

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

In the matter of:

ELECTRONIC APPLICATION OF EAST KENTUCKY	)	
NETWORK, LLC D/B/A APPALACHIAN WIRELESS FOR	)	
THE ISSUANCE OF A CERTIFICATE OF PUBLIC	)	CASE NO. 2025-00262
CONVENIENCE AND NECESSITY TO CONSTRUCT A	)	
REPLACEMENT TOWER IN LAWRENCE COUNTY,	)	
KENTUCKY	)	

**RESPONSE OF EAST KENTUCKY NETWORK, LLC D/B/A APPALACHIAN WIRELESS
TO COMMISSION STAFF’S FIRST REQUEST FOR INFORMATION**

East Kentucky Network, LLC d/b/a Appalachian Wireless (“Applicant”), by and through counsel, hereby files this Response to Commission Staff’s First Request for Information filed in the above-styled case.

1. Request 1: *Refer to 807 KAR 5:063 Section 1 (i) which reads as follows:*

A vertical profile sketch of the tower, signed and sealed by a professional engineer registered in Kentucky, indicating the height of the tower and the placement of all antennas;

Refer also to the August 28, 2025, tendered Application, specifically, Exhibit 2, Notice to Land Owners; Exhibit 3, Notification of County Judge Executive and Newspaper Advertisement; Exhibit 5, Tower Design; Exhibit 6, FAA and KAZC Determination; and Exhibit 12, Vertical Profile Sketch of Proposed Tower. Explain why the DET AGL or “total structure height” is listed as 200 feet in Exhibit 6 but not provided in Exhibit 2, Exhibit 3, Exhibit 5, or Exhibit 12.

Response: Raina L. Helton, Regulatory Compliance Director, offers the following response on behalf of Applicant. Pursuant to Federal Aviation Administration (FAA) and Kentucky Airport Zoning Commission (KAZC) requirements, applicants are

required to report the total structure height, which includes the height of the tower itself plus any appurtenances extending above the tower. In this instance, the Applicant proposes to construct a 190-foot tower with a 10-foot lightning rod attached, resulting in a total structure height of 200 feet. Accordingly, the FAA and KAZC each issued determinations based on the 200-foot total structure height, as documented in Exhibit 6 of the Application.

Under 807 KAR 5:063, Section 1 (i), applicants must include a vertical profile sketch of the tower indicating the *height of the tower*. The Commission's regulations do not explicitly require the inclusion of appurtenances in the reported tower height. The submitted vertical profile sketch, included as Exhibit 12, and the tower design, included as Exhibit 5, confirm the tower height as 190 feet, exclusive of the lightning rod. For clarity, the lightning rod is depicted in Exhibit 12, though it is not included in the tower height calculation.

Applicant complied with notification requirements by including the 190-foot tower height in notices sent to the Judge Executive (Exhibit 3) and contiguous landowners (Exhibit 2), as well as the newspaper advertisement (Exhibit 3). Notably, 807 KAR 5:063 does not mandate the inclusion of the tower height in these prescribed notices, only that notice of the proposed construction be made.

2. Exhibit 1, attached hereto, is a signed certification of the person supervising the preparation of this Response.

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 14th day of October, 2025.

Respectfully submitted,

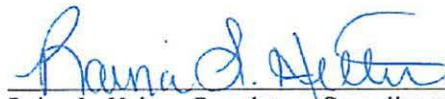


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Exhibit 1

AFFIDAVIT OF CERTIFICATION

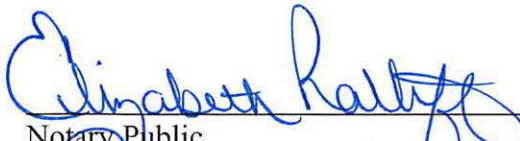
I, Raina L. Helton, Regulatory Compliance Director for East Kentucky Network, LLC d/b/a Appalachian Wireless, do hereby certify, under penalty of perjury, that as the person responsible for supervising the preparation of this response all statements and information contained herein are true and accurate to the best of my knowledge, information, and belief formed after a reasonable inquiry.



Raina L. Helton, Regulatory Compliance Director
East Kentucky Network, LLC
d/b/a Appalachian Wireless

COMMONWEALTH OF KENTUCKY
COUNTY OF FLOYD

The foregoing instrument was acknowledged before me on this 14 day of October, 2025, by Raina L. Helton, Regulatory Compliance Director of East Kentucky Network, LLC d/b/a Appalachian Wireless.


Notary Public
Commission No.: KYNP63132

My Commission Expires 12-9-2026.