adequately compacted.

## **5.0 Recommendations**

### **5.1 Site Preparation**

- All vegetation and topsoil materials should be stripped to prepare the site for construction. Removed materials should be windrowed along the perimeter beyond the limits of the excavation or fill areas.
- In no event should organic materials or salvaged topsoil materials be used in any portion of the fill areas.

### **5.2 Non-Structural Fill Placement**

- The non-structural fill areas should be scarified and the fill material should be compacted in maximum two foot lifts using track mounted equipment or other mechanical means.
- Un-compacted or push-over filling should be avoided and the outslope of the fill should be limited to 30 degrees or less.
- Usage of the filled areas should be limited to non-loading type activities such as fence construction, road and parking areas.
- All surface drainage should be diverted away from the filled areas and should not be allowed to flow onto or over the outslope.
- In the situation where there is nowhere to place the excess excavated material, the material may be used to improve the access road leading to the site. Use the same precautions for fill placement as earlier discussed.

### **5.3 Shallow Mat Foundation Preparation**

- Upon completion of the foundation excavation, all remaining soils, loose rock or other weak materials should be removed from the area beneath the reinforced concrete mat.
- Prior to construction of the mat, a leveling run of lean concrete or compacted dense grade aggregate should be placed on the clean bedrock. This leveling run will provide a smooth working surface for assembly of the steel reinforcement and will aid in forming a consistent thickness and level finished concrete surface.
- All concrete and steel construction within the reinforced concrete foundation will be based upon the designs and recommendations provided by the Structural Engineer. Synergy assumes no responsibility for the design or certification of those elements.

#### **5.4 Foundation Backfilling and Final Grading**

- Upon completion of the concrete construction and curing process, the reinforced concrete mat will be backfilled with the excavated subsoil to a thickness needed to establish the final finished grade of the site. This backfill material should be compacted in maximum one foot lifts using lightweight equipment or by other mechanical means. Backfilling of the areas surrounding the vertical piers should be compacted by hand tamping in order to prevent damage from the equipment.
- Compaction of the foundation backfill will be suitable for the support buildings which are of modular construction and will be placed upon a slab on grade.
- In order to prevent saturation of the site and to enhance storm runoff from the finished surface, the site should be graded to a slope of 1 to 2% away from the tower footing and equipment buildings and directed to perimeter ditches. It is also recommended that the perimeter ditches discharge into the access road ditch or into an established natural drain.
- The final graded surface should be covered with a durable gravel surface and can be supplemented with geotextile fabric beneath the gravel layer.

## 5.5 Seismic Site Classification

This classification is based on the seismic standards and design values from the 2018 Kentucky Building Code and the 2010 ASCE-7 Standard. Based on the results of our exploration and the geology of the area, we assign a site seismic classification of "A". Seismic Site Class and design parameters are summarized in the table below.

<b>Table 5.5.A - Seismic Site Class Information</b>	
<b>Seismic Design Parameters</b>	
<b>Site Classification</b>	Site Class "A"
<b>Risk Category</b>	II
<b>F<sub>a</sub></b>	0.8
<b>F<sub>v</sub></b>	0.8
<b>S<sub>s</sub></b>	0.200g
<b>S<sub>1</sub></b>	0.092g
<b>S<sub>s,0</sub></b>	0.194g
<b>S<sub>1,0</sub></b>	0.089g

The recommendations in this report are based on limited subsurface information. The nature and extent of variation across the site may not become evident until construction. If variations are then exposed, it will be necessary to re-evaluate our recommendations. In the event that subsurface conditions differ from those anticipated, we will provide recommendations if deemed necessary.

## 6.0 Report Limitations

This report has been prepared for the exclusive use of East Kentucky Network, LLC for specific application to the project site. Our recommendations have been prepared using generally accepted standards of geotechnical engineering practice in the Commonwealth of Kentucky. No other warranty is expressed or implied. The recommendations provided are based on the subsurface information and other findings obtained by Synergy as well as information provided by EKN. If there are revisions to the plans for this project or if subsurface conditions detailed in this report are encountered during construction that are different than our exploration, we should be notified immediately to modify the foundation recommendations if deemed necessary. We cannot be held responsible for the impact of those conditions on the project if those impacts are not made known to us.



## **7.0 Associated Geotechnical Risks**

The analytical tools which are used by geotechnical engineers are generally empirical and must be used in conjunction with professional engineering judgment and experience. Therefore, the recommendations presented in this geotechnical exploration should not be considered risk-free and are not a guarantee that the proposed structure will perform as planned. The engineering recommendations presented in this report are based on the information gathered during the subsurface exploration, information provided by EKN and past experience with similar projects.

**Appendix A: Proposed Tower Site Photographs**



Photograph A – Gate on Existing Access Road



Photograph B – Existing tower site, proposed tower site to right. Note access road highwall exposing rock to be encountered during foundation construction. Photo taken from existing access road facing southwest.



Photograph C – Access road highwall exposure showing rock to be encountered during foundation construction. Photo taken from access road facing west.



Photograph D – Proposed tower site location and approximate finished elevation. Site to be expanded beyond existing highwall in background. Drilling of corehole B-2 being conducted. Photo taken from existing access road facing northwest.

**Appendix B: Core Logs and Photos**



Horn & Associates, Inc.

# FIELD BORING LOG

**BORING NUMBER B-1**

PAGE 1 OF 1

CLIENT <u>Appalachian Wireless</u>	PROJECT NAME <u>Hargett Tower</u>
PROJECT NUMBER <u>2288.000</u>	PROJECT LOCATION <u>KY 89, Irvine, KY</u>
DATE STARTED <u>7/6/22</u> COMPLETED <u>7/6/22</u>	GROUND ELEVATION _____ HOLE SIZE <u>8"/3"</u>
DRILLING CONTRACTOR <u>Horn and Associates Inc</u>	GROUND WATER LEVELS:
DRILLING METHOD <u>HSA/NX</u>	AT TIME OF DRILLING <u>--- Dry</u>
LOGGED BY <u>T. Leininger</u> CHECKED BY _____	AT END OF DRILLING <u>---</u>
HOLE LOCATION _____	▽ AFTER DRILLING <u>5.00 ft</u>

DEPTH (ft)	SAMPLE TYPE NUMBER	RECOVERY % (RQD)	BLOW COUNTS (N VALUE)	GRAPHIC LOG	MATERIAL DESCRIPTION	GROUT DETAIL
0						
0.4					Aggregate base	
1.3					Silt, clayey, brown	
					Shale, weathered	
5						
	RC R-1	98 (52)				
10						
	RC R-2	95 (76)				
15						
	RC R-3	100 (91)				
20						
25						
					Shale, gray Vertical fracture from 13.9' - 14.3'	
29.0						

Auger Refusal at 4.0 feet.  
Bottom of borehole at 29.0 feet.

HORN FIELD LOG/GROUT WITH DISCLAIMER - GINT STD US GDT - 7/11/22 12:00

This field boring record provides the field observations and drilling data recorded by the drill operator. All samples obtained were provided directly to the client; therefore, the material descriptions and/or other notes contained hereon have not been reviewed by a professional engineer practicing in the geosciences.





Horn & Associates, Inc.

**FIELD BORING LOG**

CLIENT <u>Appalachian Wireless</u>	PROJECT NAME <u>Hargett Tower</u>
PROJECT NUMBER <u>2288.000</u>	PROJECT LOCATION <u>KY 89, Irvine, KY</u>
DATE STARTED <u>7/6/22</u> COMPLETED <u>7/6/22</u>	GROUND ELEVATION _____ HOLE SIZE <u>3"</u>
DRILLING CONTRACTOR <u>Horn and Associates Inc</u>	GROUND WATER LEVELS:
DRILLING METHOD <u>NX</u>	AT TIME OF DRILLING <u>--- Dry</u>
LOGGED BY <u>T. Leininger</u> CHECKED BY _____	AT END OF DRILLING <u>---</u>
HOLE LOCATION _____	▼ AFTER DRILLING <u>4.00 ft</u>

DEPTH (ft)	SAMPLE TYPE NUMBER	RECOVERY % (RQD)	GRAPHIC LOG	MATERIAL DESCRIPTION	GROUT DETAIL
0					
1.0				Aggregate base	
4.5				Shale, weathered	
5				▼	
10	RC R-1	96 (40)			
15					
20	RC R-2	98 (81)		Shale, gray Vertical fractures from: 10.1' - 10.6' 13.3' - 14.2' 15.2' - 15.7'	
25					
29.5	RC R-3	100 (95)			

Auger Refusal at 4.5 feet.  
Bottom of borehole at 29.5 feet.

HORN FIELD LOG/GROUT WITH DISCLAIMER - GINT STD US GDT - 7/1/22 12:00

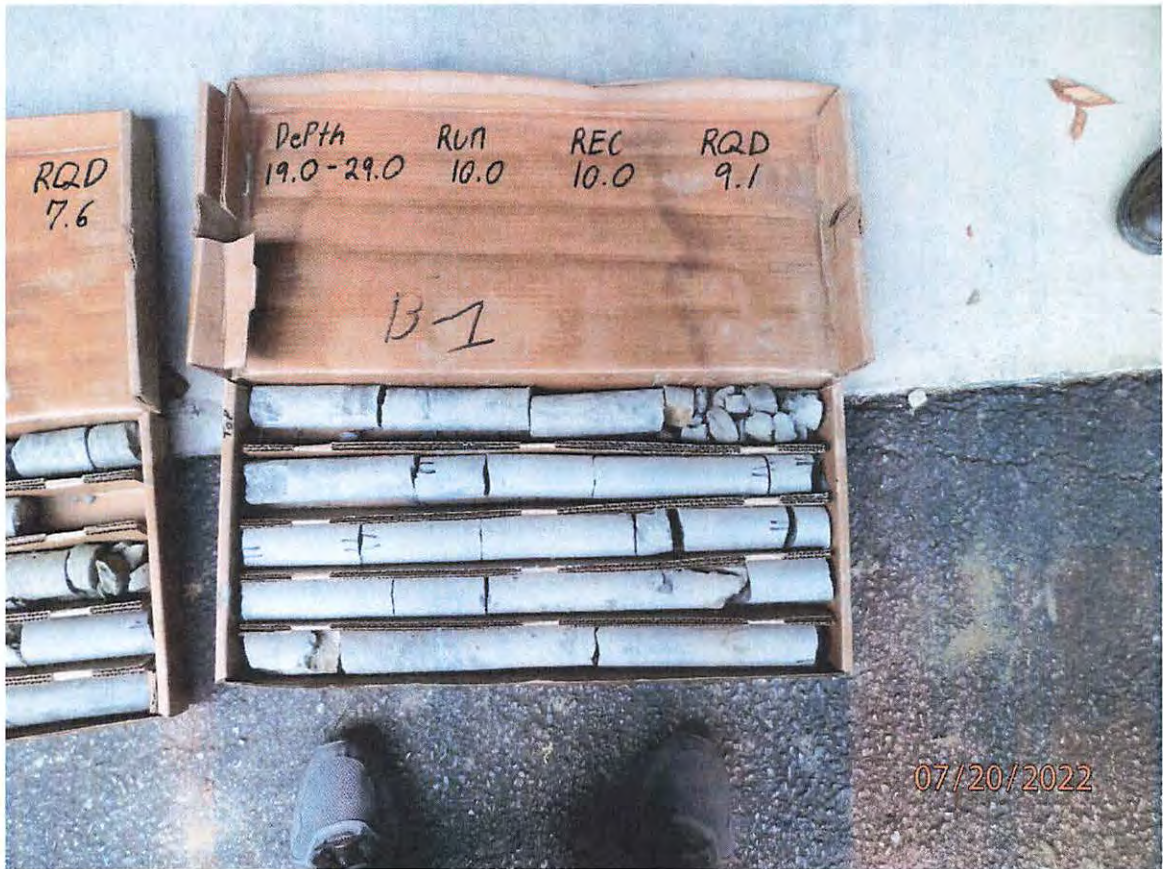
This field boring record provides the field observations and drilling data recorded by the drill operator. All samples obtained were provided directly to the client; therefore, the material descriptions and/or other notes contained hereon have not been reviewed by a professional engineer practicing in the geosciences.



Photograph E – Corehole B-1, Box1



Photograph F – Corehole B-1, Box 2



Photograph G – Corehole B-1, Box 3



Photograph H – Corehole B-2, Box 1



Photograph I – Corehole B-2, Box 2



Photograph J – Corehole B-2, Box 3

**Appendix C: Flood Map**



# National Flood Hazard Layer FIRMette



84°0'20"W 37°47'9"N



## Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

SPECIAL FLOOD HAZARD AREAS		Without Base Flood Elevation (BFE) Zone A, V, A99
		With BFE or Depth Zone AE, AO, AH, VE, AR
		Regulatory Floodway
OTHER AREAS OF FLOOD HAZARD		0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X
		Future Conditions 1% Annual Chance Flood Hazard Zone X
		Area with Reduced Flood Risk due to Levee. See Notes. Zone X
		Area with Flood Risk due to Levee Zone D
OTHER AREAS		NO SCREEN Area of Minimal Flood Hazard Zone X
		Effective LOMRs
		Area of Undetermined Flood Hazard Zone D
GENERAL STRUCTURES		Channel, Culvert, or Storm Sewer
		Levee, Dike, or Floodwall
OTHER FEATURES		20.2 Cross Sections with 1% Annual Chance Water Surface Elevation
		17.5 Coastal Transect
		Base Flood Elevation Line (BFE)
		Limit of Study
		Jurisdiction Boundary
		Coastal Transect Baseline
MAP PANELS		Digital Data Available
		No Digital Data Available
		Unmapped
		The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.



This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on **7/27/2022 at 4:39 PM** and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.

# Exhibit 5



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](mailto:worldtower@worldtower.com)  
Web: [www.worldtower.com](http://www.worldtower.com)

---

300' MODEL WSST TOWER  
FOR: EAST KENTUCKY NETWORK  
SITE: HARGET CELL/ IRVINE  
ESTILL COUNTY, KY  
DESIGN PACKAGE



8-10-2022

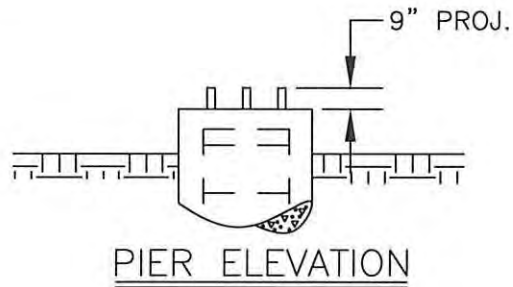
## GENERAL NOTES

1. WELDED CONNECTIONS SHALL CONFORM TO THE LATEST REVISION OF THE AMERICAN WELDING SOCIETY AWS. D 1.1.
2. TOWER AND ALL FABRICATED ACCESSORIES ARE HOT-DIP GALVANIZED.
3. ALL BOLTS SHALL BE GALVANIZED ACCORDING TO THE STANDARD SPECIFICATION FOR ZINC COATING OF IRON AND STEEL HARDWARE ASTM A153.
4. LEG STEEL IS 50 KSI MIN YIELD SOLID ROUND OR PIPE AND BRACING STEEL IS 36 KSI MIN YIELD SOLID ROUND OR STRUCTURAL ANGLE.
5. ALL STRUCTURAL BOLTS ARE ASTM A325X, THREADS EXCLUDED FROM SHEAR PLANE.
6. TOWER SHOULD BE INSPECTED IN ACCORDANCE WITH TIA-222-G EVERY 5 YEARS.
7. 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.

8-10-2022



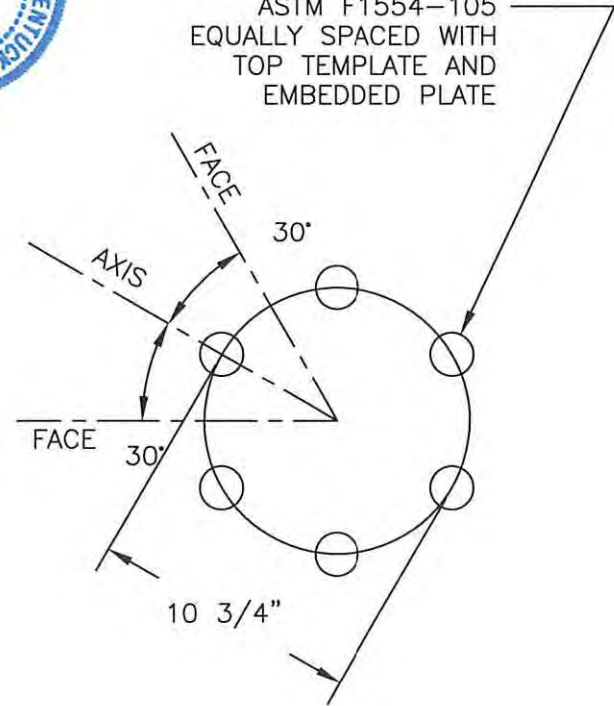
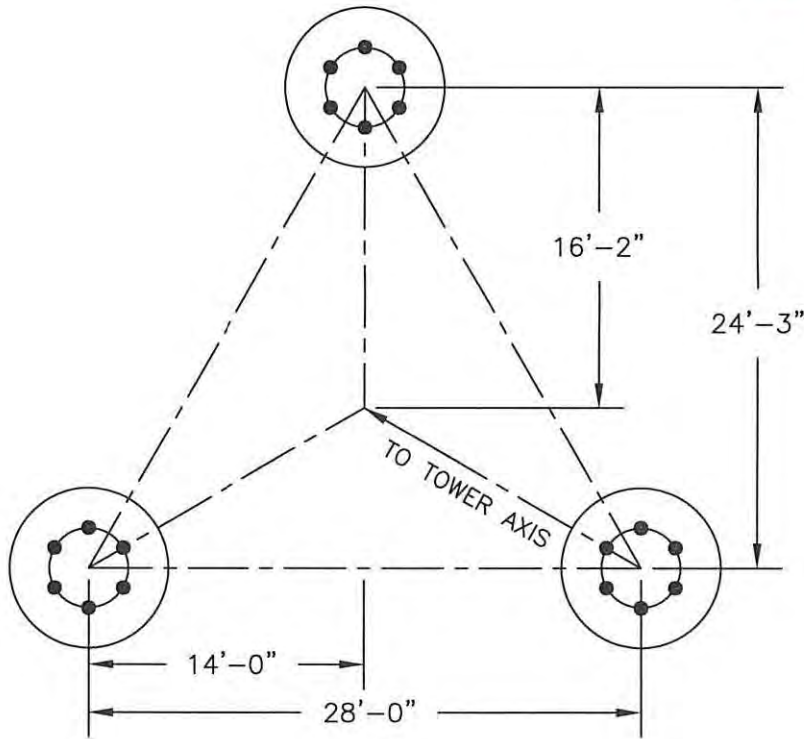
<b>WORLD TOWER</b>			
TITLE: 300' MODEL WSST TOWER FOR: EAST KENTUCKY NETWORK SITE: HARGET CELL/ IRVINE ESTILL COUNTY, KY			
SCALE	DWN.	LKG	CKD.
FILE	DATE 8-10-22		
		DWG. NO.	Q220270N



8-10-2022



ANCHOR BOLTS  
 (6) 1 1/2"Ø X 90"  
 ASTM F1554-105  
 EQUALLY SPACED WITH  
 TOP TEMPLATE AND  
 EMBEDDED PLATE

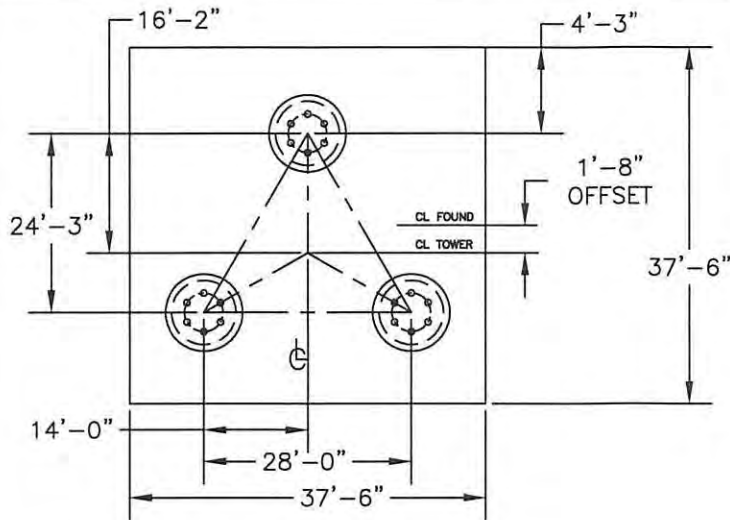


TITLE:

300' MODEL WSST TOWER  
 FOR: EAST KENTUCKY NETWORK  
 SITE: HARGET/ IRVINE  
 ESTILL COUNTY, KY

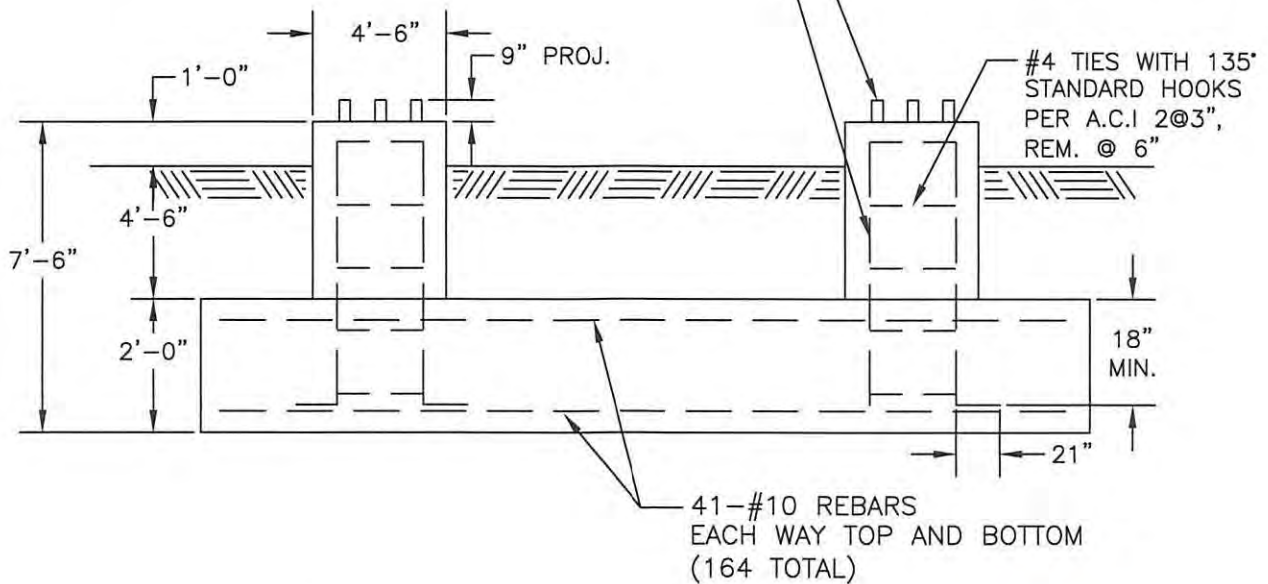
# WORLD TOWER

SCALE	NONE	DWN.	LKG	CKD.	DATE	8-10-22
FILE				DWG. NO.	Q220270AB	



113.9 CU. YDS.  
CONCRETE REQ'D.

BASE REACTIONS	
OTM:	13950.0 FT. KIPS
COMP.	611.0 KIPS
UPLIFT	520.0 KIPS
SHEAR (3 LEGS)	81.0 KIPS
WT. NO ICE	108.0 KIPS
WT. 3/4" ICE	328.0 KIPS



GENERAL NOTES

1. CONCRETE TO HAVE 4500 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 SYNERGY ENGINEERING SERVICES, PLLC DATED AUGUST 4, 2022.



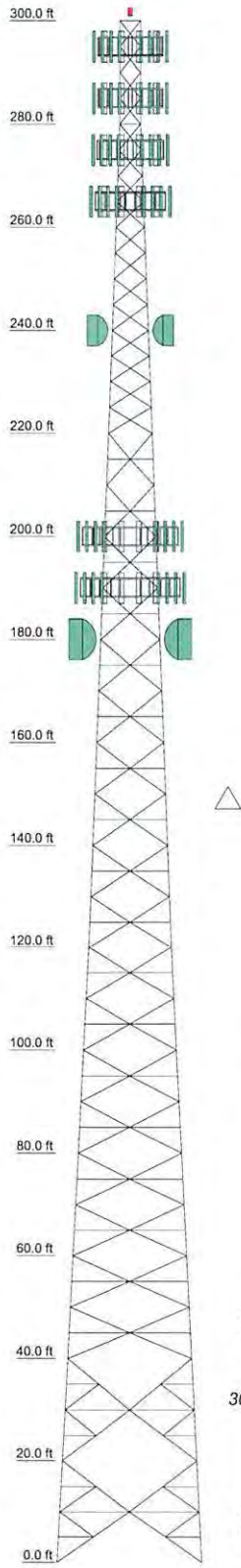
8-10-2022

TITLE: FOUNDATION DETAIL  
300' WSST TOWER  
FOR: EAST KENTUCKY NETWORK  
SITE: HARGET CELL/ IRVINE  
ESTILL COUNTY, KY

**WORLD TOWER**

SCALE NONE	DWN.	LKG	CKD.	DATE 8-10-22
FILE	DWG. NO. Q220270F			

Section	T15	T14	T13	T12	T11	T10	T9	T8	T7	T6	T5	T4	T3	T1
Legs	SR 4 3/4	SR 4 1/2	SR 4 1/2	SR 4 1/2	SR 4 1/4	SR 4 1/4	SR 4	A572-50	SR 3 3/4	SR 3 1/2	SR 3 1/4	SR 3	SR 2 3/4	SR 1 3/4
Diagonals	L4x4x1/4	L4x4x1/4	L3 1/2x3 1/2x1/4	L3 1/2x3 1/2x1/4	L3 1/2x3 1/2x1/4	L3 3/8x1/4	L3 1/2x3 1/2x1/4	L3 3/8x1/4	L3 3/8x1/4	L3 3/8x1/4	A	L2x2x3/16	L2x2x3/16	
Horizontal Grade	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.
Top Girts														
Horizontals	L4x4x1/4	L4x4x1/4	L3 1/2x3 1/2x1/4	L3 1/2x3 1/2x1/4	L3 3/8x1/4	L3 3/8x1/4	L2 1/2x2 1/2x3/16	L2 1/2x2 1/2x3/16	L2x2x3/16	L2x2x3/16				
Red. Horizontals	L3x3x3/16	L3x3x3/16	L3x3x3/16	L3x3x3/16	L3x3x3/16									
Red. Diagonals	L3 1/2x3 1/2x1/4	L3 1/2x3 1/2x1/4												
Inner Bracing	L3 1/2x3 1/2x1/4	L3 1/2x3 1/2x1/4												
Face Width (ft)	28	26	24	22	20	18	16	14.5	13	11.5	10	7	5.5	4
# Panels @ (ft)	4 @ 10	4 @ 10												
Weight (K)	60.1	6.4	6.5	6.0	5.3	4.6	4.5	4.1	3.7	52 @ .5	2.5	2.1	1.8	1.0



**DESIGNED APPURTENANCE LOADING**

TYPE	ELEVATION	TYPE	ELEVATION
Beacon Lighting	300	(4) Commscope NN-65A-M w/ mt. pipe* (54.9" x 26.9" x 7.1")	265
Lightning Rod 5/8x4'	300	(4) Commscope NN-65A-M w/ mt. pipe* (54.9" x 26.9" x 7.1")	265
WD13X53 Antenna Mounting Frame	295	(4) Commscope NN-65A-M w/ mt. pipe* (54.9" x 26.9" x 7.1")	265
WD13X53 Antenna Mounting Frame	295	(4) Commscope NN-65A-M w/ mt. pipe* (54.9" x 26.9" x 7.1")	265
WD13X53 Antenna Mounting Frame	295	(4) Commscope NN-65A-M w/ mt. pipe* (54.9" x 26.9" x 7.1")	265
(4) Commscope NN-65A-M w/ mt. pipe* (54.9" x 26.9" x 7.1")	295	(4) RRU-12	265
(4) Commscope NN-65A-M w/ mt. pipe* (54.9" x 26.9" x 7.1")	295	(4) RRU-12	265
(4) Commscope NN-65A-M w/ mt. pipe* (54.9" x 26.9" x 7.1")	295	(4) RRU-12	265
(4) Commscope NN-65A-M w/ mt. pipe* (54.9" x 26.9" x 7.1")	295	Dish Mount	240
(4) RRU-12	295	Dish Mount	240
(4) RRU-12	295	6 FT DISH	240
(4) RRU-12	295	6 FT DISH	240
(4) RRU-12	295	6 FT DISH	240
WD13X53 Antenna Mounting Frame	285	(4) Commscope NN-65A-M w/ mt. pipe* (54.9" x 26.9" x 7.1")	200
WD13X53 Antenna Mounting Frame	285	(4) Commscope NN-65A-M w/ mt. pipe* (54.9" x 26.9" x 7.1")	200
WD13X53 Antenna Mounting Frame	285	(4) RRU-12	200
(4) Commscope NN-65A-M w/ mt. pipe* (54.9" x 26.9" x 7.1")	285	(4) RRU-12	200
(4) Commscope NN-65A-M w/ mt. pipe* (54.9" x 26.9" x 7.1")	285	(4) RRU-12	200
(4) Commscope NN-65A-M w/ mt. pipe* (54.9" x 26.9" x 7.1")	285	(4) RRU-12	200
(4) RRU-12	285	WD13X53 Antenna Mounting Frame	200
(4) RRU-12	285	WD13X53 Antenna Mounting Frame	200
(4) RRU-12	285	WD13X53 Antenna Mounting Frame	200
WD13X53 Antenna Mounting Frame	275	(4) Commscope NN-65A-M w/ mt. pipe* (54.9" x 26.9" x 7.1")	190
WD13X53 Antenna Mounting Frame	275	(4) Commscope NN-65A-M w/ mt. pipe* (54.9" x 26.9" x 7.1")	190
WD13X53 Antenna Mounting Frame	275	(4) RRU-12	190
(4) Commscope NN-65A-M w/ mt. pipe* (54.9" x 26.9" x 7.1")	275	(4) RRU-12	190
(4) Commscope NN-65A-M w/ mt. pipe* (54.9" x 26.9" x 7.1")	275	(4) RRU-12	190
(4) Commscope NN-65A-M w/ mt. pipe* (54.9" x 26.9" x 7.1")	275	WD13X53 Antenna Mounting Frame	190
(4) RRU-12	275	WD13X53 Antenna Mounting Frame	190
(4) RRU-12	275	WD13X53 Antenna Mounting Frame	190
(4) RRU-12	275	(4) Commscope NN-65A-M w/ mt. pipe* (54.9" x 26.9" x 7.1")	190
WD13X53 Antenna Mounting Frame	265	8 FT DISH	180
WD13X53 Antenna Mounting Frame	265	8 FT DISH	180
WD13X53 Antenna Mounting Frame	265	Dish Mount	180
WD13X53 Antenna Mounting Frame	265	Dish Mount	180

**SYMBOL LIST**

MARK	SIZE	MARK	SIZE
A	L2 1/2x2 1/2x3/16		

**ALL REACTION ARE FACTORE**

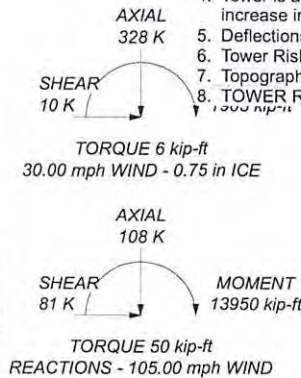
**MATERIAL STRENGTH**

MAX. CORNER	GRADE	Fy	Fu	GRADE	Fy	Fu
A572-50	A572-50	50 ksi	65 ksi	A36	36 ksi	58 ksi

DOWN: 611 K  
SHEAR: 52 K

**TOWER DESIGN NOTES**

1. Tower is located in Estill County, Kentucky.
2. Tower designed for Exposure C to the TIA-222-G Standard.
3. Tower designed for a 105.00 mph basic wind in accordance with the TIA-222-G Standard.
4. Tower is also designed for a 30.00 mph basic wind with 0.75 in ice. Ice is considered to increase in thickness with height.
5. Deflections are based upon a 60.00 mph wind.
6. Tower Risk Category II.
7. Topographic Category 1 with Crest Height of 0.00 ft
8. TOWER RATING: 97.8%



8-10-2022

<b>World Tower</b>			<b>300' WSST Tower / Job Q22-270</b>		
1213 Compressor Drive			Project: <b>Harget Cell</b>		
Mayfield, KY 42066			Client: Appalachian Wireless		
Phone: (270) 247-3642			Drawn by: kirk		
FAX: www.worldtower.com			Code: TIA-222-G		
			Date: 05/11/22		
			Scale: NTS		
			Path: c:\TowerPE Runs\2022\Q22-270 harget cell\Q22-270.er		
			Dwg No: E-1		

# Exhibit 6





Federal Aviation Administration

« OE / AAA

Notice of Proposed Construction or Alteration - Off Airport

[Add a New Case \(Off Airport\) - Desk Reference Guide V\\_2018.2.1](#)

[Add a New Case \(Off Airport\) for Wind Turbines - Met Towers \(with WT Farm\) - WT-Barge Crane - Desk Reference Guide V\\_2018.2.1](#)

Project Name: EAST -000806143-23

Sponsor: East Kentucky Network, LLC

Details for Case : Hargett

[Show Project Summary](#)

Case Status

ASN: 2023-ASO-23019-OE  
 Status: Accepted

Date Accepted: 07/12/2023  
 Date Determined:  
 Letters: None  
 Documents: 07/11/2023 2C map - Hargett.pdf

Public Comments: None

Project Documents:  
 None

Construction / Alteration Information

Notice Of: Construction  
 Duration: Permanent  
 if Temporary : Months: Days:  
 Work Schedule - Start: 10/01/2023  
 Work Schedule - End: 10/31/2023

Structure Summary

Structure Type: TOWER | Antenna Tower  
 Structure Name: Hargett  
 FDC NOTAM:  
 NOTAM Number:  
 FCC Number: 1261977  
[FCC ASR Registration](#)  
 Prior ASN: 2007-ASO-6111-OE

*\*For temporary cranes-Does the permanent structure require separate notice to the FAA? To find out, use the Notice Criteria Tool. If separate notice is required, please ensure it is filed. If it is not filed, please state the reason in the Description of Proposal.*

State Filing:

Structure Details

Latitude: 37° 46' 55.10" N  
 Longitude: 84° 0' 1.90" W  
 Horizontal Datum: NAD83  
 Site Elevation (SE): 1205 (nearest foot) **PASSED**  
 Structure Height (AGL): 310 (nearest foot)  
 Current Height (AGL): (nearest foot)  
*\* For notice of alteration or existing provide the current AGL height of the existing structure. Include details in the Description of Proposal*

Proposed Frequency Bands

Low Freq	High Freq	Freq Unit	ERP	ERP Unit
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

Minimum Operating Height (AGL): (nearest foot)  
*\* For aeronautical study of a crane or construction equipment the maximum height should be listed above as the Structure Height (AGL). Additionally, provide the minimum operating height to avoid delays if impacts are identified that require negotiation to a reduced height. If the Structure Height and minimum operating height are the same enter the same value in both fields.*

Requested Marking/Lighting: White-medium intensity

Other :

Recommended Marking/Lighting:

Current Marking/Lighting: Dual-red and medium intensity

Other :

Nearest City: Hargett  
 Nearest State: Kentucky

Description of Location: Site is located approx. 0.5 mi (0.8 km) east of Hargett (Estill), KY  
*On the Project Summary page upload any certified survey.*

Description of Proposal: Replace the existing 310' structure with a new 300' tower with top mounted antennas (overall height of 310' AGL) with change in lighting for replacement tower.

Previous [Back to Search Result](#) Next

## APPLICATION FOR PERMIT TO CONSTRUCT OR ALTER A STRUCTURE

### JURISDICTION

602 KAR 50:030

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 airport 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 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 airport 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 the ground.

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.

### INSTRUCTIONS

1. "Alteration" means to increase or decrease the height of a structure or change the obstruction marking and lighting.
2. "Applicant" means the person who will own or have control over the completed structure.
3. "Certification by Applicant" shall be made by the individual who will own or control the completed structure; or a partner in a partnership; or the president or authorized officer of a corporation company, or association; or the authorized official of a body politic; or the legally designated representative of a trustee, receiver, or assignee.
4. Prepare the application and forward to the Kentucky Dept. of Aviation, ATTN: Airport Zoning Commission, 90 Airport Drive, Frankfort KY 40601. For questions, telephone 502-782-4043.
5. The statutes applicable to the Kentucky Airport Commission are KRS 183.861 to 183.990 and the administrative regulations are 602 KAR Chapter 50.
6. When applicable, attach the following appendices to the application:

Appendix A. A 7.5 minute quadrangle topographical map prepared by the U.S. Geological Survey and the Kentucky Geological Survey with the exact location of the structure which is the subject of the application indicated thereon. (*The 7.5 minute quadrangle map may be obtained from the Kentucky Geological Survey, Department of Mines and Minerals, Lexington, KY 40506.*)

Appendix B. For structures on or very near to property of a public use airport, a copy of the airport layout drawing (ALP) with the exact location of the structure which is the subject of this application indicated thereon. (*The ALP may be obtained from the Chairperson of the local airport board or the Kentucky Airport Zoning Commission.*)

Appendix C. Copies of Federal Aviation Administration Applications (*FFA Form 7460-1*) or any orders issued by the manager, Air Traffic Division, FAA regional office.

Appendix D. If the applicant has indicated in item number 7 of the application that the structure will not be marked or lighted in accordance with the regulations of the Commission, the applicant shall attach a written request for a determination by the commission that the marking and lighting are not necessary. The applicant shall specifically state the reasons that the absence of marking and lighting will not impair the safety of air navigation.

Appendix E. The overall height in feet of the overhead transmission line or static wire above ground level or mean water level with span length 1,000 feet and over shall be depicted on a blueprint profile map.

### PENALTIES

1. Persons failing to comply with the Airport Zoning Commission statutes and regulations are liable for a fine or imprisonment as set forth in KRS 183.990(3).
2. Applicants are cautioned: Noncompliance with Federal Aviation Administration Regulations may provide for further penalties.



KENTUCKY TRANSPORTATION CABINET  
KENTUCKY AIRPORT ZONING COMMISSION

TC 55-2  
Rev. 06/2020  
Page 2 of 2

**APPLICATION FOR PERMIT TO CONSTRUCT OR ALTER A STRUCTURE**

<b>APPLICANT (name)</b> East Kentucky Network, LLC		<b>PHONE</b> 606-339-1006	<b>FAX</b> 606-339-1363	<b>KY AERONAUTICAL STUDY #</b>	
<b>ADDRESS (street)</b> 101 Technology Trail		<b>CITY</b> Ivel		<b>STATE</b> KY	<b>ZIP</b> 41642
<b>APPLICANT'S REPRESENTATIVE (name)</b> Cindy McCarty		<b>PHONE</b> 606-339-1006	<b>FAX</b> 606-339-1363		
<b>ADDRESS (street)</b> 101 Technology Trail		<b>CITY</b> Ivel		<b>STATE</b> KY	<b>ZIP</b> 41642
<b>APPLICATION FOR</b> <input checked="" type="checkbox"/> New Construction <input type="checkbox"/> Alteration <input type="checkbox"/> Existing				<b>WORK SCHEDULE</b>	
<b>DURATION</b> <input type="checkbox"/> Permanent <input type="checkbox"/> Temporary (months days )				Start 10/1/23 End 10/31/23	
<b>TYPE</b> <input type="checkbox"/> Crane <input type="checkbox"/> Building <input checked="" type="checkbox"/> Antenna Tower <input type="checkbox"/> Power Line <input type="checkbox"/> Water Tank <input type="checkbox"/> Landfill <input type="checkbox"/> Other		<b>MARKING/PAINTING/LIGHTING PREFERRED</b> <input type="checkbox"/> Red Lights & Paint <input checked="" type="checkbox"/> White- medium intensity <input type="checkbox"/> White- high intensity <input type="checkbox"/> Dual- red & medium intensity white <input type="checkbox"/> Dual- red & high intensity white <input type="checkbox"/> Other			
<b>LATITUDE</b> 37°46'55.19"		<b>LONGITUDE</b> 84°00'01.92"		<b>DATUM</b> <input checked="" type="checkbox"/> NAD83 <input type="checkbox"/> NAD27 <input type="checkbox"/> Other	
<b>NEAREST KENTUCKY</b> City Hargett County Estill		<b>NEAREST KENTUCKY PUBLIC USE OR MILITARY AIRPORT</b> Stanton Airport			
<b>SITE ELEVATION (AMSL, feet)</b> 1205		<b>TOTAL STRUCTURE HEIGHT (AGL, feet)</b> 310		<b>CURRENT (FAA aeronautical study #)</b> 2023-ASO-23019-OE	
<b>OVERALL HEIGHT (site elevation plus total structure height, feet)</b> 1515				<b>PREVIOUS (FAA aeronautical study #)</b> 2007-ASO-6111-OE	
<b>DISTANCE (from nearest Kentucky public use or Military airport to structure)</b> 8.4				<b>PREVIOUS (KY aeronautical study #)</b>	
<b>DIRECTION (from nearest Kentucky public use or Military airport to structure)</b> WSW					
<b>DESCRIPTION OF LOCATION (Attach USGS 7.5 minute quadrangle map or an airport layout drawing with the precise site marked and any certified survey.)</b> Site is located approximately 0.5 miles (0.8 km) East of Hargett (Estill), KY					
<b>DESCRIPTION OF PROPOSAL</b> Replace the existing 310' structure with a new 300' tower with top mounted antennas (overall height of 310' AGL).					
<b>FAA Form 7460-1 (Has the "Notice of Construction or Alteration" been filed with the Federal Aviation Administration?)</b> <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes, when?					
<b>CERTIFICATION (I hereby certify that all the above entries, made by me, are true, complete, and correct to the best of my knowledge and belief.)</b> <b>PENALTIES (Persons failing to comply with KRS 183.861 to 183.990 and 602 KAR 050 are liable for fines and/or imprisonment as set forth in KRS 183.990(3). Noncompliance with FAA regulations may result in further penalties.)</b>					
<b>NAME</b> Cindy McCarty	<b>TITLE</b> In House Counsel	<b>SIGNATURE</b> /s/ Cindy McCarty		<b>DATE</b> 7/12/23	
<b>COMMISSION ACTION</b> <input type="checkbox"/> Chairperson, KAZC <input type="checkbox"/> Administrator, KAZC					
<input type="checkbox"/> Approved <input type="checkbox"/> Disapproved	<b>SIGNATURE</b>			<b>DATE</b>	

# Exhibit 7

## Driving Directions

1. Begin in Estill County in Irvine, Ky on Main Street (Hwy 89) North
2. Drive 5.9 miles
3. Turn right onto the gravel road (signs posted)
4. To access the site drive 0.4 miles
5. You will arrive, property site is on your left (signs will be posted)

***Prepared by:***

*Daryl Bartley*  
**CELL SITE COMPLIANCE AGENT**  
*d/b/a Appalachian Wireless*  
*(606) 791-0310 (cell)*

# Hargett Replacement


Location:

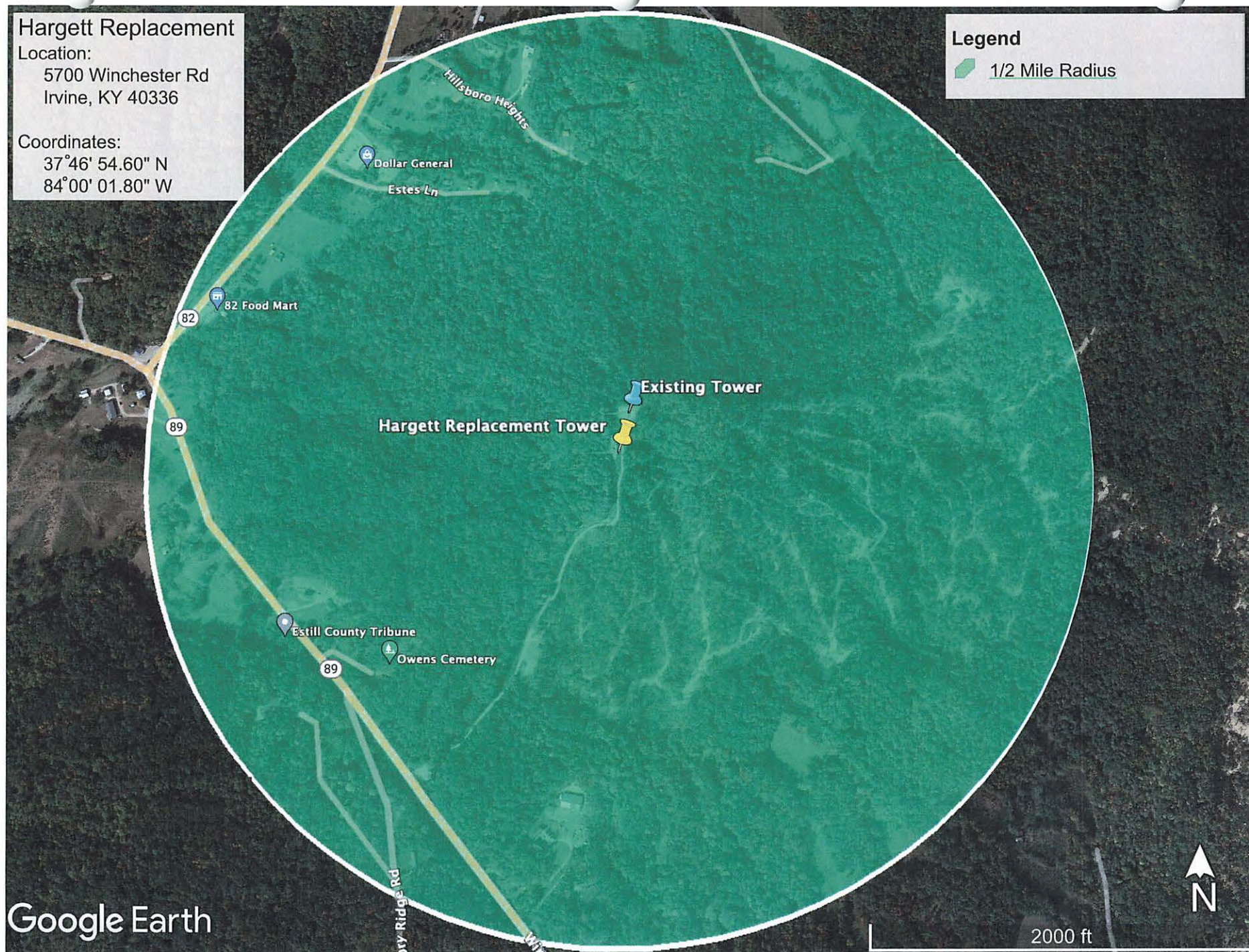
5700 Winchester Rd  
Irvine, KY 40336

Coordinates:

37°46' 54.60" N  
84°00' 01.80" W

## Legend

 1/2 Mile Radius



Google Earth

2000 ft

# Exhibit 8

LEASE AGREEMENT

THIS LEASE is made and executed on the 14<sup>th</sup> day of August, 2007 by and between Jimmie R. Wise and Shelia H. Wise, married, with a mailing address of P.O. Box 479, Irvine, Kentucky 40336; hereinafter referred to as "LESSORS", and East Kentucky Network, LLC, d/b/a Appalachian Wireless, 101 Technology Trail, Ivel, Kentucky 41642, hereinafter referred to as "LESSEE":

WITNESSETH:

That for and in consideration of the rents and other considerations hereinafter set out and subject to the terms and conditions therefore, Lessors do hereby lease, let and demise unto Lessee, its successors and assigns, to have and to hold for the term hereinafter set out and subject to the Lessee's right to surrender or terminate this Lease and provided hereinafter, the following described premises ("Leased Premises"), which term shall include all real property, rights and privileges herein granted:

BEING a part of the same property conveyed to Lessors by Deed Bk 124, p. 352, dated May 10, 1969 (Tract no. 4) and Will Bk S, p. 370, Estill County Clerk's Office.

BEING the same 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 10 day of April 2007, prepared by Steven Haywood, Licensed Professional Land Surveyor, and attached hereto and made a part hereof as Exhibit "B."

The Lessors grant unto Lessee full and complete right of ingress, egress and regress over only roads that have been built and maintained by Lessee located upon this property controlled by Lessors to and from the Leased Premises, and the non-exclusive right to use

9/21/2007  
EAST KENTUCKY NETWORK  
101 TECHNOLOGY TR  
IVEL KY 41642



any existing road located on this property. In the event the Lessee desires to relocate all or any portion of an existing roadway or to construct another access road to the Leased Premises, the location of such roadway shall be mutually agreed upon by Lessors and Lessee. Lessors further grant to the Lessee a right of way and easement to construct and maintain and operate telephone and power transmission lines over Lessors' remaining property to the Leased Premises for service of the tower and related facilities only, said lines to be located where feasible along the access road to the Leased Premises, with Lessors having input as to location of said power transmission lines in the event Lessee changes the location of its access road. Lessee shall have the right to trim or remove trees, limbs or underbrush which interferes with its access road or power/telephone lines wherever such road and lines are located. Lessee shall help maintain the existing road with gravel and any needed repairs.

This Lease is made on the following terms and conditions:

1. **TERM OF LEASE.** The term of this lease shall be for a period of Ninety-Nine (99) years from and after the date hereof (subject to the right of Lessee to terminate same upon notice given pursuant to Paragraph 2 hereof).

2. **CANCELLATION.** Lessee shall have the right to terminate this Lease and abandon the Premises at any time under its sole discretion, upon six (6) month written notice to Lessors' of its intention to do so. In the event of termination by Lessee, the Lessors shall have no obligation to refund all or any portion of the annual Leasehold rental payment that has been paid. Upon termination of this Lease, Lessee shall have one hundred eight (180) days thereafter to remove all structures it has erected upon the Leased Premises, and to reclaim the premises. Payment shall continue until said structures are removed. In the event that the Lessee decides to sell the tower and/or building, then the Lessor has the

rights to first refusal.

3. RENTAL. As rental for the Leased Premises, Lessee shall pay to Lessors annually and in advance the sum of Two Thousand Four Hundred Dollars (\$2,400.00) per annum beginning with the date of execution of this Lease Agreement by the parties, with the same sum being due and payable thereafter on each anniversary date that this Lease Agreement is in effect through and including the first five (5) years of this Lease Agreement.

Provided that this Lease Agreement is not sooner terminated as provided herein, the annual rental payment shall be adjusted to provide for a five percent (5%) increase in the amount of the annual rental payment at the beginning of the sixth (6th), eleventh (11th), sixteenth (16th) and twenty-first (21st) lease years Term hereof, so that the annual rental shall be payable in accordance with the following schedule and amounts:

LEASE YEAR	ANNUAL RENTAL
6 thru 10	\$2,520.00
11 thru 15	\$2,646.00
16 thru 20	\$2,778.30
21 thru 25	\$2,917.22

4. SUBSEQUENT RENTAL. The annual rental payable after the twenty-fifth (25th) year of the Term shall be increased by a sum equal to Five Percent (5%) of the rent provided for in Paragraph 3 hereof during the 25th year of this Lease Agreement. Thereafter the annual rental payment during the Term shall be adjusted to provide for a Five Percent (5%) increase in the amount of the annual rental payment at the end of each five (5) year period of the remainder of the Lease Term.

5. USE OF PREMISES. Lessee shall have the exclusive rights and privileges of the use of the Leased Premises for the purpose of constructing buildings, towers, 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 Lessee 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 Lessee, that being to transmit and receive signals and communications by wire, fiber optics, radio and satellite. Lessee shall not use the Leased Premises for purposes other than maintenance or use as a site for communications by the use of methods now or hereafter known. Lessee shall gate its access road in a manner to best prevent trespassing. The gate shall be kept locked with a lock furnished by Lessee, who shall also furnish the Lessors with a key to the lock. Lessee shall not allow any persons not associated with its business to have access to the Leased Premises or its access road. Lessees shall have the right to relocate the road to the site at Lessee's expense, at a mutually agreed upon route, so as long as Lessors have the right to use the new road, which use by Lessors shall not interfere with Lessee's use thereof or pose a threat to the security of Lessee's operations or the Leased Premises.

Lessee agrees to maintain the Leased Premises in a neat and orderly manner.

6. INDEMNITY. Lessee agrees to indemnify and save harmless the Lessors from any liability by virtue of Lessee's activities upon the Leased Premises or in the exercise of any rights and privileges 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 regulations. This provision shall survive the termination of the lease. Lessee shall maintain and keep in full force and effect public liability and property damage insurance in an amount of at least One Million Dollars (\$1,000,000.00). Lessors

shall not be held liable for personal injury or property damage on the Leased Premises whether or not associated with Lessee.

7. Lessors may use up to two (2) antenna spaces on Lessee's tower for their personal business radio systems so long as same do not interfere with Lessee's use of its tower, equipment, or the exercise of the rights and privileges herein granted and demised. Lessors assumes all risks of loss with respect to their equipment, and release Lessee from any and all liabilities, claims and demands or losses of any description occasioned by Lessors' use of such space(s). Lessee will supply electric for Lessor building and supply key to enter secured area surrounding tower.

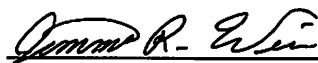
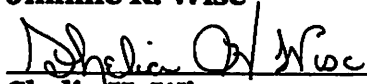
8. MISCELLANEOUS PROVISIONS. Lessee shall keep and maintain the Leased Premises and keep the site clear and free of litter.

9. NOTICES. All notices, demands, or other writings in this Lease Agreement provided to be given, made or sent, or which may be given or made or sent, to either party hereto to the other, shall be deemed to have been fully given or made or sent when made in writing and deposited in the United States Mail, certified and postage prepaid, to Lessors and Lessee at the addresses stated in the caption of this Lease Agreement. Such addresses may be changed by written notice given by such party as above provided.

10. SUCCESSORS AND ASSIGNS. This Lease Agreement shall be binding upon the parties hereto, their heirs, executors, administrators and assigns.

WITNESS OUR HANDS, the day and year aforesaid.

**LESSORS:**

  
\_\_\_\_\_  
Jimmie R. Wise  
  
\_\_\_\_\_  
Shelia H. Wise

LESSEE:

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

BY: Gerald F. Robinette

ITS: GENERAL MANAGER

STATE OF KENTUCKY  
COUNTY OF Johnson

The foregoing Lease Agreement was this 14<sup>th</sup> day of August, 2007,  
produced and acknowledged before me by **Jimmie R. Wise and Shelia H. Wise,**  
**married**, Lessors.

Candi Price  
NOTARY PUBLIC  
COMMISSION EXPIRES: 1-28-2009

STATE OF KENTUCKY  
COUNTY OF Floyd

The foregoing Lease Agreement was this 13<sup>th</sup> day of August, 2007,  
produced and acknowledged before me by **East Kentucky Network, LLC, dba**  
**Appalachian Wireless** by Gerald Robinette, its General Manager,  
Lessee.

Tessa M. April  
NOTARY PUBLIC  
COMMISSION EXPIRES: June 22, 2009

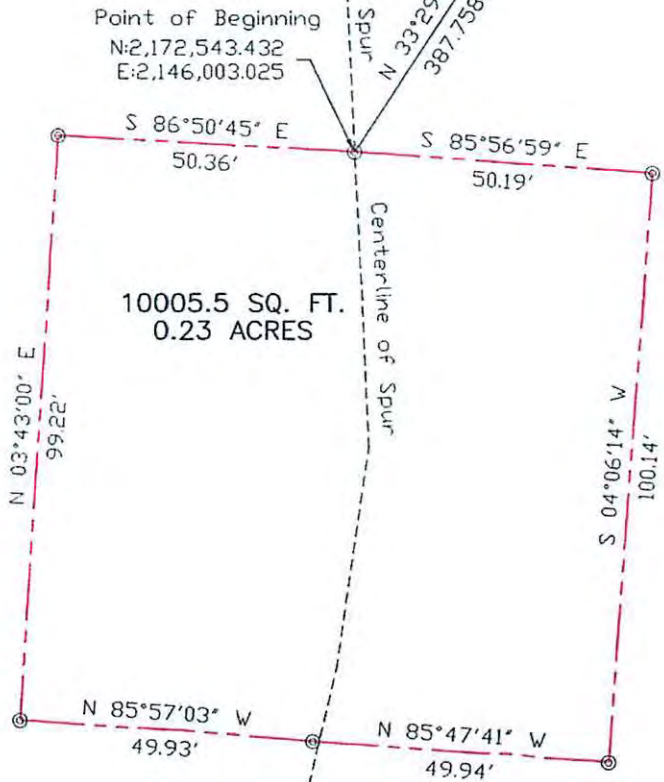
This is to certify that this  
instrument was prepared by:

William S. Kendrick  
WILLIAM S. KENDRICK, ATTORNEY  
FRANCIS, KENDRICK & FRANCIS  
P.O. Box 268  
Prestonsburg, Kentucky 41653  
606/886-2812

ESTILL COUNTY

L 13 PG 679

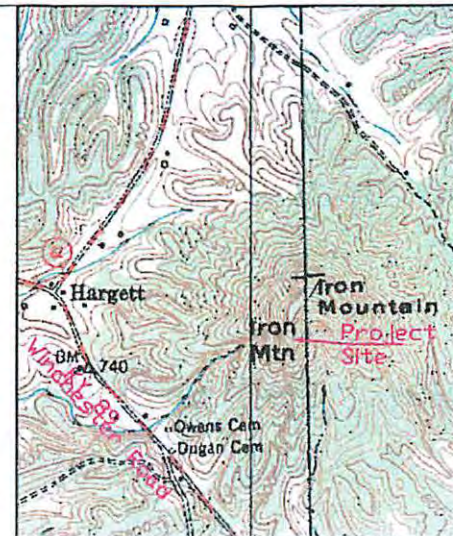
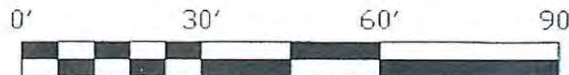
Bearings shown hereon are based on a GPS survey originating at point designation FBN Lewis, PID #DG7999.



Property Corner  
Top of Iron Mountain  
N:2,172,866.808  
E:2,146,217.000

Jimmie Wise  
Heir of Otha E. Wise  
(Affidavit of Executor)  
Deed Book 255 Page 483  
Reference Deed  
Deed Book 124 Page 352

ESTILL COUNTY  
L13 PG 680



Vicinity Map  
Not to Scale

Map of Reference:  
Plat #1 - Tract 4 426 acres on headwaters of  
Calloways and Twin Creeks, Estill County  
Deed Book 124 Page 352  
Map provided by East Kentucky Network

Legend

- Boundary line out conveyance
- T/Bar set with metal cap stamped Summit Engineering, L.S. #2661, Unless noted otherwise
- Monument found and noted

Survey Dates:  
4/10/2007  
4/11/2007

STATE OF KENTUCKY  
STEVE HAYWOOD  
2661  
LICENSED PROFESSIONAL LAND SURVEYOR

I HEREBY CERTIFY THAT THE SURVEY DEPICTED BY THIS PLAT WAS DONE BY PERSONS UNDER MY DIRECT SUPERVISION BY THE METHOD OF RANDOM TRAVERSE WITH SIDESHOTS. THE UNADJUSTED PRECISION RATIO OF THE TRAVERSE WAS 1:50,513 AND WAS NOT ADJUSTED. THE SURVEY AS SHOWN HEREON IS A CLASS "B" SURVEY AND THE ACCURACY AND PRECISION OF SAID SURVEY MEETS ALL THE SPECIFICATIONS OF THIS CLASS.

*Signature* 2661 4/12-07  
STEVEN E. HAYWOOD PLS #2661 DATE

Owner Information:  
Jimmie Wise  
P.O. Box 479  
Irvine, KY 40336  
606-7223-5624

DATE: 4/12/07	FILENAME: EC4207	East Kentucky Network, LLC 204 Technology Trail Ivel, Kentucky 41642 (606-477-2355)	SUMMIT ENGINEERING, INC. 131 SUMMIT DRIVE PIKEVILLE, KY. 41501 (606) 432-1447
SCALE: 1"=30'	DISK NO.		
DRAWN BY: seh		Map Map Portion of the Jimmie Wise Tract of land located at Iron Mountain Hargett, Estill County, KY	LEXINGTON, KY BRUNDY, VA LOGAN, WV CHARLESTON, WV HAZARD, KY

**STATE OF KENTUCKY**  
**COUNTY OF ESTILL**

**Clerk's Certificate of  
Lodgment and Record**

I, \_\_\_\_\_, Clerk of the County for the County and State aforesaid, certify that the foregoing Lease Agreement was on the \_\_\_\_ day of \_\_\_\_\_, 2007 lodged for record, whereupon the same, with the foregoing and this certificate have been duly recorded in my office.

WITNESS my hand, this \_\_\_\_ day of \_\_\_\_\_, 2007.

\_\_\_\_\_  
Clerk  
By \_\_\_\_\_ D.C.

DOCUMENT NO: 288268  
RECORDED ON: AUGUST 21, 2007 11:49:37AM  
TOTAL FEES: \$32.60  
COUNTY CLERK: SHERRY L FOX  
COUNTY: ESTILL COUNTY  
DEPUTY CLERK: HARPER, JANICE N  
BOOK L13 PAGES 674 - 681

**MEMORANDUM OF AMENDMENT TO LEASE AGREEMENT**

THIS MEMORANDUM OF AMENDMENT TO LEASE AGREEMENT (this "Memorandum") is made and entered into on this 13<sup>th</sup> day of July, 2023, with an effective date of July 13, 2023 (the "Commencement Date"), by and between **JIMMIE R. WISE and SHELIA H. WISE, married**, with a mailing address of P.O. Box 478, Irvine, Kentucky 40336; hereinafter referred to as "**LESSORS**", and **EAST KENTUCKY NETWORK, LLC D/B/A APPALACHIAN WIRELESS**, a Kentucky limited liability company, with a mailing address of 101 Technology Trail, Ivel, Kentucky, 41642, hereinafter referred to as "**LESSEE**."

WHEREAS, Lessors and Lessee entered into that certain Lease Agreement dated August 14, 2007 (the "Lease Agreement"), of record in Lease Book 13, Page 674 in the Estill County Clerk's Office, concerning the Premises described therein; and

WHEREAS, Exhibit A to the Lease Agreement was inadvertently omitted when the document was recorded; and

WHEREAS, the parties desired to formally recognize the aforementioned omission and amend the Lease Agreement as set forth therein; and,

WHEREAS, the parties have amended the Lease Agreement by virtue of the Amendment to Lease Agreement executed on even date herewith; and

NOW THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Lease Agreement was amended as follows:

1. Exhibit A to the Lease Agreement is deleted and is hereby replaced with the **Amended Exhibit A**, attached hereto and made a part herein by reference.
2. Exhibit B to the Lease Agreement is deleted and is hereby replaced with the **Amended Exhibit B**, attached hereto and made a part herein by reference.



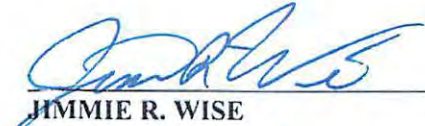
3. All of the terms, conditions, and covenants hereof shall be binding and shall inure to the benefit of the heirs, representatives, successors, and assigns of the parties hereto.

4. This Memorandum of Amendment to Lease Agreement is prepared solely for the purpose of recordation and is not intended to, nor shall it be deemed to, modify any of the terms and conditions set forth in the Lease Agreement, as amended, nor to construe any of the rights, duties, or responsibilities of Lessor and Lessee. In the event of any conflict between the terms and conditions of this Memorandum and the terms and conditions of the Lease Agreement, as amended, the terms and conditions of the Lease Agreement, as amended, shall supersede and control.

[Remainder of page intentionally left blank]

IN TESTIMONY WHEREOF, Lessors and Lessee have caused their names to be signed hereto, as of the date(s) indicated below.

LESSORS:

  
\_\_\_\_\_

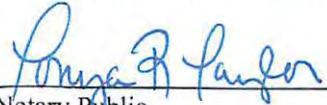
JIMMIE R. WISE

  
\_\_\_\_\_

SHELIA H. WISE

COMMONWEALTH OF KENTUCKY  
COUNTY OF Estill

The foregoing instrument was acknowledged before me on this 12<sup>th</sup> day of July, 2023, by Jimmie R. Wise and Shelia H. Wise, Lessors.

  
\_\_\_\_\_  
Notary Public  
Commission No.: 44NP7546

My Commission Expires 5-18-2024

[Signatures continue on next page.]

LESSEE:

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

Michael L. Johnson  
By: Michael L. Johnson  
Its: CEO

COMMONWEALTH OF KENTUCKY  
COUNTY OF Floyd

The foregoing instrument was acknowledged before me on this 13<sup>th</sup> day of  
July, 20 23, by Michael L. Johnson, as  
CEO of East Kentucky Network, LLC d/b/a  
Appalachian Wireless.

Ramin D. Alford  
Notary Public  
Commission No.: KYNP375

My Commission Expires 2-6-2024

This instrument was prepared by:

Krystal Branham  
Krystal Branham, Attorney  
101 Technology Trail  
Ivel, Kentucky 41642  
(606) 477-2355

**AMENDED EXHIBIT "A"**

**(Property Description for Lot 1A and Lot 2A)**

**LOT DESCRIPTION**  
Property of  
**Jimmie & Shelia Wise**  
P.O. Box 479  
Irvin, KY 40339  
Near Hargett in Estill County

July 12, 2022

A portion of the property lying north of highway 89 and east of highway 82 in Hargett in Estill County of Kentucky, on Polecat Creek of the waters of the Kentucky River. Being the same land conveyed to Jimmie Wise, Heir of Otha Wise, by Will Book 'S' Page 37 and Deed Book 255 Page 483 and Deed Book 124 Page 352 of the Estill County Court Clerk.

**Lot 1A**

Beginning at a found iron pin with cap marked ls2259 or the southwest corner of lot 2A and northwest corner of lot 1A(Lease Book 13 Page 674), thence running across the back of the lot South 86 deg 50 min 45 sec East a distance of 50.36 to a found iron pin with a cap marked ls2259, South 85 deg 56 min 59 sec East a distance of 50.19 feet to a set iron pin with cap marked ls2259, thence around the hill South 04 deg 06 min 14 sec West a distance of 100.14 feet to set iron pin with cap marked ls2259, thence across the front of the lot North 85 deg 47 min 41 sec West a distance of 49.94 feet, North 85 deg 57 min 03 sec West a distance of 49.93 feet to a set iron pin with cap marked ls2259, thence running around the hillside North 03 deg 43 min 00 sec East a distance of 99.22 feet to the beginning. Containing a calculated area of 10006 sq ft or 0.23 acres.

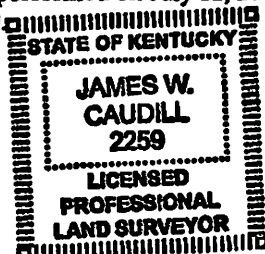
**Lot 2A**

Beginning at a found iron pin with cap marked ls2259 on the northwest corner of lot previously leased to East Ky Network, LLC, (Lease Book 13 Page 674), thence running North 16 deg 25 min 29 sec West a distance of 60.18 feet around the hill to a set iron pin with cap marked ls2259 on the hillside, thence running up the hill North 74 deg 57 min 57 sec East a distance of 58.54 feet to a set iron pin marked ls2259 on the ridge, thence running down the other side of the hill North 89 deg 55 min 32 sec East a distance of 27.78 feet a set iron pin with cap marked ls2259 at bottom of road slope, thence running down the edge of the road South 02 deg 04 min 29 sec East a distance of 77.12 feet to a set iron pin with cap in line of old EKN lease lot, thence running with the line of the original EKN lot North 85 deg 56 min 59 sec West a distance of 19.87 feet to a found iron pin, North 86 deg 50 min 45 sec West a distance of 50.36 feet to the beginning. Containing a calculated area of 5460 square feet, or .13 acres.

Also to be included is a right of way for an access road from the public road to Lots 1A and 2A. Also to be included is a right to install fiber and utility lines in or along said access road and/or such other location to be agreed upon by the parties.

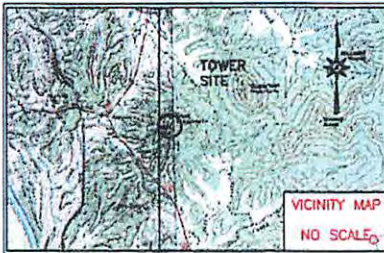
Unless stated otherwise, any monument referred to herein as "set iron pin with cap" is a set 1/2" diameter rebar, at least eighteen (18") in length, with a plastic cap stamped "LS-2259". All bearings stated herein are referred to NAD83, KY single zone of the Kentucky state plane system.

This survey was performed on July 12, 2022 by James W. Caudill, a Kentucky Licensed Professional Land Surveyor No. 2259.



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

**AMENDED EXHIBIT "B"**  
**(Plat Map)**



APPALACHIAN WIRELESS  
 101 TECHNOLOGY TRAIL  
 IVEL, KY. 41642  
 EXISTING TOWER SITE  
 NEAR HARGETT IN ESTILL COUNTY

Beginning at a found iron pin with cap marked LS2259; thence N 16°25'29" W a distance of 60.18' around the hill to a setpic; thence N 74°57'57" E a distance of 58.54' up the hill to a setpic on ridge; thence N 89°55'32" E a distance of 27.78' to a setpic at bottom of slope; thence S 02°04'29" E a distance of 17.12' with edge of road to set pic; thence N 85°56'59" W a distance of 19.87' with old lot line to found ipc; thence N 86°50'45" W a distance of 50.36' with old lot line, which is the point of beginning, having an area of 5460 square feet, 0.13 acres

PROPERTY OWNER  
 JIMMIE & SHEILA WISE  
 W.B. 'S' PAGE 370  
 BOOK 255 PAGE 483  
 BOOK 124 PAGE 352

VERTICAL BRIDGE TOWER LOT  
 0.23 AC  
 LEASED LOT  
 JIMMIE WISE PROPERTY  
 LEASE BK 10 PAGE 58

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

SET IRON PIN WITH CAP MARKED LS2259 ON TOP OF RIDGE  
 SET IRON PIN WITH CAP MARKED LS2259 ON HILLSIDE  
 N 74°57'57" E 58.54'  
 N 89°55'32" E 27.78'  
 SET IRON PIN WITH CAP MARKED LS2259 AT BOTTOM OF ROAD CUT.

LOT 2A  
 0.13 Acres  
 PROPERTY OWNER  
 JIMMIE & SHEILA WISE  
 W.B. 'S' PAGE 370  
 BOOK 255 PAGE 483  
 BOOK 124 PAGE 352

PROPERTY OWNER  
 JIMMIE & SHEILA WISE  
 W.B. 'S' PAGE 370  
 BOOK 255 PAGE 483  
 BOOK 124 PAGE 352



SET IRON PIN WITH CAP MARKED LS2259 ON OLD LOT LINE

FOUND IRON PIN WITH CAP MARKED LS2259

PROPERTY OWNER  
 JIMMIE & SHEILA WISE  
 W.B. 'S' PAGE 370  
 BOOK 255 PAGE 483  
 BOOK 124 PAGE 352



**SURVEYOR'S STATEMENTS**

The survey shown hereon was conducted under my direct supervision. The method used was random traverse with sideshots. The mathematical error of closure was 1:12,000. The bearings and distances were not adjusted for closure. The basis for the bearings Grid North, NAD83 KY Single Zone. This is a "Rural" survey. This plat of survey represents a Boundary Survey and complies with 201 KAR 18:150

James W. Caudill 2259 03/06/2020  
 James W. Caudill PLS No. 2259 Date

**APPALACHIAN WIRELESS**

DRAWN	DATE 7/12/22	SUBDIVISION OF THE PROPERTY OF Deek Book 255 Page 483 JIMMIE & SHEILA WISE TR NR HARGETT IN ESTILL CO
APPROVED	DATE	
SCALE 1" = 40'	SHEET 1 OF 1	PROJECT NO. HARGETT/WISEPLAT2

# Exhibit 9





**APPALACHIAN WIRELESS**  
 101 TECHNOLOGY TRAIL  
 IVEL, KY. 41642  
 EXISTING TOWER SITE  
 NEAR HARGETT IN ESTILL COUNTY

Beginning at a found iron pin with cap marked LS2259; thence N 16°25'29" W a distance of 60.18' around the hill to a setipc; thence N 74°57'57" E a distance of 58.54' up the hill to a setipc on ridge; thence N 89°55'32" E a distance of 27.78' to a setipc at bottom of slope; thence S 02°04'29" E a distance of 77.12' with edge of road to set ipc; thence N 85°56'59" W a distance of 19.87' with old lot line to found ipc; thence N 86°50'45" W a distance of 50.36' with old lot line; which is the point of beginning, having an area of 5460 square feet, 0.13 acres

PROPERTY OWNER  
 JIMMIE & SHEILA WISE  
 W.B. 'S' PAGE 370  
 BOOK 255 PAGE 483  
 BOOK 124 PAGE 352

VERTICAL BRIDGE TOWER LOT  
 0.23 AC  
 LEASED LOT  
 JIMMIE WISE PROPERTY  
 LEASE BK 16 PAGE 58

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

SET IRON PIN WITH CAP MARKED LS2259 ON TOP OF RIDGE

SET IRON PIN WITH CAP MARKED LS2259 ON HILLSIDE

SET IRON PIN WITH CAP MARKED LS2259 AT BOTTOM OF ROAD CUT.

LOT 2A  
 0.13 Acres

PROPERTY OWNER  
 JIMMIE & SHEILA WISE  
 W.B. 'S' PAGE 370  
 BOOK 255 PAGE 483  
 BOOK 124 PAGE 352

FOUND IRON PIN WITH CAP MARKED LS2259

SET IRON PIN WITH CAP MARKED LS2259 ON OLD LOT LINE

FOUND IRON PIN WITH CAP MARKED LS2259

PROPERTY OWNER  
 JIMMIE & SHEILA WISE  
 W.B. 'S' PAGE 370  
 BOOK 255 PAGE 483  
 BOOK 124 PAGE 352



LOT 1A  
 0.23 AC  
 LEASED TO  
 EAST KY NETWORK LLC  
 LEASE BK 13 PAGE 674  
 W.B. 'S' PAGE 370  
 BOOK 255 PAGE 483  
 BOOK 124 PAGE 352

PROPERTY OWNER  
 JIMMIE & SHEILA WISE  
 W.B. 'S' PAGE 370  
 BOOK 255 PAGE 483  
 BOOK 124 PAGE 352



**SURVEYOR'S STATEMENTS**

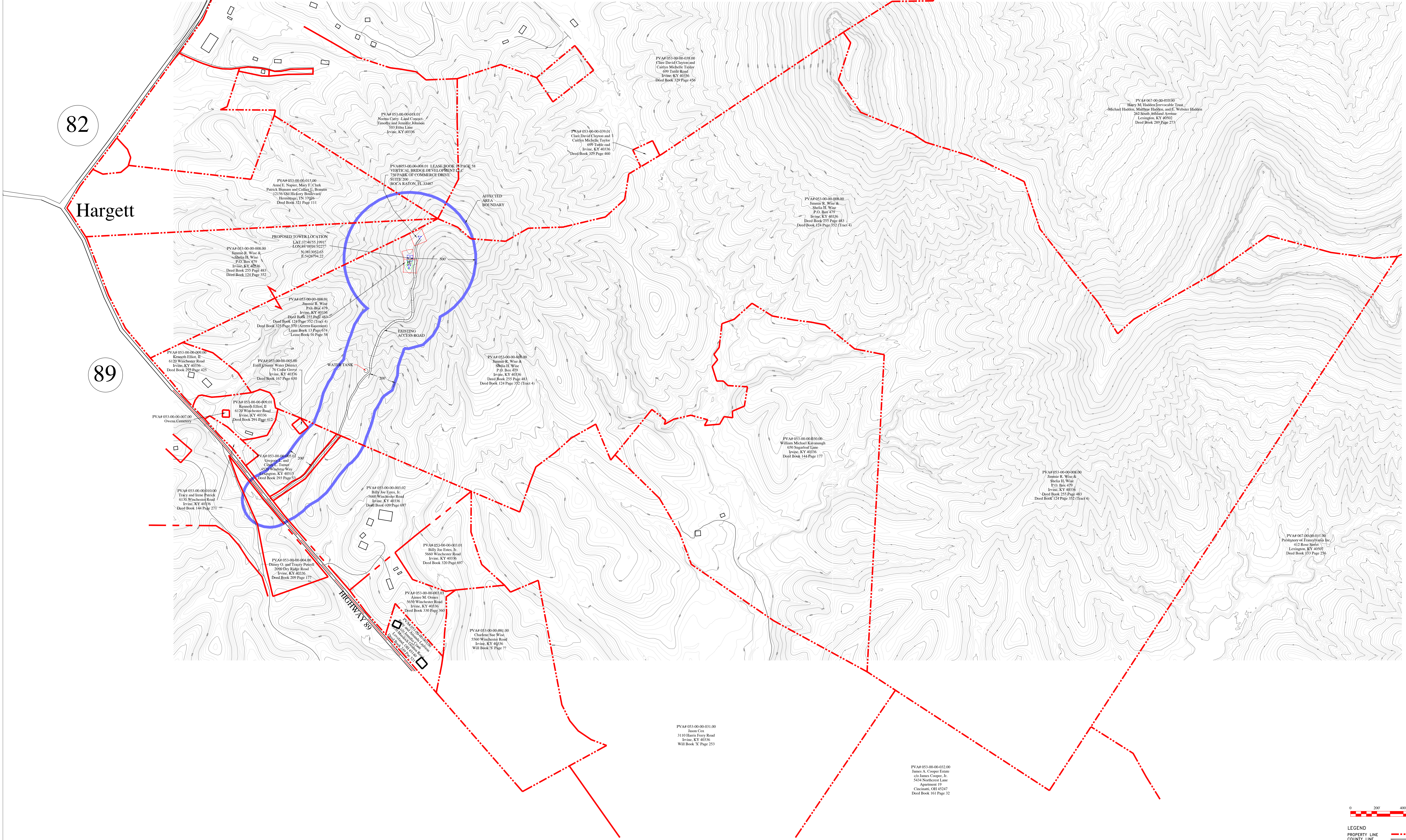
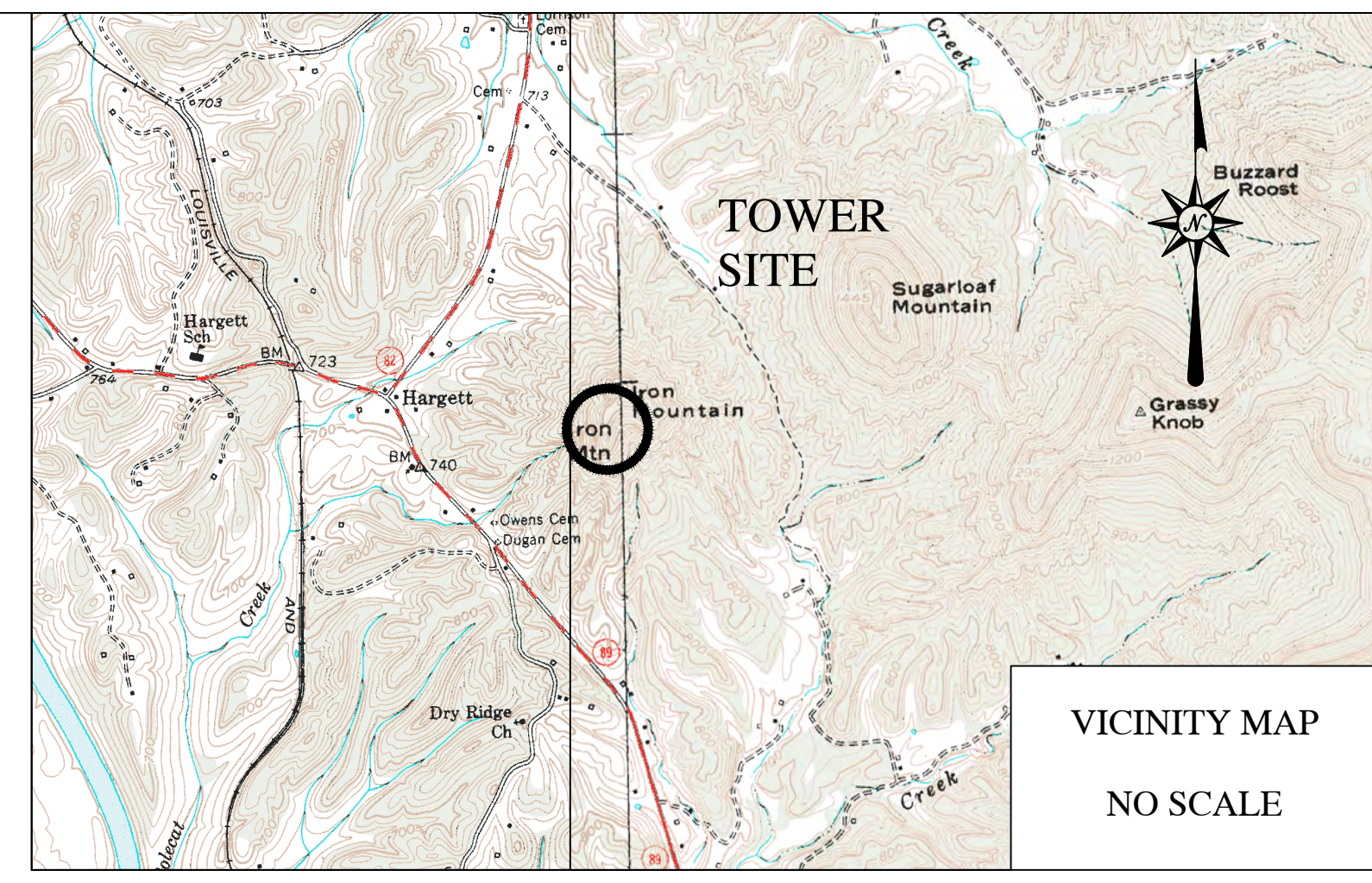
The survey shown hereon was conducted under my direct supervision. The method used was random traverse with sideshots. The mathematical error of closure was 1:12,000. The bearings and distances were not adjusted for closure. The basis for the bearings Grid North, NAD83 KY Single Zone. This is a "Rural" survey. This plat of survey represents a Boundary Survey and complies with 201 KAR 18:150

*James W. Caudill* 2259 03/06/2020  
 James W. Caudill PLS No. 2259 Date

**APPALACHIAN WIRELESS**

<b>DRAWN</b>	<b>DATE</b> 7/12/22	SUBDIVISION OF THE PROPERTY OF Deek Book 255 Page 483 JIMMIE & SHEILA WISE TR NR HARGETT IN ESTILL CO
<b>APPROVED</b>	<b>DATE</b>	
<b>SCALE</b> 1" = 40'	<b>SHEET</b> 1 OF 1	<b>PROJECT NO.</b> HARGETT/WISEPLAT2

# Exhibit 10



82

89

Hargett

PROPOSED TOWER LOCATION  
LAT: 37°46'55.19917"  
LONG: 83°09'00.92277"  
NAD 83  
E: 3420994.22

PVA# 053-00-00-000.01  
Shelia H. Wise  
P.O. Box 479  
Irvine, KY 40336  
Deed Book 255 Page 483  
Deed Book 124 Page 382

PVA# 053-00-00-000.01  
James R. Wise  
P.O. Box 479  
Irvine, KY 40336  
Deed Book 255 Page 483  
Deed Book 124 Page 382

PVA# 053-00-00-000.01  
Kenneth Elliot, II  
6120 Winchester Road  
Irvine, KY 40336  
Deed Book 229 Page 423

PVA# 053-00-00-000.01  
Bennett Elliot, II  
6120 Winchester Road  
Irvine, KY 40336  
Deed Book 229 Page 423

PVA# 053-00-00-000.01  
Tracy and Renee Patrick  
6135 Winchester Road  
Irvine, KY 40336  
Deed Book 144 Page 271

PVA# 053-00-00-000.01  
Henry G. and Tracy Patrick  
3050 Dry Ridge Road  
Irvine, KY 40336  
Deed Book 209 Page 177

PVA# 053-00-00-000.01  
Alice M. Oates  
5600 Winchester Road  
Irvine, KY 40336  
Deed Book 330 Page 360

PVA# 053-00-00-000.01  
James M. Oates  
5600 Winchester Road  
Irvine, KY 40336  
Deed Book 330 Page 360

PVA# 053-00-00-000.01  
James Oates  
3110 Harts Ferry Road  
Irvine, KY 40336  
Will Book X Page 253

PVA# 053-00-00-000.01  
James A. Cooper Eames  
& James Cooper, Jr.  
5414 Northside Lane  
Apartment 15347  
Chicasso, OH 45347  
Deed Book 161 Page 32

PVA# 053-00-00-000.01  
Clara David Chapman and  
Cathy Michelle Taylor  
699 Tenth Road  
Irvine, KY 40336  
Deed Book 329 Page 496

PVA# 053-00-00-000.01  
Clara David Chapman and  
Cathy Michelle Taylor  
699 Tenth Road  
Irvine, KY 40336  
Deed Book 329 Page 496

PVA# 053-00-00-000.01  
Clara David Chapman and  
Cathy Michelle Taylor  
699 Tenth Road  
Irvine, KY 40336  
Deed Book 329 Page 496

PVA# 053-00-00-000.01  
James R. Wise  
P.O. Box 479  
Irvine, KY 40336  
Deed Book 255 Page 483  
Deed Book 124 Page 382

PVA# 053-00-00-000.01  
Shelia H. Wise  
P.O. Box 479  
Irvine, KY 40336  
Deed Book 255 Page 483  
Deed Book 124 Page 382

PVA# 053-00-00-000.01  
William Michael Kehring  
550 Highland Lane  
Irvine, KY 40336  
Deed Book 144 Page 177

PVA# 053-00-00-000.01  
James R. Wise  
Shelia H. Wise  
P.O. Box 479  
Irvine, KY 40336  
Deed Book 255 Page 483  
Deed Book 124 Page 382

PVA# 053-00-00-000.01  
Phyllis Lee Timony/Phyllis Lee  
412 Rose Street  
Lexington, KY 40501  
Deed Book 133 Page 136

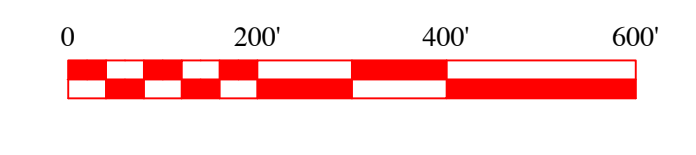
PVA# 053-00-00-000.01  
James R. Wise  
Shelia H. Wise  
P.O. Box 479  
Irvine, KY 40336  
Deed Book 255 Page 483  
Deed Book 124 Page 382

PVA# 053-00-00-000.01  
Phyllis Lee Timony/Phyllis Lee  
412 Rose Street  
Lexington, KY 40501  
Deed Book 133 Page 136

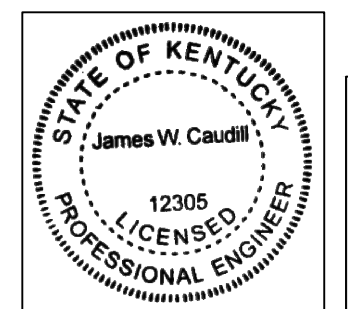
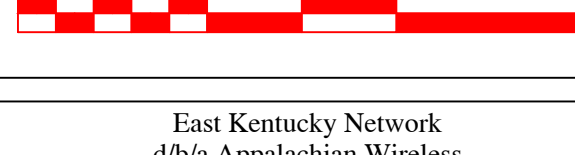
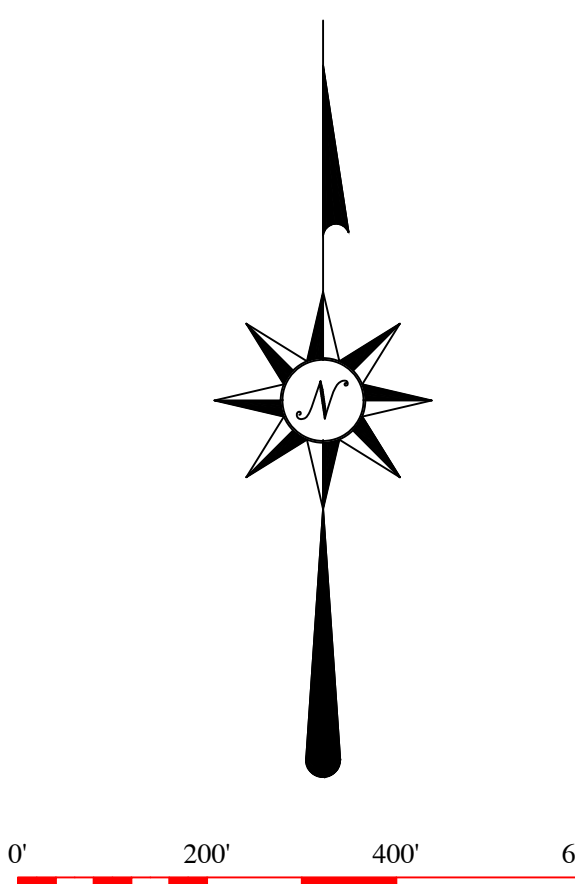
PVA# 053-00-00-000.01  
James R. Wise  
Shelia H. Wise  
P.O. Box 479  
Irvine, KY 40336  
Deed Book 255 Page 483  
Deed Book 124 Page 382

PVA# 053-00-00-000.01  
Phyllis Lee Timony/Phyllis Lee  
412 Rose Street  
Lexington, KY 40501  
Deed Book 133 Page 136

PVA# 053-00-00-000.01  
James R. Wise  
Shelia H. Wise  
P.O. Box 479  
Irvine, KY 40336  
Deed Book 255 Page 483  
Deed Book 124 Page 382



LEGEND  
PROPERTY LINE  
COUNTY LINE  
HIGHWAY ROAD  
ACCESS ROAD  
CHAINLINK FENCE  
POWER LINE



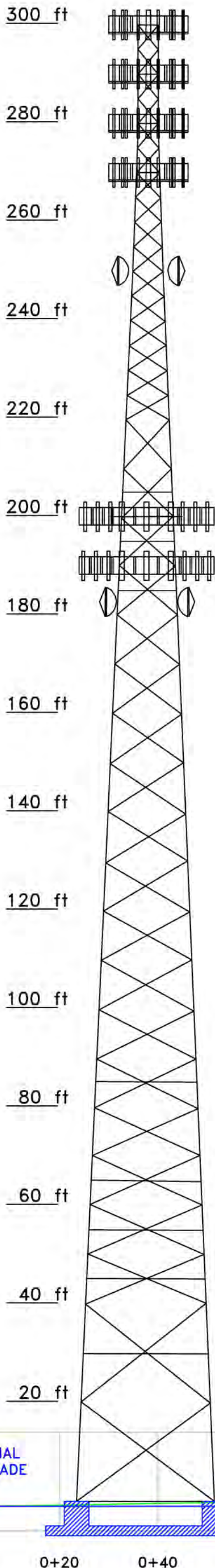
J W CAUDILL ENGINEERING  
101 TECHNOLOGY TRAIL, IRVINE, KY 41642  
ENGINEER'S CERTIFICATE: I HEREBY CERTIFY THAT INFORMATION SHOWN  
ON THIS INSTRUMENT WAS OBTAINED FROM THE PROPER OFFICE OF THE STATE  
PROPERTY VALUATION ADMINISTRATOR OFFICE IN IRVINE, KY

Ean Kentucky Network Ohio Appalachian Wireless 101 Technology Trail, Irvi, KY 41642		Hargett Site in Estill Co. Proposed Tower Reconstruction Site Plan
<b>DRAWN</b> JWC	<b>DATE</b> 06/18/2023	<b>PROJECT NO.</b> Hargett_PVA_200
<b>APPROVED</b> JWC	<b>DATE</b> 06/18/2023	
<b>SCALE</b> 1" = 200'	<b>SHEET</b> 1 of 3	

# Exhibit 11

# PROFILE WITH TOWER

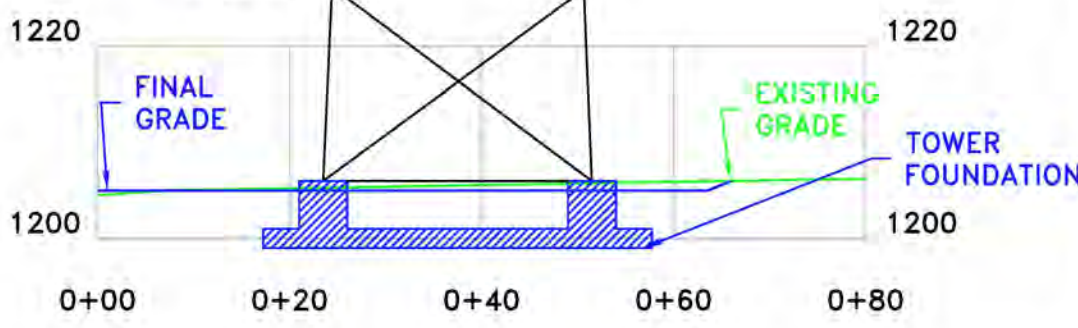
THIS IS A VERTICAL PROFILE SKETCH OF THE TOWER INDICATING THE PROPOSED ANTENNA AND DISH ELEVATIONS. NO DESIGN CRITERIA WAS CONSIDERED IN THE PREPARATION OF THIS DRAWING.



*James W. Caudill* #12305 10/18/2022  
 JAMES W. CAUDILL PE #. DATE

NOTE: SEE FOUNDATION DRAWINGS FOR DETAILS

10/18/2022  
 SCALE 1" = 20'



East Kentucky Network d/b/a Appalachian Wireless 101 Technology Trail, Ivel, KY 41642		
<b>DRAWN</b> JWC	<b>DATE</b> 10/18/2022	Hargett Site Proposed Tower Reconstruction Site Plan - Profile Near Hargett in Estill Co.
<b>APPROVED</b> JWC	<b>DATE</b> 10/18/2022	
<b>SCALE</b> 1" = 20'	<b>SHEET</b> 2 of 3	<b>PROJECT NO.</b> Hargett/hg_pro_20

# Exhibit 12

Utility ID	Utility Name	Utility Type	Class	City	State
4107900	365 Wireless, LLC	Cellular	D	Atlanta	GA
4109300	Access Point, Inc.	Cellular	D	Cary	NC
4108300	Air Voice Wireless, LLC	Cellular	A	Bloomfield Hill	MI
4110650	Alliant Technologies of KY, L.L.C.	Cellular	C	Morristown	NJ
44451184	Alltel Communications, LLC	Cellular	A	Basking Ridge	NJ
4110850	AltaWorx, LLC	Cellular	C	Fairhope	AL
4107800	American Broadband and Telecommunications Company	Cellular	C	Toledo	OH
4108650	AmeriMex Communications Corp.	Cellular	D	Dunedin	FL
4105100	AmeriVision Communications, Inc. d/b/a Affinity 4	Cellular	D	Virginia Beach	VA
4110700	Andrew David Balholm dba Norcell	Cellular	C	Clayton	WA
4108600	BCN Telecom, Inc.	Cellular	D	Morristown	NJ
4110550	Blue Casa Mobile, LLC	Cellular	D	Santa Barbara	CA
4108750	Blue Jay Wireless, LLC	Cellular	C	Carrollton	TX
4111050	BlueBird Communications, LLC	Cellular	C	New York	NY
4202300	Bluegrass Wireless, LLC	Cellular	A	Elizabethtown	KY
4107600	Boomerang Wireless, LLC	Cellular	B	Hiawatha	IA
4105500	BullsEye Telecom, Inc.	Cellular	D	Southfield	MI
4110050	CampusSims, Inc.	Cellular	D	Boston	MA
4100700	Cellco Partnership dba Verizon Wireless	Cellular	A	Basking Ridge	NJ
4106600	Cintex Wireless, LLC	Cellular	D	Rockville	MD
4111000	ComApp Technologies LLC	Cellular	C	Melrose	MA
4101900	Consumer Cellular, Incorporated	Cellular	A	Portland	OR
4106400	Credo Mobile, Inc.	Cellular	A	San Francisco	CA
4108850	Cricket Wireless, LLC	Cellular	A	San Antonio	TX
4001900	CTC Communications Corp. d/b/a EarthLink Business I	Cellular	D	Grand Rapids	MI
10640	Cumberland Cellular Partnership	Cellular	A	Elizabethtown	KY
4101000	East Kentucky Network, LLC dba Appalachian Wireless	Cellular	A	Ivel	KY
4002300	Easy Telephone Service Company dba Easy Wireless	Cellular	D	Ocala	FL
4109500	Enhanced Communications Group, LLC	Cellular	D	Bartlesville	OK
4110450	Excellus Communications, LLC	Cellular	D	Chattanooga	TN
4105900	Flash Wireless, LLC	Cellular	C	Concord	NC
4104800	France Telecom Corporate Solutions L.L.C.	Cellular	D	Oak Hill	VA
4109350	Global Connection Inc. of America	Cellular	D	Norcross	GA
4102200	Globalstar USA, LLC	Cellular	B	Covington	LA
4109600	Google North America Inc.	Cellular	A	Mountain View	CA
33350363	Granite Telecommunications, LLC	Cellular	D	Quincy	MA
4106000	GreatCall, Inc. d/b/a Jitterbug	Cellular	A	San Diego	CA
10630	GTE Wireless of the Midwest dba Verizon Wireless	Cellular	A	Basking Ridge	NJ
4110600	Horizon River Technologies, LLC	Cellular	C	Atlanta	GA
4103100	i-Wireless, LLC	Cellular	A	Newport	KY
4109800	IM Telecom, LLC d/b/a Infiniti Mobile	Cellular	D	Tulsa	OK
22215360	KDDI America, Inc.	Cellular	D	New York	NY
10872	Kentucky RSA #1 Partnership	Cellular	A	Basking Ridge	NJ
10680	Kentucky RSA #3 Cellular General	Cellular	A	Elizabethtown	KY
10681	Kentucky RSA #4 Cellular General	Cellular	A	Elizabethtown	KY
4109750	Konatel, Inc. dba telecom.mobi	Cellular	D	Johnstown	PA
4110900	Lunar Labs, Inc.	Cellular	C	Detroit	MI
4107300	Lycamobile USA, Inc.	Cellular	D	Newark	NJ
4108800	MetroPCS Michigan, LLC	Cellular	A	Bellevue	WA
4109650	Mitel Cloud Services, Inc.	Cellular	D	Mesa	AZ
4202400	New Cingular Wireless PCS, LLC dba AT&T Mobility, PCS	Cellular	A	San Antonio	TX
10900	New Par dba Verizon Wireless	Cellular	A	Basking Ridge	NJ
4000800	Nextel West Corporation	Cellular	D	Overland Park	KS
4001300	NPCR, Inc. dba Nextel Partners	Cellular	D	Overland Park	KS

4001800	OnStar, LLC	Cellular	A	Detroit	MI
4110750	Onvoy Spectrum, LLC	Cellular	C	Plymouth	MN
4109050	Patriot Mobile LLC	Cellular	D	Southlake	TX
4110250	Plintron Technologies USA LLC	Cellular	D	Bellevue	WA
33351182	PNG Telecommunications, Inc. dba PowerNet Global Communications	Cellular	D	Cincinnati	OH
4202100	Powertel/Memphis, Inc. dba T-Mobile	Cellular	A	Bellevue	WA
4107700	Puretalk Holdings, LLC	Cellular	A	Covington	GA
4106700	Q Link Wireless, LLC	Cellular	A	Dania	FL
4108700	Ready Wireless, LLC	Cellular	B	Hiawatha	IA
4110500	Republic Wireless, Inc.	Cellular	D	Raleigh	NC
4111100	ROK Mobile, Inc.	Cellular	C	Culver City	CA
4106200	Rural Cellular Corporation	Cellular	A	Basking Ridge	NJ
4108550	Sage Telecom Communications, LLC dba TruConnect	Cellular	D	Los Angeles	CA
4109150	SelecTel, Inc. d/b/a SelecTel Wireless	Cellular	D	Freemont	NE
4106300	SI Wireless, LLC	Cellular	A	Carbondale	IL
4110150	Spectrotel, Inc. d/b/a Touch Base Communications	Cellular	D	Neptune	NJ
4200100	Sprint Spectrum, L.P.	Cellular	A	Atlanta	GA
4200500	SprintCom, Inc.	Cellular	A	Atlanta	GA
4109550	Stream Communications, LLC	Cellular	D	Dallas	TX
4110200	T C Telephone LLC d/b/a Horizon Cellular	Cellular	D	Red Bluff	CA
4202200	T-Mobile Central, LLC dba T-Mobile	Cellular	A	Bellevue	WA
4002500	TAG Mobile, LLC	Cellular	D	Carrollton	TX
4109700	Telecom Management, Inc. dba Pioneer Telephone	Cellular	D	South Portland	ME
4107200	Telefonica USA, Inc.	Cellular	D	Miami	FL
4108900	Telrite Corporation dba Life Wireless	Cellular	D	Covington	GA
4108450	Tempo Telecom, LLC	Cellular	D	Kansas City	MO
4109950	The People's Operator USA, LLC	Cellular	D	New York	NY
4109000	Ting, Inc.	Cellular	A	Toronto	ON
4110400	Torch Wireless Corp.	Cellular	D	Jacksonville	FL
4103300	Touchtone Communications, Inc.	Cellular	D	Whippany	NJ
4104200	TracFone Wireless, Inc.	Cellular	D	Miami	FL
4002000	Truphone, Inc.	Cellular	D	Durham	NC
4110300	UVNV, Inc.	Cellular	D	Costa Mesa	CA
4105700	Virgin Mobile USA, L.P.	Cellular	A	Atlanta	GA
4110800	Visible Service LLC	Cellular	C	Lone Tree	CO
4106500	WiMacTel, Inc.	Cellular	D	Palo Alto	CA
4110950	Wing Tel Inc.	Cellular	C	New York	NY
4109900	Wireless Telecom Cooperative, Inc. dba theWirelessFreeway	Cellular	D	Louisville	KY



# Exhibit 13

# COLEMAN ENGINEERING

P.O. BOX 153  
HINDMAN, KENTUCKY 41822  
PH# 606-785-5797  
E-MAIL: COLEMAN@YAHOO.COM

## STATEMENT OF QUALIFICATION

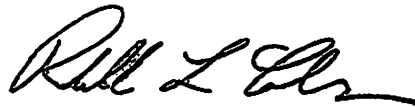
Coleman Engineering began operating in 1981. For the past fifteen years Coleman Engineering has participated in the design and construction of more than eighty cell phone towers similar to the one proposed on Wolf Creek in Pike County Kentucky.

Operations concerning cell phone tower construction consist of securing land options for tower sites, surveying boundary lines, drawing proposed site plans and tower profiles, tower elevation certifications for the F.A.A., access road construction, tower foundation construction, concrete flatwork, utility installation, custom metal fabrication, and placement of portable buildings.

The Engineering Department has two professional engineers with combined experience over fifty-six years. Each engineer is also a professional land surveyor.

The Land Department is supervised by an individual with a masters degree in education who understands the topographical conditions required to construct a safe and efficient cell phone tower.

The Construction Department has the heavy equipment and experience needed to complete almost any construction project.



---

Randall L. Coleman (P.E., P.L.S)

S & S Tower Services  
120 Branden Dr.  
Mousie, KY 41839

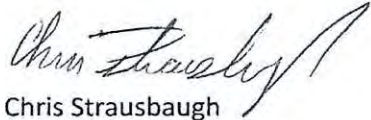
Kentucky Public Service Commission  
211 Sower Blvd.  
P.O. Box 615  
Frankfort, KY 40602-0615

Dear Commissioners:

The Construction Manager for the proposed communications facility will be Dave Strausbaugh. His contact information is (606) 497-6730 or [dstrausbaugh010@gmail.com](mailto:dstrausbaugh010@gmail.com).

Dave has been in the industry completing civil construction and constructing towers since 1991. He has worked for S&S Tower Services since 2015 as Construction Manager overseeing the construction of telecommunications towers and sites.

Thank you,



Chris Strausbaugh  
Owner  
S&S Tower Services  
(606) 497-5798

### General Company Information

World Tower Company, Inc. is located at 1213 Compressor Drive in Mayfield, Kentucky. Our mailing address is PO Box 508, Mayfield KY 42066. You may reach our offices at V - 270-247-3642, F - 270-247-0909, or E-Mail us at [worldtower@tdl.net](mailto:worldtower@tdl.net). Our website may be visited at [www.worldtower.com](http://www.worldtower.com)

The company was established in 1959 as eastern division manufacturing of Utility Tower. The company became World Tower Company, Inc. in 1979. At which time designs were changed from pipe to total solid rod towers. Due to increase in volume and a need for more capacity, World Tower Company moved manufacturing and offices to a new facility in 1997. World Tower Company manufactures all solid rod guyed and self-supporting towers. We are able to fabricate guyed towers to 1200' and self-supporting towers to 500'.

Guyed towers make up about 40% percent of the company's total production. Sixty percent of our production output is in self-supporting towers.

World Tower Company, Inc. is wholly owned and not a member of a partnership of consortium

### Account Management

Doug Walker is President of World Tower Company. Doug takes a hands-on approach to the business. He is involved in sales, design and customer relations. The Secretary/Treasurer of the company is Danette Rowe. Danette serves the company as office manager. She oversees the office operations and is responsible for accounting for the business. Kirk Hall P.E. oversees World Tower's Engineering Department. Kirk has much experience in the tower industry.

A weekly production meeting with all responsible supervisory personnel is held each Tuesday to update production schedules. Following that meeting a detailed report can be generated to our customers as to the exact status of their order. Reports are provided only at customers request.

### Quality/Customer Service

World Tower Company requires that all welded material be inspected prior to loading. One (1) face of all self-supporting towers is assembled to ensure proper fit prior to being galvanized. An on-site inspection is performed at the galvanizing plant prior to

galvanizing. All material is once again inspected following the galvanizing process. Our truck driver must inspect each load before loading at galvanizing plant. All loads are again inspected by driver and notated on delivery sheet following off loading. A customer representative must be on site to inspect and accept material when off loaded (unless waived by customer).

## **World Tower Self-Supporting System**

For restricted space requirements, World Tower offers a versatile and self-supporting tower system. No guy wires are necessary and each tower is fabricated using a solid leg with angled cross members for a sound, secure tower. Each system can vary in face width, which depends on site space. In addition, World Tower offers a maximum height of their self-supporter at approximately 500 feet depending on tower loading.

Choose World Tower's Self Supporting system for the security of life-long usage for your communications systems.

### **Self-Supporting Systems:**

- Stable, rigid construction
  - Pre-assembled before Delivery
  - Minimal space requirements
  - Multiple application usage
  - Solid rod legs with angled cross members
- Retrofitting for future loading