

**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. 2024-00174  
CONSTRUCT A REPLACEMENT 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 Deficiency filed in the above-styled case.

1. **Deficiency 1:** 807 KAR 5:063 Section 1(1)(p): *“A statement that: Two (2) written notices meeting the requirements of subsection (2) of this section have been posted, one (1) in a visible location on the proposed site and one (1) on the nearest public road; and...”*
2. **Deficiency 2:** 807 KAR 5:063, Section 1(2)(a): *The notices required by subsection (1)(p) of this section shall: 1. Be at least two (2) feet by four (4) feet in size; and 2. Except as provided by paragraph (b) of this subsection, state the following: “(Name of utility) proposes to construct a telecommunications (“tower” or “monopole” on this site. If you have questions, please contact (name and address of utility) or the Executive Director, Public Service Commission, 211 Sower Boulevard, PO Box 615, Frankfort, Kentucky 40602. Please refer to (assigned docket number) in your correspondence.”*

**Response:** Applicant has demonstrated its compliance with the above regulations by providing the requisite statement. The statement mandated by Section 1(1)(p) is not required to contain the actual language of the notices demanded by Section 1(2)(a), only that the notices meet the requirements of Section 1(2)(a) and have been posted accordingly,

so failure to include the actual language does not constitute a deficiency in the application. However, in the interest of resolving this deficiency, photos of the posted notices which attest to the veracity of Applicant's statement are attached hereto.

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**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 31st day of July, 2024.

Respectfully submitted,



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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)



# **East Kentucky Network LLC dba Appalachian Wireless**

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Proposes to construct a telecommunications

# **Tower**

Near this site. If you have any questions please contact  
Appalachian Wireless

at 101 Technology Trail, Ivel, KY 41642

Phone 606-477-2355 Ext. 1005

or the Executive Director of Public Service Commission  
211 Sower Blvd. P.O. Box 615, Frankfort, KY 40602

Please refer to

Case NO. 2024 - 00174 in your correspondence



**East Kentucky Network LLC dba Appalachian Wireless**

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Proposes to construct a telecommunications

# **Tower**

On this site. If you have any questions please contact  
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