

**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. 2024-00089
CONSTRUCT A TOWER IN MORGAN COUNTY,)
KENTUCKY)

**RESPONSE OF EAST KENTUCKY NETWORK, LLC D/B/A APPALACHIAN WIRELESS
TO FILING DEFICIENCY**

East Kentucky Network, LLC d/b/a Appalachian Wireless (“Applicant”), by and through counsel, hereby files this Response to Filing Deficiencies filed in the above-styled case.

1. **Deficiency 1:** *807 KAR 5:063, Section 1(1)(h) and (k): Requires a map drawn to scale no less than 1-inch equals 200 ft, that identifies every structure and every owner of real estate within 500 ft of the proposed tower. Additionally, a “site development plan or survey[.]” must show “all easement and existing structures within 500 feet of the proposed site on the property on which the tower will be located, and all easements and existing structures within 200 feet of the access drive, including the intersection with the public street system[.]” No structures or easements are visible on the documents provided.*

Response: All existing structures and easements within 500 feet of the proposed site on the property on which the tower will be located and within 200 feet of the access drive, including the intersection with the public street system, are identified on Exhibit 10 in the Application (i.e., there are no existing structures or easements, excepting a cemetery, CR1334, KY7, and the entrance to Wrigley Elementary School, which are all properly identified). The proposed tower is to be located on a rugged, uninhabited mountaintop in a

rural area.

Applicant has fulfilled the requirements of 807 KAR 5:063, Section 1(1)(h) and (k).

Applicant requests that this alleged deficiency be withdrawn.

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.

Dated this 8th day of May, 2024.

Respectfully submitted,



Krystal Branham, Regulatory Compliance Attorney
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