

**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 )

**MOTION FOR LEAVE TO AMEND APPLICATION**

Comes now East Kentucky Network, LLC d/b/a Appalachian Wireless (“Applicant”), by and through counsel, pursuant to 807 KAR 5:001, Section 4(5) and other applicable law, and respectfully moves the Kentucky Public Service Commission (“Commission”) for leave to amend a portion of its Application filed in this matter. In support of this Motion, Applicant states as follows:

1. Applicant filed its Application herein on August 14, 2023. Included with the Application were multiple exhibits.
2. Upon further review, Applicant has become aware of two (2) recent ownership changes for adjacent properties which necessitate updates to Exhibits 2 and 10 to the Application.
3. Attached hereto are:
  - a. an updated 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 to replace the list filed in Exhibit 2 to the original Application;
  - b. copies of notifications sent by certified mail on September 13, 2023, to the new owners of the properties which have recently changed ownership to be included in

Exhibit 2 to the original Application; and

- c. an updated 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 to replace the map attached as Exhibit 10 to the original Application.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK.]

**WHEREFORE**, Applicant, for good cause shown, requests that the Commission grant the present Motion.

Dated this 15<sup>th</sup> day of September, 2023.

Respectfully submitted,



---

Krystal Branham, Regulatory Compliance Attorney  
East Kentucky Network, LLC

d/b/a Appalachian Wireless

101 Technology Trail

Ivel, KY 41642

Telephone: (606) 477-2355

Facsimile: (606) 339-1363

[kbranham@ekn.com](mailto:kbranham@ekn.com)

**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

Stephen & Erin Allen  
5 S 384 Scott Road  
Big Rock, IL 60511

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

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

Jason Cox  
3110 Harris Ferry Road  
Irvine, KY 40336

Ann Siudmak  
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

September 12, 2023

Stephen & Erin Allen  
5 S 384 Scott Road  
Big Rock, IL 60511

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,

Raina Helton, CKP  
Regulatory Compliance Director  
Enclosure 1

# Hargett Replacement

Location:  
5700 Winchester Rd  
Irvine, KY 40336

Coordinates:  
Lat: 37° 46' 54.600"N  
Lon: 84° 0' 01.800"W

Hargett Replacement Tower



Existing Tower



Existing Hargett Tower



Google Earth



2000 ft



VIA: U.S. CERTIFIED MAIL

PUBLIC NOTICE

September 12, 2023

Ann Siudmak  
650 Sugarloaf Lane  
Irvine, KY 40336

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



# Hargett Replacement

Location:  
5700 Winchester Rd  
Irvine, KY 40336

Coordinates:  
Lat: 37° 46' 54.600"N  
Lon: 84° 0' 01.800"W

Hargett Replacement Tower



Existing Tower



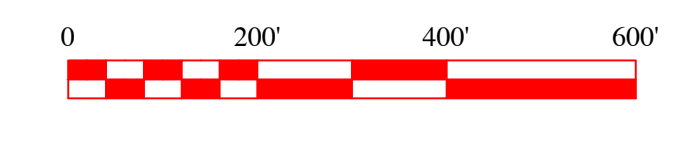
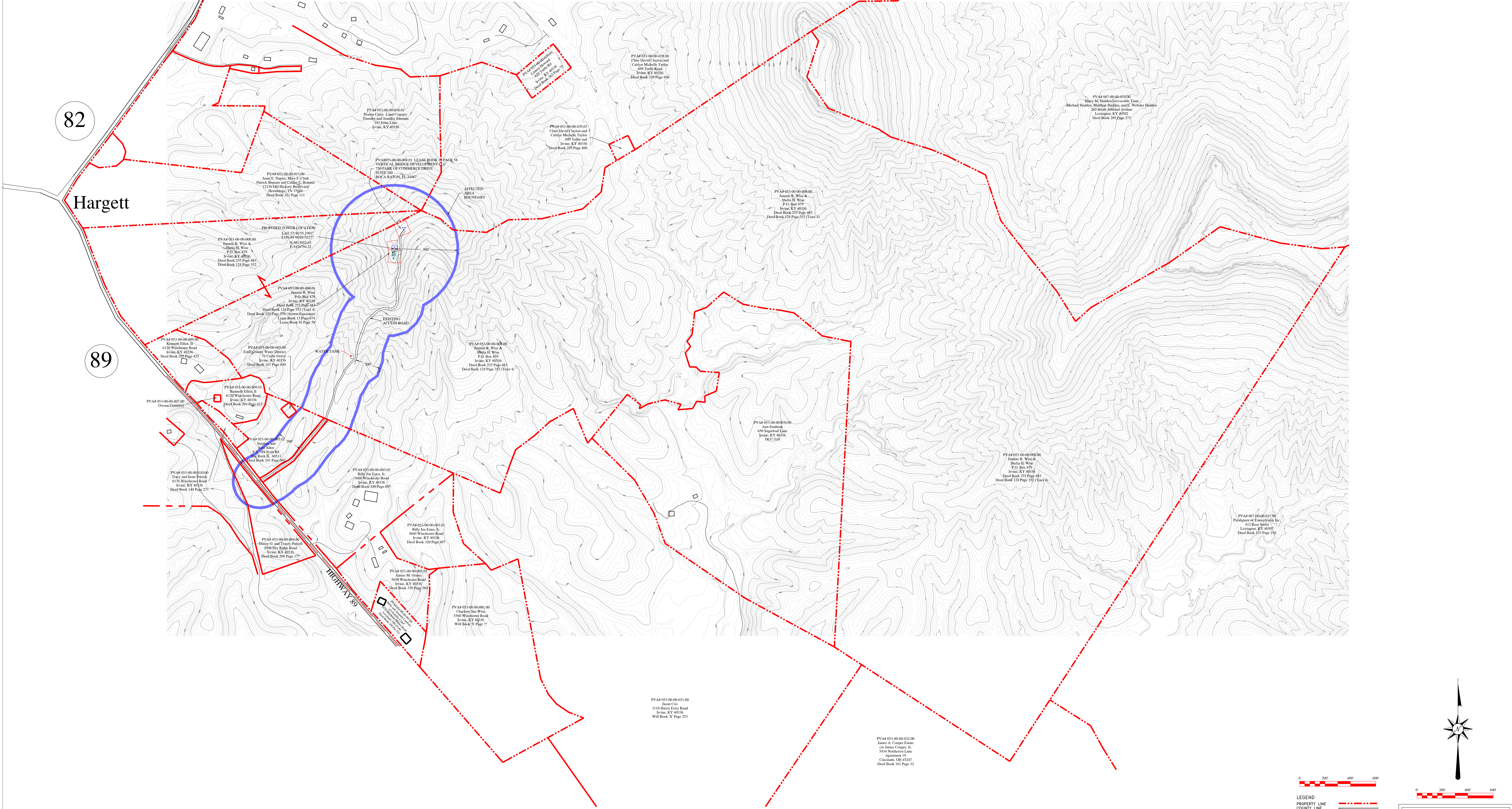
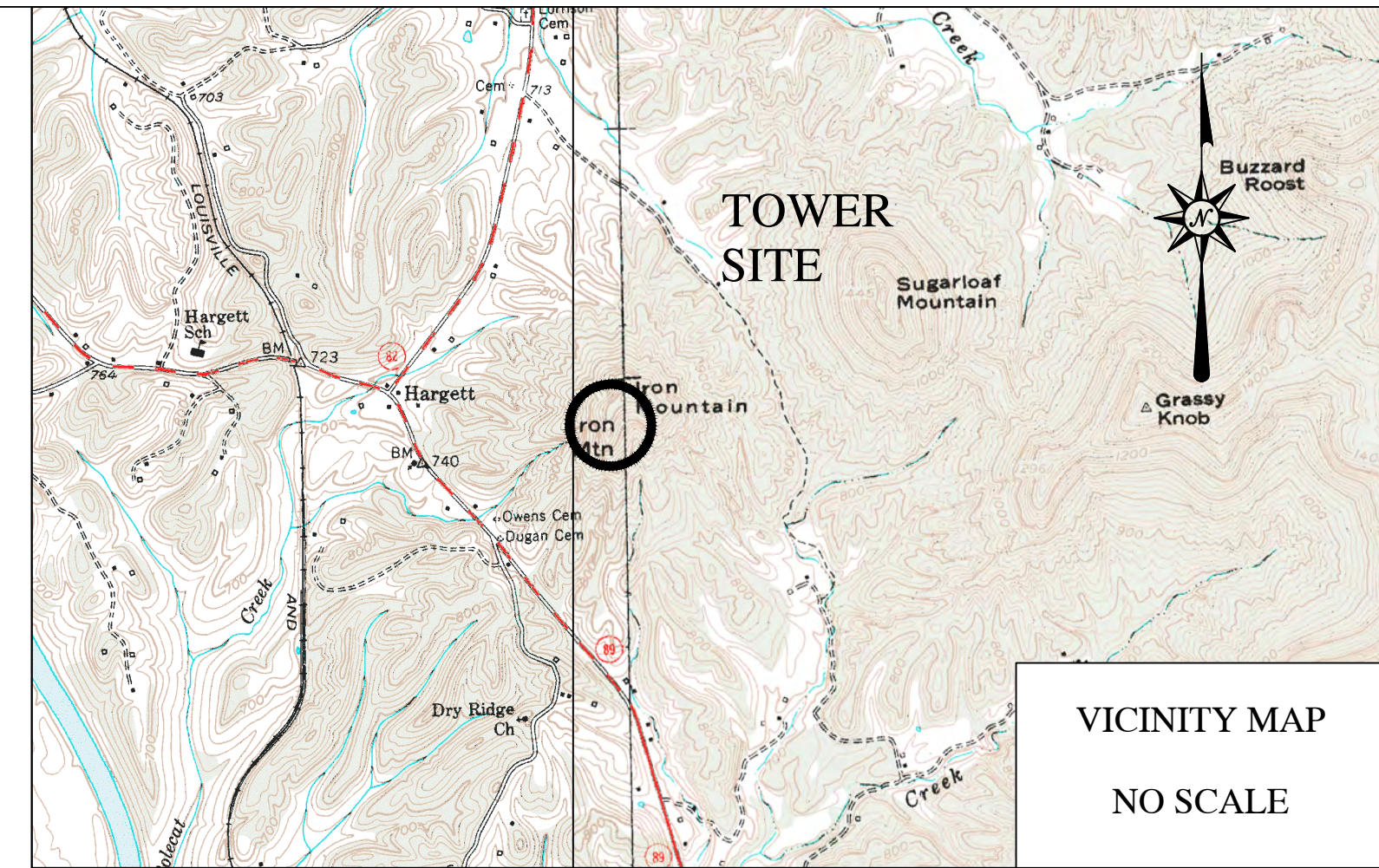
Existing Hargett Tower



Google Earth

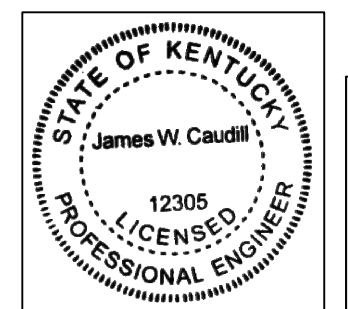
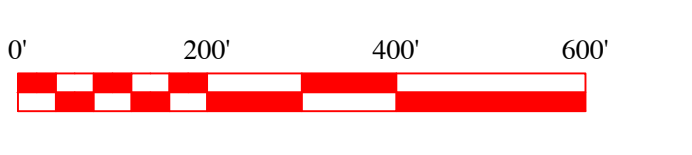
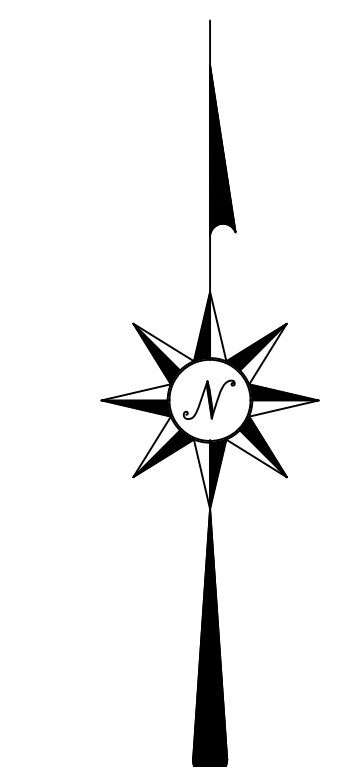


2000 ft



LEGEND

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



**J W CAUDILL ENGINEERING**  
 1011 HWY 101, SUITE C, ESTILL COUNTY, KY 41642  
 ENGINEERS CERTIFIED BY THE BOARD OF PROFESSIONAL ENGINEERS  
 PROPERTY VALUATION ADMINISTRATION OFFICE IN PERSON, KY

Ean Kentucky Network 101 Technology Trail, Level, KY 41642	
<b>DRAWN</b> JWC	<b>DATE</b> 06/18/2023
<b>APPROVED</b> JWC	<b>DATE</b> 06/18/23
<b>SCALE</b> 1" = 200'	<b>SHEET</b> 1 of 3
<b>PROJECT NO.</b> Hargett_PVA_200	