

Steven L. Beshear
Governor



Leonard K. Peters
Secretary
Energy and Environment Cabinet

Commonwealth of Kentucky
Public Service Commission
211 Sower Blvd.
P.O. Box 615
Frankfort, Kentucky 40602-0615
Telephone: (502) 564-3940
Fax: (502) 564-3460
psc.ky.gov

David L. Armstrong
Chairman

James Gardner
Vice-Chairman

John W. Clay
Commissioner

Janice Robinson
Technical Site Coordinator
East Kentucky Network, LLC dba Appalachian Wireless
101 Technology Trail
Ivel, KY 41642

January 7, 2009

RE: Case No. 2008-00466
East Kentucky Network, LLC dba Appalachian Wireless
(Construct Cell Site - No P&Z Commission)
Hyden Tower in Leslie County, KY.

This letter is to acknowledge receipt of initial application in the above case. The application was date-stamped received and has been assigned Case No. 2008-00466. In all future correspondence or filings in connection with this case, please reference the above case number.

If you need further assistance, please contact my staff at (502) 564-3940.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeff Derouen".

Jeff Derouen
Executive Director

JD/tw

RECEIVED

JAN 07 2009

PUBLIC SERVICE
COMMISSION

FILED

JAN 7 2009

PUBLIC SERVICE
COMMISSION

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the matter of:

THE APPLICATION OF EAST KENTUCKY NETWORK)
LIMITED LIABILITY COMPANY FOR THE ISSUANCE)
OF A CERTIFICATE OF PUBLIC CONVENIENCE AND) CASE No 2008-00466
NECESSITY TO CONSTRUCT A TOWER IN **LESLIE**)
COUNTY, KENTUCKY).

In case number 91-002 East Kentucky Network, LLC, formerly Mountaineer Cellular Limited Liability Company was granted a Certificate of Public Convenience and Necessity by the Kentucky Public Service Commission to construct and operate a cellular radio telecommunications system for KY RSA 10.

In an effort to improve service in **Leslie County**, East Kentucky Network, LLC pursuant to KRS 278.020 Subsection 1 and 807 KAR 5:001 Section 9 is seeking the Commission's approval to construct a tower at approximately 0.7 mi WNW of Hyden in Leslie County, Kentucky (37°9'53.10"N 83°23'10.30"W). The facility will include a 300 foot self supported tower, with attached antennas extending upwards, and an equipment shelter. A map and detailed directions to the site can be found in Exhibit 8.

East Kentucky Network LLC merger documents were filed with the Commission on February 2, 2001 in Case # 2001-022.

FAA and Kentucky Airport Zoning Commission approvals have been applied for and a copy of the application is included as Exhibit 4 and 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.

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 3

A copy of the tower design information is enclosed as Exhibit 5. The proposed tower has been designed by engineers at Allstate Tower, 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 A & D Communication of Cattlesburg, Kentucky. A & D has vast experience in the erection of communications towers.

Enclosed, and should be filed with Exhibit 10 is a survey of the proposed tower site signed by a Kentucky registered professional engineer. There is no structure within 500 feet of the proposed tower as indicated in this enclosure. Exhibit 2 is a list of all Property owners or residents according to the property valuation administrator's record who reside or own property within 500 feet of the proposed tower in accordance with the Public Valuation Administrator'. No other properties are contiguous with East Kentucky's property.

Exhibit 12, back of folder, contains a vertical sketch of the tower supplied by Coleman Engineering.

Pursuant to 807 KAR5:063 Sections 1 (1)(L) and Section 1(1)(n)(1) all affected property owners according to the property valuation administrator's record who reside or own property within 500 feet of the proposed Tower 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.

Leslie County has no formal local planning unit. In absence of this unit the **Leslie County** Judge Executive's office was notified by certified mail, return receipt requested of East Kentucky Network Limited Liability Company's proposal and informed of their right to intervene. They were given the docket number under which this application is filed. Enclosed in Exhibit 1 is a copy of that notification.

East Kentucky Network, LLC will finance the subject Construction with earned surplus in its General Fund.

Estimated Cost of Construction	140,000.00
Annual Operation Expense of Tower	12,500.00

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 December 21, 2008 and will remain posted for at least two weeks after filing of this application as specified.

Enclosed in Exhibit 9 is a copy of East Kentucky Network LLC's deeds to the site.

Notice of the location of the proposed construction was published in the Leslie County Newspaper during the month of January, 2009. Enclosed is a copy of that notice in Exhibit 1. The Leslie County News is the newspaper with the largest circulation in Leslie County.

The proposed construction site is on a very rugged mountaintop some feet from the nearest structure. Prior to construction the site was wooded.

Due to the steep hillside surrounding the proposed site, the property in close proximity is unsuitable for any type of development. 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 8. No other tower capable of supporting East Kentucky Network LLC's load exists in the general area; therefore, there is no opportunity for co-location of our facilities with anyone else.

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

The foregoing document was prepared by Janice Robinson, Technical Site Coordinator for East Kentucky Network 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: Janice Robinson DATE: 12-31-08
Janice Robinson, Cell Site Coordinator

APPROVED BY: _____ DATE: _____
Gerald Robinette, General Manager

Contacts:

Gerald Robinette, General Manager

Phone: (606) 791-2375, Ext. 111
Email: grobinette110@ekn.com

Janice Robinson, Technical Site Coordinator

Phone: (606) 791-2375, Ext. 166
Email: jrobinson166a@ekn.com

Mailing Address:

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

1	Notification/Response from County.
2	Copies of Cell Site Notices.
3	Universal Soil Bearing Analysis.
4	Kentucky Airport Zoning Commission Application.
5	Tower Design.
6	FAA Approval/Notice of Proposed Construction.
7	Audited Financial Statements
8	Driving Directions and Map to Suitable Scale.
9	Deed/Lease Agreement for Proposed Site.
10	Survey of Site Signed/Sealed by Professional Engineer Registered in State of Kentucky.
11	Site Survey Map with Property Owners identified in Accordance with PVA of County.
12	Vertical Profile Sketch of Proposed Tower.

EAST KENTUCKY NETWORK
101 TECHNOLOGY TRAIL
IVEL, KY 41642
PHONE: (606) 874-7550
FAX: (606) 874-7551
E-MAIL: INFO@EKN.COM
WEBSITE: WWW.EKN.COM



VIA: U.S. CERTIFIED MAIL

December 31, 2008

Jimmy Sizemore, Judge Executive
P. O. Box 619
Hyden, KY 41749

RE: Public Notice-Public Service Commission of Kentucky (Case No. 2008-00466)

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 new facility to provide cellular telecommunications service in Leslie County, Kentucky. The facility will include a 300 foot self supported tower, with attached antennas extending upwards, and an equipment shelter to be located approximately 0.7 mi (1.1 km) WNW of Hyden in Leslie County (37° 9' 53.10"N 83° 23' 10.30"W). A map showing the location of the proposed new facility is enclosed. This notice is being sent to you because you are the County Judge Executive of Leslie County.

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. 2008-00466 in your correspondence.

Sincerely,

A handwritten signature in cursive script that reads "Janice Robinson".

Janice Robinson
Technical Site Coordinator
Enclosure 1

d/b/a Appalachian Wireless
101 TECHNOLOGY TRAIL
IVEL, KY 41642
Phone: 606/874-7550
Fax: 606/791-2225



Fax

To: Leslie County News
P. O. Box 967
Hyden, KY 41749

From: JANICE ROBINSON, Accounting
East Kentucky Network,
d/b/a Appalachian Wireless

Fax: 606-672-7409 **Phone:** 606-874-7550, Ext. 166

Email: rebab@tds.net **Pages:** 1 Page (INCLUDING COVER)

Phone: 606-672-2841

Re: PUBLIC NOTICE ADVERTISEMENT **Date:** January 6, 2009

Nancy,

We would like to have the following public notice printed in Leslie County News for the next two weeks. The notice should state the following:

PUBLIC NOTICE:

RE: Public Service Commission of Kentucky (CASE NO. 2008-00466)

Notice is hereby given that East Kentucky Network, LLC, dba Appalachian Wireless has applied to the Kentucky Public Service Commission to construct a tower located at approximately 0.7 mi (1.1 km) WNW of Hyden in Leslie County (37° 9' 53.10"N 83° 23' 10.30"W). The proposed tower will be a 300-foot self-supporting tower. 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. 2008-00466.

If you have questions about the placement of the above mentioned notice, please call me at 606-874-7550, ext. 166.

Thank you,

Janice Robinson, Technical Site Coordinator

Accounting Department If you have any problems with this fax, please call 606/886-6007. 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.

Location Map

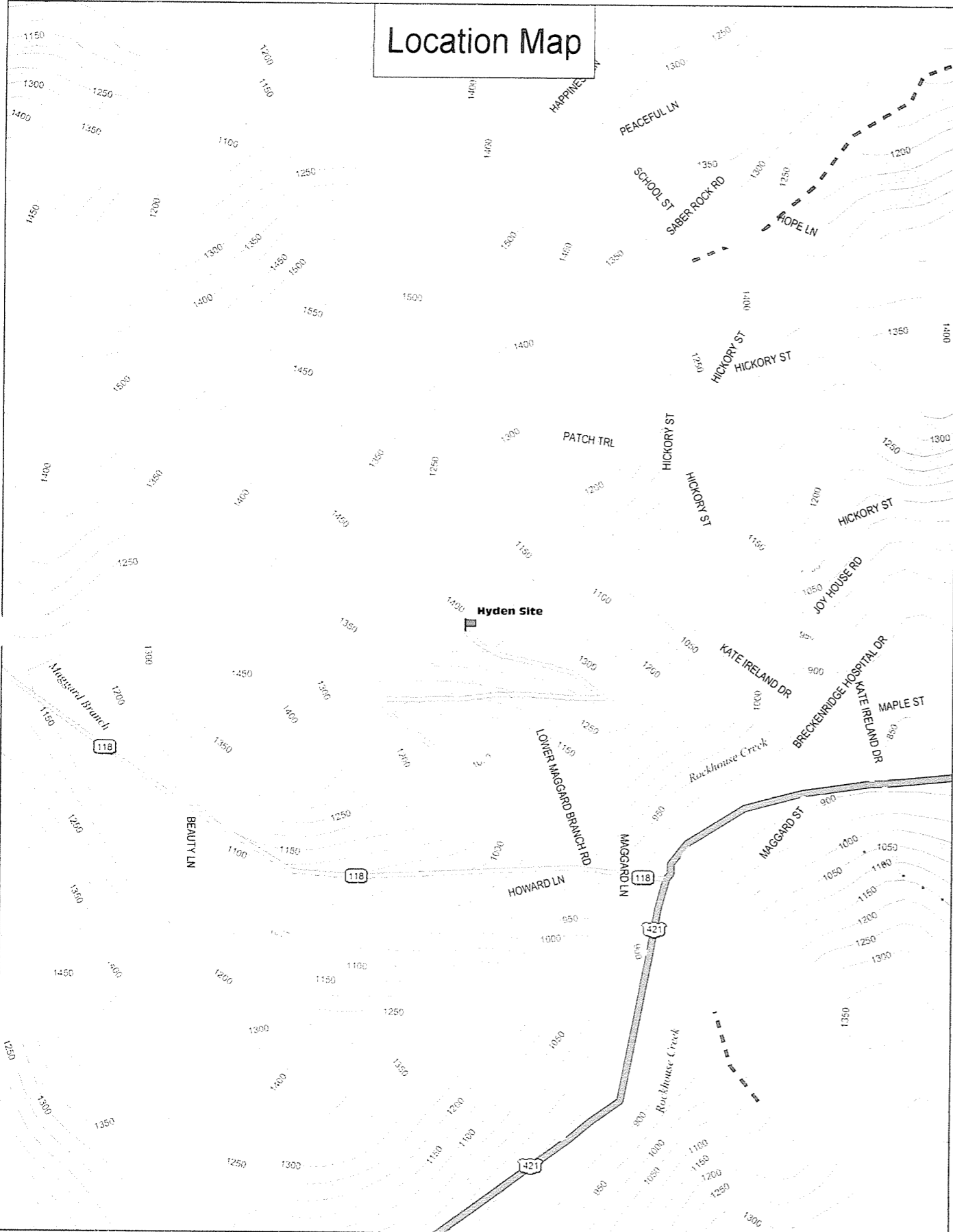


EXHIBIT II : LIST OF PROPERTY OWNERS:

HYDEN TOWER SITE, LESLIE COUNTY

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.

LIST OF PROPERTY OWNERS

Mary L. Biggerstaff
C/O Lewis Biggerstaff
2401 Tram Road
New Bern, NC 28562

Malli Lewis
C/O Ralph Lewis
P O Box 907
Hyden, KY 41749

Jack & Eva Dean Maggard
Patrick & Sabrina Maggard
P O Box 102
Hyden, KY 41749

Bige Maggard
339 Maggard Lane
Hyden, KY 41749

Kenneth R Witt
Box 921, 1212 Hickory St.
Hyden, KY 41749

Commonwealth of KY
Transportation Cab District 11
Manchester, KY 40962

Frederick & susan Ratliff
131 Patch Trail
Hyden, KY 41749

Jack Maggard & Ott Sizemore
P O Box 102
Hyden, KY 41749

Roderick Maggard
P O Box 230
Hyden, KY 41749

EAST KENTUCKY NETWORK
101 TECHNOLOGY TRAIL
IVEL, KY 41642
PHONE: (606) 874-7550
FAX: (606) 874-7551
INFO@EKN.COM
WWW.EKN.COM



VIA: U.S. CERTIFIED MAIL

PUBLIC NOTICE

December 31, 2008

Mary L. Biggerstaff
C/O Lewis Biggerstaff
2401 Tram Road
New Bern, NC 28562


RE: Public Notice-Public Service Commission of Kentucky (Case No. 2008-00466)

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 new facility to provide cellular telecommunications service. The facility will include a 300 foot self supporting tower with attached antennas extending upwards, and an equipment shelter located approximately 0.7 mi (1.1 km) WNW of Hyden in Leslie County (37° 9' 53.10"N 83° 23' 10.30"W). A map showing the location of the proposed new facility is enclosed. This notice is being sent to you because you may own property or reside within a 500' radius of the proposed tower.

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. 2008-00466 in your correspondence.

Sincerely,


Janice Robinson
Technical Site Coordinator
Enclosure 1

EAST KENTUCKY NETWORK
101 TECHNOLOGY TRAIL
IVEL, KY 41642
PHONE: (606) 874-7550
FAX (606) 874-7551
EMAIL: INFO@EKN.COM
WEBSITE: WWW.EKN.COM



VIA: U.S. CERTIFIED MAIL

PUBLIC NOTICE

December 31, 2008

Jack & Eva Dean Maggard
Patrick & Sabrina Maggard
P O Box 102
Hyden, KY 41749

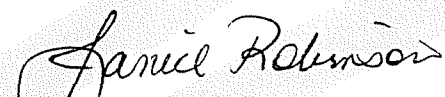
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101 TECHNOLOGY TRAIL
LEVEL, KY 41642
PHONE: (606) 874-7550
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E-MAIL: INFO@EKN.COM
WEBSITE: WWW.EKN.COM



VIA: U.S. CERTIFIED MAIL

PUBLIC NOTICE

December 31, 2008

Kenneth R Witt
Box 921, 1212 Hickory St.
Hyden, KY 41749

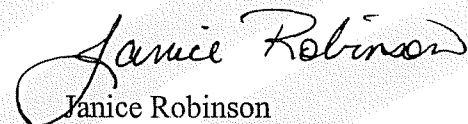
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Frederick & Susan Ratliff
131 Patch Trail.
Hyden, KY 41749

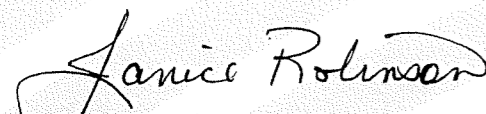
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December 31, 2008

Jack Maggard & Ott Sizemore
P O Box 102
Hyden, KY 41749

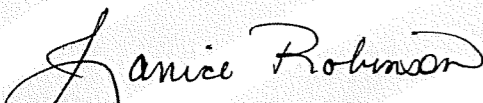
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VIA: U.S. CERTIFIED MAIL

PUBLIC NOTICE

December 31, 2008

Roderick Maggard
P O Box 230
Hyden, KY 41749

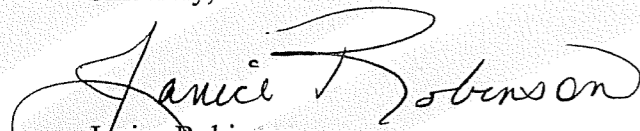
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E: INFO@EKN.COM
W: WWW.EKN.COM



VIA: U.S. CERTIFIED MAIL

PUBLIC NOTICE

December 31, 2008

Malli Lewis
P O Box 907
Hyden, KY 41749

RE: Public Notice-Public Service Commission of Kentucky (Case No. 2008-00466)

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Sincerely,

A handwritten signature in cursive script that reads "Janice Robinson".

Janice Robinson
Technical Site Coordinator
Enclosure 1

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101 TECHNOLOGY TRAIL
IVEL, KY 41642
PHONE: (606) 874-7550
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PUBLIC NOTICE

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Bigge Maggard
339 Maggard Lane
Hyden, KY 41749

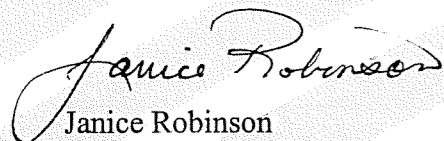
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VIA: U.S. CERTIFIED MAIL

PUBLIC NOTICE

December 31, 2008

Commonwealth of Kentucky
Transportation Cab District 11
Manchester, KY 40962

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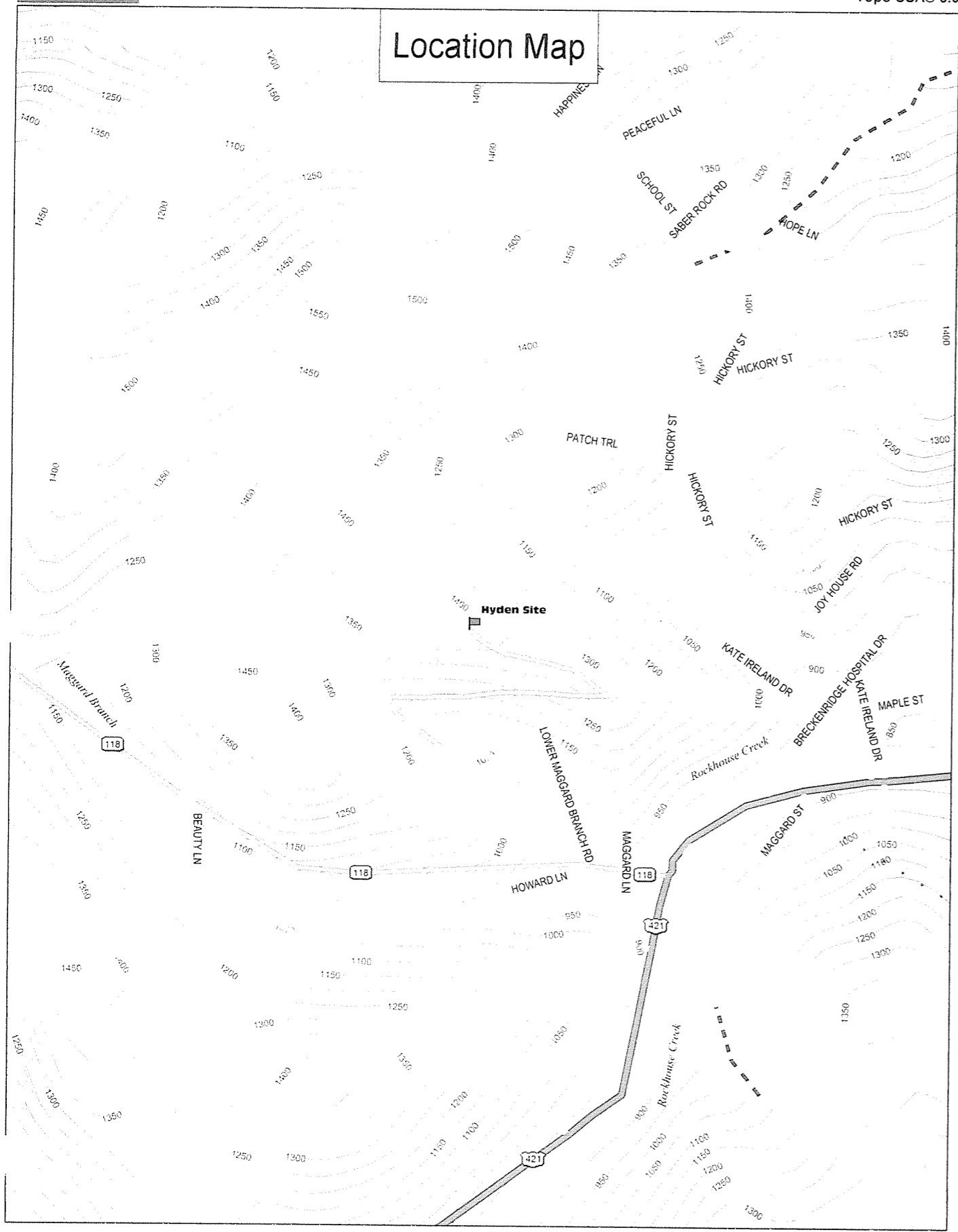
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Sincerely,

A handwritten signature in cursive script that reads "Janice Robinson".

Janice Robinson
Technical Site Coordinator
Enclosure 1

Location Map



WENDELL R. HOLMES, P.G.
120 Church Street
Whitesburg, KY 41858
(606) 438-7250

October 23, 2008

Hyden (Maggard Trail) Tower Site

Purpose:

A site assessment was conducted for Appalachian Wireless on a tract of land located in Leslie County near Hyden, Kentucky. The site of the proposed tower is now forestland. The purpose of this investigation was to determine the depth to bedrock and of what type of rock the bedrock consists.

Site Investigation:

The outcrop method was used to determine the type of bedrock material at the proposed tower site. The sandstone bedrock was exposed at the tower site. It is approximately 4.00 feet to the sandstone bedrock. (See attached page for descriptions of materials encountered.)

The terrain in Leslie County is moderately to very steep. The tower site is located on a point just northwest of Rockhouse Creek a tributary of the Middle Fork of the Kentucky River, inside the Hyden city limits in Leslie County. The sandstone formation below the tower site is approximately 30.00 feet thick, based on the information obtained from the site investigation and geological maps of the area.

Conclusions:

The proposed tower site is located on a point in the area. The sandstone bedrock on the proposed tower site is part of the Breathitt Formation, and is middle to lower Pennsylvanian in age. Tests were not conducted to determine the load-bearing strength of the bedrock. However, it is apparent that the tower will be constructed on the sandstone bedrock formation.

The field work for this site was performed by Wendell R. Holmes, using generally accepted methods in the practice of geological science.

Wendell R. Holmes, P.G.



WENDELL R. HOLMES, P.G.

120 Church Street
Apartment 3
Whitesburg, Ky. 41858
(606)438-7250

Geologist Log

Location: Hyden (Maggard Trail) Tower Site

Unit Thickness	Total depth	Strata	Description
4.00'	4.00'	Soil	Brown, with plant fragments
30.00'	34.00'	Sandstone	Gray and Brown



Kentucky Transportation Cabinet, Kentucky Airport Zoning Commission, 200 Mero Street, Frankfort, KY 40622 APPLICATION FOR PERMIT TO CONSTRUCT OR ALTER A STRUCTURE INSTRUCTIONS INCLUDED	Kentucky Aeronautical Study Number
---	------------------------------------

1. APPLICANT -- Name, Address, Telephone, Fax, etc. East Kentucky Network, LLC c/o Lukas, Nace, Gutierrez & Sachs, Chtd 1650 Tysons Blvd, Suite 1500 McLean, VA 22102 T: 703-584-8667 F: 703-584-8692	9. Latitude: <u>37</u> ° <u>09</u> ' <u>53</u> " <u>1</u> " 10. Longitude: <u>83</u> ° <u>23</u> ' <u>10</u> " <u>3</u> " 11. Datum: <input checked="" type="checkbox"/> NAD83 <input type="checkbox"/> NAD27 <input type="checkbox"/> Other _____ 12. Nearest Kentucky City: <u>Hyden</u> County <u>Leslie</u> 13. Nearest Kentucky public use or Military airport: <u>Wendell H Ford</u> 14. Distance from #13 to Structure: <u>16.8</u> mi 15. Direction from #13 to Structure: <u>SSW</u> 16. Site Elevation (AMSL): <u>1,420.00</u> Feet 17. Total Structure Height (AGL): <u>314.00</u> Feet 18. Overall Height (#16 + #17) (AMSL): <u>1,734.00</u> Feet 19. Previous FAA and/or Kentucky Aeronautical Study Number(s): _____ 20. Description of Location: (Attach USGS 7.5 minute Quadrangle Map or an Airport layout Drawing with the precise site marked and any certified survey) Site is located approx. 0.7 mi (1.1 km) WNW of Hyden (Leslie), KY
2. Representative of Applicant -- Name, Address, Telephone, Fax Ali Kuzehkanani Lukas, Nace, Gutierrez & Sachs, Chtd 1650 Tysons Blvd, Suite 1500 McLean, VA 22102 T: 703-584-8667 F: 703-584-8692	
3. Application for: <input checked="" type="checkbox"/> New Construction <input type="checkbox"/> Alteration <input type="checkbox"/> Existing 4. Duration: <input checked="" type="checkbox"/> Permanent <input type="checkbox"/> Temporary (Months _____ Days _____) 5. Work Schedule: Start <u>11/15/2008</u> End <u>11/30/2008</u> 6. Type: <input checked="" type="checkbox"/> Antenna Tower <input type="checkbox"/> Crane <input type="checkbox"/> Building <input type="checkbox"/> Power Line <input type="checkbox"/> Landfill <input type="checkbox"/> Water Tank <input type="checkbox"/> Other _____ 7. Marking and/or Lighting Preferred: <input type="checkbox"/> Red Lights and Paint <input checked="" type="checkbox"/> Dual - Red & Medium Intensity White <input type="checkbox"/> White - Medium Intensity <input type="checkbox"/> Dual - Red & High Intensity White <input type="checkbox"/> White - High Intensity <input type="checkbox"/> Other _____ 8. FAA Aeronautical Study Number: _____	

21. Description of Proposal:

The structure will include a 300' tower with top-mounted antennas (overall height of 314' AGL). The ERP will be 500 watts.

22. Has a "NOTICE OF CONSTRUCTION OR ALTERATION" (FAA Form 7460-1) been filed with the Federal Aviation Administration?
 No Yes, When November 05, 2008

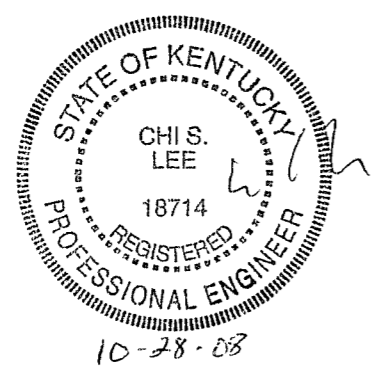
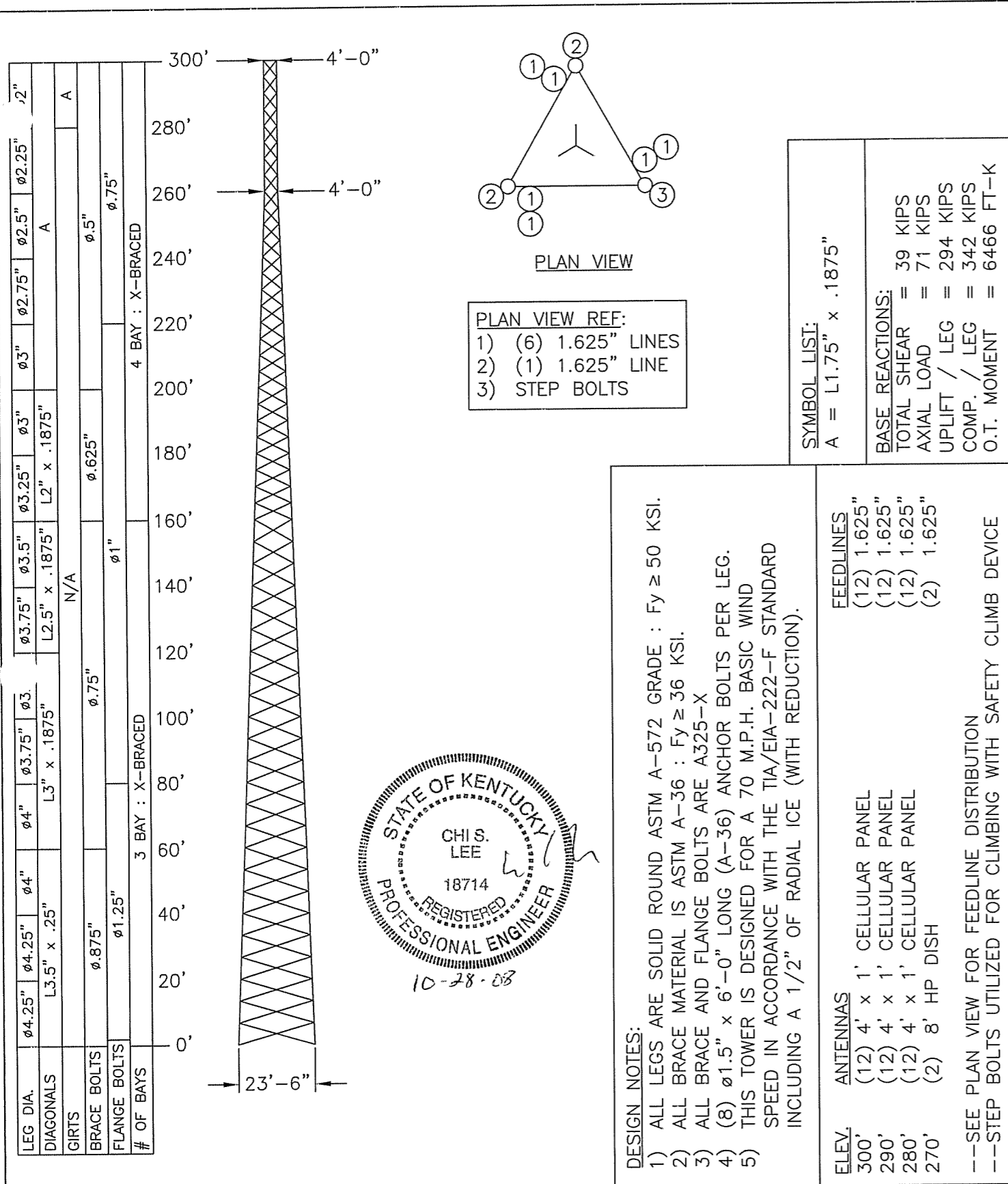
CERTIFICATION: I hereby certify that all the above statements made by me are true, complete and correct to the best of my knowledge and belief.

Ali Kuzehkanani/Dir of Engineering	11/5/2008
Printed Name and Title	Date

PENALTIES: Persons failing to comply with Kentucky Revised Statutes (KRS 183.861 through 183.990) and Kentucky Administrative Regulations (602 KAR 050:Series) are liable for fines and/or imprisonment as set forth in KRS 183.990(3). Non-compliance with Federal Aviation Administration Regulations may result in further penalties.

Commission Action: Chairman, KAZC Administrator, KAZC

Approved _____
 Disapproved _____ Date _____



PLAN VIEW REF:
 1) (6) 1.625" LINES
 2) (1) 1.625" LINE
 3) STEP BOLTS

DESIGN NOTES:
 1) ALL LEGS ARE SOLID ROUND ASTM A-572 GRADE : Fy ≥ 50 KSI.
 2) ALL BRACE MATERIAL IS ASTM A-36 : Fy ≥ 36 KSI.
 3) ALL BRACE AND FLANGE BOLTS ARE A325-X
 4) (8) Ø1.5" x 6'-0" LONG (A-36) ANCHOR BOLTS PER LEG.
 5) THIS TOWER IS DESIGNED FOR A 70 M.P.H. BASIC WIND SPEED IN ACCORDANCE WITH THE TIA/EIA-222-F STANDARD INCLUDING A 1/2" OF RADIAL ICE (WITH REDUCTION).

SYMBOL LIST:	
A	= L1.75" x .1875"
BASE REACTIONS:	
TOTAL SHEAR	= 39 KIPS
AXIAL LOAD	= 71 KIPS
UPLIFT / LEG	= 294 KIPS
COMP. / LEG	= 342 KIPS
O.T. MOMENT	= 6466 FT-K

ELEV.	ANTENNAS	FEEDLINES
300'	(12) 4' x 1' CELLULAR PANEL	(12) 1.625"
290'	(12) 4' x 1' CELLULAR PANEL	(12) 1.625"
280'	(12) 4' x 1' CELLULAR PANEL	(12) 1.625"
270'	(2) 8' HP DISH	(2) 1.625"

---SEE PLAN VIEW FOR FEEDLINE DISTRIBUTION
 ---STEP BOLTS UTILIZED FOR CLIMBING WITH SAFETY CLIMB DEVICE



P.O. BOX 25
 HENDERSON, KY 42419
 PHONE: (270) 830-8512
 FAX: (270) 830-8475

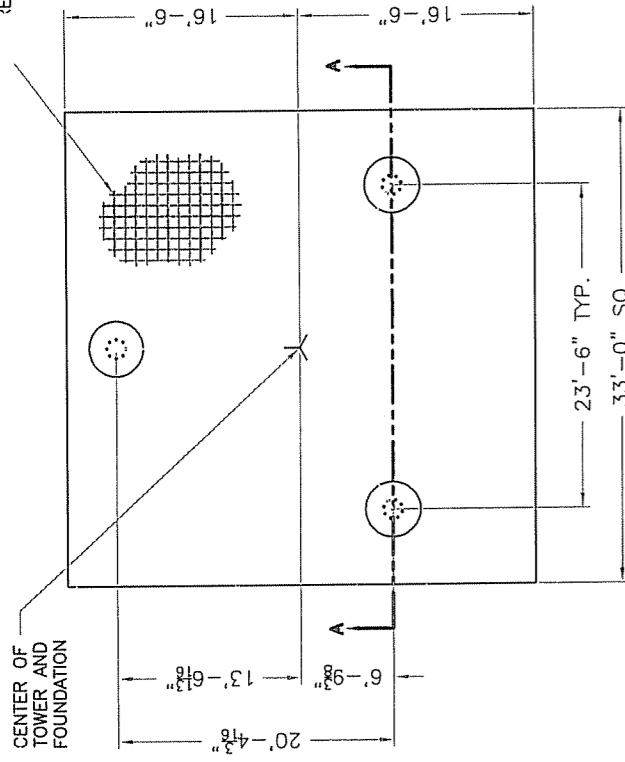
SCALE: N.T.S.	PROPRIETARY STATEMENT: THIS DRAWING IS THE PROPERTY OF ALLSTATE TOWER CO. IT IS NOT TO BE REPRODUCED OR COPIED IN ANYWAY WITHOUT PRIOR WRITTEN CONSENT OF ALLSTATE TOWER CO.	
TOLERANCE BANDS ARE ±1/16" ALL DIMENSIONS ARE ±1/8" ALL ANGULAR DIM ARE ±1/2° UNLESS OTHERWISE NOTED	CUSTOMER: APPALACHIAN WIRELESS	DRAWN BY: J.B.
APPROX. WEIGHT 50.94 KIPS	DESCRIPTION: 300' SELF SUPPORT TOWER	DATE: 01/24/2008
PROPOSAL #: AB1594 - S.S.T. PROPOSAL	LOCATION: LESLIE COUNTY, KY.	REV: 1 (SITE CHANGE)
	SITE: HYDEN	REV. DATE: 10/28/2008
		JOB NO. AF40822
		SHEET A



P.O. BOX 25
 HENDERSON, KY 42419
 PHONE: (270) 830-8512
 FAX: (270) 830-8475

SCALE:
 N.T.S.
 TOLERANCE BANDS
 ALL DIMENSIONS ARE ±1/16"
 ALL ANGULAR DIM ARE ±1/2° UNLESS OTHERWISE NOTED
 APPROX. WEIGHT
 N/A

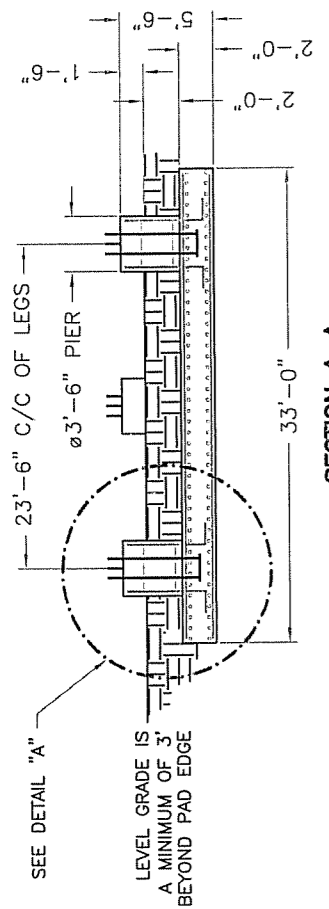
PROPRIETARY STATEMENT: THIS DRAWING IS THE PROPERTY OF ALLSTATE TOWER CO. IT IS NOT TO BE REPRODUCED OR COPIED IN ANYWAY WITHOUT PRIOR WRITTEN CONSENT OF ALLSTATE TOWER CO.
 CUSTOMER: APPALACHIAN WIRELESS
 DRAWN BY: J.B.
 DATE: 02/11/2008
 DESCRIPTION: PAD/PIER FOUNDATION DESIGN
 REV: 1 (SITE CHANGE)
 LOCATION: LESLIE COUNTY, KY.
 REV. DATE: 10/28/2008
 SITE: HYDEN
 JOB NO. AF40822
 SHEET B
 PROPOSAL # AB1594 - S.S.T. PROPOSAL



PLAN VIEW

TOTAL VOLUME OF CONCRETE = 84-1/2 YD³

REINFORCEMENT BAR MAT



SECTION A-A

(8) ø1-1/2" X 6'-0" OVERALL LENGTH ANCHOR BOLTS W/ 3/4" THK BEARING PLATE AT THE BOTTOM OF THE ANCHOR BOLT CLUSTER (5' MIN. ANCHOR BOLT EMBEDMENT).

USE EPOXY BONDING AGENT WHEN POURED SEPARATELY

(10) #9 VERTICAL BARS W/ #4 TIES AT 12" ON CENTER

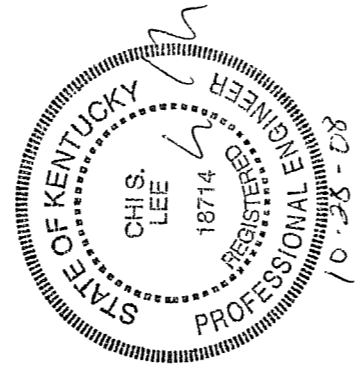
(36) #9 HORIZONTAL BARS X 32'-6" LONG EQUALLY SPACED EACH WAY AT TOP AND BOTTOM OF MAT. (TOTAL = 144)

DETAIL "A"

FOUNDATION INSTALLATION/DESIGN NOTES:
 1. THIS FOUNDATION IS DESIGNED TO MEET ALL STANDARDS SET FORTH BY ACI 318; AMERICAN CONCRETE INSTITUTE, BUILDING CODE REQUIREMENTS FOR STRUCTURAL CONCRETE, ANSI/TIA/EIA 222-F; STRUCTURAL STANDARDS FOR STEEL ANTENNA TOWERS AND ANTENNA SUPPORTING STRUCTURES. THIS FOUNDATION IS DESIGNED UTILIZING THE GEOTECHNICAL REPORT PERFORMED BY WENDELL R. HOLMES, P.G.; DATED 10-23-08. THE FOUNDATION CONTRACTOR SHALL INSTALL THE FOUNDATIONS IN ACCORDANCE WITH THE RECOMMENDATIONS OF THE GEOTECHNICAL REPORT.
 2. ALL WORK PERFORMED FROM THESE DRAWINGS SHOULD BE BY QUALIFIED CONTRACTORS EXPERIENCED IN TOWER FOUNDATION CONSTRUCTION.
 3. ALL FOOTING EXCAVATIONS SHALL BE MANUALLY CLEANED PRIOR TO PLACING CONCRETE. COMPACT THE EXPOSED SOIL SURFACE AND ANY GRANULAR FILL UNDER THE FOUNDATION TO 95% OF THE MODIFIED PROCTOR DENSITY.
 4. ALL CONCRETE SHALL HAVE A MINIMUM COMPRESSIVE STRENGTH OF 3000 PSI AFTER 28 DAYS. COPIES OF THE CONCRETE CYLINDER TEST REPORTS SHALL BE SENT TO THE RESIDENT ENGINEER / INSPECTOR.
 5. MINIMUM CONCRETE COVER FOR REINFORCING BARS SHALL BE 3". FIELD BENDING OR WELDING OF REINFORCEMENT BARS IS NOT PERMITTED.
 6. PROVIDE CHAMFERS AT ALL EXPOSED CORNERS OF CONCRETE.
 7. BACKFILL NEAR AND AROUND THE FOUNDATIONS SHALL BE A WELL GRADED FILL MATERIAL PLACED IN 8" THICK LAYERS THAT HAS BEEN COMPACTED TO 95% OF THE MODIFIED PROCTOR DENSITY PER ASTM D1557.
 8. SOME DETAIL HAS BEEN PURPOSELY OMITTED TO CLARIFY ILLUSTRATION.

REINFORCEMENT BAR SPlicing:
 1. ALL LAP SPICES SHALL CONFORM TO ACI 318 REQUIREMENTS.
 2. REFER TO CHART BELOW WHEN REINFORCEMENT BAR SPlicing IS NECESSARY.

REINFORCING BAR SIZE	LAP SPICE LENGTH
3	15"
4	17"
5	21"
6	26"
7	30"
8	36"
9	46"
10	58"
11	71"



LUKAS, NACE, GUTIERREZ & SACHS

CHARTERED

1650 TYSONS BOULEVARD, SUITE 1500
MCLEAN, VIRGINIA 22102
703 584 8678 • 703 584 8696 FAX

WWW.FCCLAW.COM

RUSSELL D. LUKAS
DAVID L. NACE
THOMAS GUTIERREZ*
ELIZABETH R. SACHS*
GEORGE L. LYON, JR.
PAMELA L. GIST
DAVID A. LAFURIA
TODD SLAMOWITZ*
TODD B. LANTOR*
STEVEN M. CHERNOFF*
KATHERINE PATSAS*

CONSULTING ENGINEERS
ALI KUZEHKANANI
LEILA REZANAVAZ
OF COUNSEL
LEONARD S. KOLSKY*
JOHN CIMKO*
J. K. HAGE III*
JOHN J. MCAVOY*
HON. GERALD S. MCGOWAN*
TAMARA DAVIS-BROWN*

*NOT ADMITTED IN VA

Writers Direct Dial
(703) 584-8667
akuzehkanani@fcclaw.com

November 5, 2008

Via U.S. Mail

EXPRESS PROCESSING CENTER
Federal Aviation Administration
Southwest Regional Office
Air Traffic Airspace Branch, ASW-520
2601 Meacham Blvd.
Fort Worth, TX 76137-4298

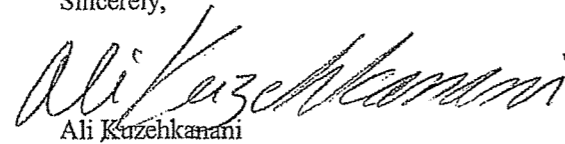
Dear FAA Evaluator:

Enclosed is an FAA Form 7460-1 (Notice of Proposed Construction or Alteration) for a new 314' communications tower structure (300' tower plus 14' antenna/lightning rod) near Hyden (Leslie), Kentucky. The site ("Hyden") is located 0.7 mi (1.1 km) WNW of Hyden.

The proponent, East Kentucky Network, LLC, is the licensee for PCS Block A service in a portion of the Knoxville, TN Metropolitan Statistical Area ("Knoxville MTA"), Market No. 44A12. Transmit technology to be employed at this station is CDMA in the PCS Band A frequency band (1850 - 1860 MHz and 1930 - 1940 MHz); the maximum ERP is 500 Watts.

Should you have any questions or require additional information, please do not hesitate to call the undersigned at the above identified telephone number.

Sincerely,



Ali Kuzehkanani
Director of Engineering

Enclosure

cc: East Kentucky Network, LLC
Attention: Marty Thacker and Gerald Robinett

Case Status

ASN: 2008-ASO-6153-OE

Status: Accepted

Date Accepted: 11/07/2008

Date Determined:

Letters: None

Documents: None

Instruction / Alteration Information

Notice Of: Construction

Duration: Permanent

if Temporary : Months: Days:

Work Schedule - Start: 11/15/2008

Work Schedule - End: 11/30/2008

State Filing: Filed with State

Structure Summary

Structure Type: Tower

Structure Name: Hyden

FCC Number:

Prior ASN:

Structure Details

Latitude: 37° 9' 53.10" N

Longitude: 83° 23' 10.30" W

Horizontal Datum: NAD83

Site Elevation (SE): 1420 (nearest foot)

Structure Height (AGL): 314 (nearest foot)

Requested Marking/Lighting: Dual-red and medium intensity

Other :

Recommended Marking/Lighting:

Nearest City: Hyden

Nearest State: Kentucky

Description of Location: Approx. 0.7 mi (1.1 km) WNW of Hyden (Leslie), KY

Description of Proposal: A new 300' tower with top-mounted antennas (314' overall height).

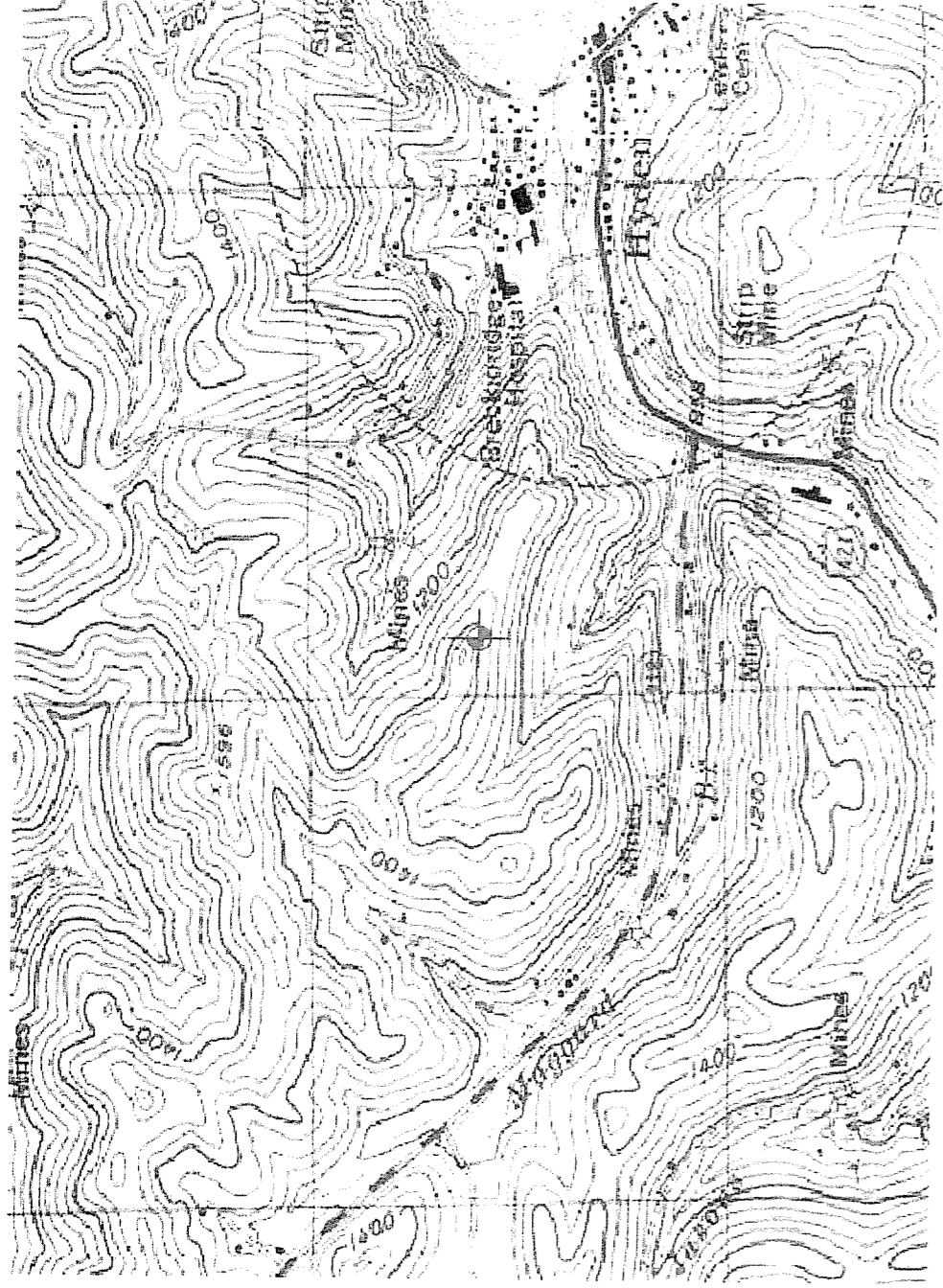
Common Frequency Bands

Low Freq	High Freq	Freq Unit	ERP	ERP Unit
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
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
1850	1910	MHz	1640	W
1930	1990	MHz	1640	W
2305	2310	MHz	2000	W
2345	2360	MHz	2000	W

Specific Frequencies

Close

Print



EAST KENTUCKY NETWORK, LLC
DBA APPALACHIAN WIRELESS

FINANCIAL REPORT

December 31, 2006

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Statements of members' equity	4
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SUPPLEMENTARY INFORMATION	
Statement of income detail	15 and 16

INDEPENDENT AUDITOR'S REPORT

To the Members
East Kentucky Network, LLC
dba Appalachian Wireless
Ivel, Kentucky 41642

We have audited the accompanying balance sheets of East Kentucky Network, LLC, dba Appalachian Wireless as of December 31, 2006 and 2005 and the related statements of income, members' equity and cash flows for the years then ended. These financial statements are the responsibility of the Company's management. Our responsibility is to express an opinion on these financial statements based on our audits.

We conducted our audits in accordance with auditing standards generally accepted in the United States of America. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation. We believe that our audits provide a reasonable basis for our opinion.

In our opinion, the financial statements referred to above present fairly, in all material respects, the financial position of East Kentucky Network, LLC, dba Appalachian Wireless as of December 31, 2006 and 2005 and the results of its operations and its cash flows for the years then ended in conformity with accounting principles generally accepted in the United States of America.

Jones, Nale & Mattungly, P.C.

Louisville, Kentucky
March 15, 2007

EAST KENTUCKY NETWORK, LLC
DBA APPALACHIAN WIRELESS

BALANCE SHEETS
December 31, 2006 and 2005

ASSETS	2006	2005
CURRENT ASSETS		
Cash and cash equivalents	\$ 2,818,346	\$ 1,046,669
Short-term investments	46,271	43,803
Accounts receivable, less allowance for doubtful accounts of \$567,790 in 2006 and \$375,856 in 2005	2,802,673	1,560,267
Accounts receivable, members (Notes 5 and 6)	37,612	3,149
USF receivable (Note 7)	--	589,913
Inventory	1,584,039	1,056,766
Prepaid expenses	173,657	143,547
Total current assets	<u>\$ 7,462,598</u>	<u>\$ 4,444,114</u>
PROPERTY, PLANT AND EQUIPMENT (Note 3)		
Plant in service:		
General support	\$ 18,914,927	\$ 10,633,736
MTSO equipment	13,354,875	11,934,434
Cell equipment	39,339,797	34,785,982
Paging equipment	3,321,068	3,320,416
Fiber ring	6,471,128	6,245,412
Unfinished plant	657,524	3,992,696
	<u>\$ 82,059,319</u>	<u>\$ 70,912,676</u>
Less accumulated depreciation	33,358,066	27,810,940
	<u>\$ 48,701,253</u>	<u>\$ 43,101,736</u>
OTHER ASSETS		
Investment in affiliated company, RTFC (Note 3)	\$ 862,394	\$ 875,133
Intangible assets, net of accumulated amortization of \$2,646,913 in 2006 and \$2,179,654 in 2005 (Note 2)	4,497,032	4,623,855
Other	27,550	28,669
	<u>\$ 5,386,976</u>	<u>\$ 5,527,657</u>
	<u>\$ 61,550,827</u>	<u>\$ 53,073,507</u>

LIABILITIES AND MEMBERS' EQUITY	<u>2006</u>	<u>2005</u>
CURRENT LIABILITIES		
Current maturities of long-term debt (Note 3)	\$ 1,200,000	\$ 48,033
Accounts payable	1,166,909	851,643
Accounts payable, member (Notes 5 and 6)	2,899	2,936
Accrued expenses	2,113,530	1,457,463
Accrued state corporation taxes	232,157	85,989
Customer deposits	<u>317,603</u>	<u>291,380</u>
Total current liabilities	\$ 5,033,098	\$ 2,737,444
LONG-TERM DEBT, less current maturities (Note 3)	13,000,000	13,297,220
MEMBERS' EQUITY	43,517,729	37,038,843
	<u>\$ 61,550,827</u>	<u>\$ 53,073,507</u>

EAST KENTUCKY NETWORK, LLC
DBA APPALACHIAN WIRELESS

STATEMENTS OF INCOME
Years Ended December 31, 2006 and 2005

	2006	2005
REVENUE		
Retail	\$ 24,156,320	\$ 20,908,570
Roaming	6,964,309	6,868,904
Long distance	155,046	177,350
Paging	852,011	1,039,429
Equipment sales, cellular	2,922,817	2,152,962
Equipment sales, paging	27,894	57,632
Other	3,065,078	2,359,809
Total revenue	<u>\$ 38,143,475</u>	<u>\$ 33,564,656</u>
EXPENSES		
Cost of cellular service	\$ 7,888,446	\$ 7,924,553
Cost of paging service	411,177	510,665
Cost of equipment sales, cellular	6,813,457	4,912,998
Cost of equipment sales, paging	58,755	78,428
Customer service	1,330,573	1,208,726
Billing	1,097,834	1,200,135
Selling	2,703,570	2,131,009
Maintenance	1,267,034	1,042,844
Utilities	454,008	354,870
Bad debts	800,268	672,263
Recovery of bad debts	(90,925)	(120,673)
Cell site rental	158,500	135,012
Taxes	565,271	257,247
Advertising	1,574,298	1,139,697
General and administrative	2,238,348	2,249,226
Occupancy	334,981	359,928
Depreciation	5,541,628	4,635,200
Amortization	508,526	495,241
Total expenses	<u>\$ 33,655,749</u>	<u>\$ 29,187,369</u>
Income from operations	<u>\$ 4,487,726</u>	<u>\$ 4,377,287</u>
OTHER INCOME (EXPENSE)		
Interest income	\$ 49,052	\$ 23,915
Interest expense	(821,277)	(795,898)
Universal Service Fund income (Note 7)	3,716,602	589,913
Impairment of goodwill (Note 8)	--	(331,286)
	<u>\$ 2,944,377</u>	<u>\$ (513,356)</u>
Income before taxes	<u>\$ 7,432,103</u>	<u>\$ 3,863,931</u>
Kentucky corporation tax expense	<u>399,157</u>	<u>170,197</u>
Net income	<u>\$ 7,032,946</u>	<u>\$ 3,693,734</u>

The Notes to Financial Statements are an integral part of these statements.

EAST KENTUCKY NETWORK, LLC
DBA APPALACHIAN WIRELESS

STATEMENTS OF MEMBERS' EQUITY
Years Ended December 31, 2006 and 2005

	Cellular Services, Inc.	Gearhart Communi- cations Company, Inc.	Mountain Tele- communi- cations, Inc.	Thacker- Grigsby Telephone Co., Inc.	Peoples Rural Telephone Coop- erative Corp- oration, Inc.	Total
Balance, January 1, 2005	\$ 6,781,309	\$ 6,781,309	\$ 6,781,309	\$ 6,781,309	\$ 6,781,308	\$33,906,544
Net income	738,747	738,747	738,747	738,746	738,747	3,693,734
Capital distributions	(112,287)	(112,287)	(112,287)	(112,287)	(112,287)	(561,435)
Balance, December 31, 2005	\$ 7,407,769	\$ 7,407,769	\$ 7,407,769	\$ 7,407,768	\$ 7,407,768	\$37,038,843
Net income	1,406,589	1,406,589	1,406,589	1,406,590	1,406,589	7,032,946
Capital distributions	(110,812)	(110,812)	(110,812)	(110,812)	(110,812)	(554,060)
Balance, December 31, 2006	<u>\$ 8,703,546</u>	<u>\$ 8,703,546</u>	<u>\$ 8,703,546</u>	<u>\$ 8,703,546</u>	<u>\$ 8,703,545</u>	<u>\$43,517,729</u>

EAST KENTUCKY NETWORK, LLC
DBA APPALACHIAN WIRELESS

STATEMENTS OF CASH FLOWS
Years Ended December 31, 2006 and 2005

	<u>2006</u>	<u>2005</u>
CASH FLOWS FROM OPERATING ACTIVITIES		
Net income	\$ 7,032,946	\$ 3,693,734
Adjustments to reconcile net income to net cash provided by operating activities:		
Depreciation	5,541,628	4,635,200
Amortization	508,526	495,241
Impairment of goodwill	--	331,286
Changes in assets and liabilities, net of the effects of investing and financing activities:		
(Increase) in accounts receivable	(1,242,406)	(78,367)
Decrease in accounts receivable, members	(34,463)	51,248
(Increase) decrease in USF receivable	589,913	(589,913)
(Increase) in inventory	(527,273)	(230,130)
(Increase) decrease in prepaid expenses	(30,110)	5,012
(Increase) decrease in other assets	13,858	(646)
Increase (decrease) in accounts payable	315,266	(291,123)
Increase (decrease) in accounts payable, member	(37)	2,332
Increase in accrued expenses	656,067	339,038
Increase in accrued state corporation taxes	146,168	85,989
Increase in customer deposits	26,223	139,030
Net cash provided by operating activities	<u>\$ 12,996,306</u>	<u>\$ 8,587,931</u>
CASH FLOWS FROM INVESTING ACTIVITIES		
Purchase of property, plant and equipment	\$ (11,182,411)	\$ (11,469,668)
Purchase of intangible assets	(340,437)	(299,159)
Proceeds from sale of short-term investments	(2,468)	56,197
Net cash (used in) investing activities	<u>\$ (11,525,316)</u>	<u>\$ (11,712,630)</u>
CASH FLOWS FROM FINANCING ACTIVITIES		
Capital distributions	\$ (554,060)	\$ (561,435)
Proceeds from long-term borrowings	14,200,000	3,450,000
Payments on long-term borrowings	(13,345,253)	(832,731)
Net cash provided by financing activities	<u>\$ 300,687</u>	<u>\$ 2,055,834</u>
Net increase (decrease) in cash and cash equivalents	\$ 1,771,677	\$ (1,068,865)
Cash and cash equivalents:		
Beginning	<u>1,046,669</u>	<u>2,115,534</u>
Ending	<u>\$ 2,818,346</u>	<u>\$ 1,046,669</u>

EAST KENTUCKY NETWORK, LLC
DBA APPALACHIAN WIRELESS

STATEMENTS OF CASH FLOWS (Continued)
Years Ended December 31, 2006 and 2005

	<u>2006</u>	<u>2005</u>
SUPPLEMENTAL DISCLOSURE OF CASH FLOW INFORMATION		
Cash payments for interest	<u>\$ 866,941</u>	<u>\$ 788,610</u>
Cash payments for state corporation taxes	<u>\$ 167,000</u>	<u>\$ 84,207</u>
SUPPLEMENTAL SCHEDULE OF NONCASH INVESTING AND FINANCING ACTIVITIES		
Settlement of note payable from impairment of goodwill	<u>\$ --</u>	<u>\$ 400,000</u>
Settlement of accrued interest from impairment of goodwill	<u>\$ --</u>	<u>\$ 56,000</u>

EAST KENTUCKY NETWORK, LLC
DBA APPALACHIAN WIRELESS

NOTES TO FINANCIAL STATEMENTS

Note 1. Summary of Significant Accounting Policies

Nature of operations

East Kentucky Network, LLC, dba Appalachian Wireless, is a Kentucky limited liability company formed by the merger of Appalachian Cellular, LLC, Mountaineer Cellular, LLC and East Kentucky Network, LLC on January 1, 2000. The Company is engaged in cellular telephone communications and paging services to residential and commercial customers located in eastern Kentucky. The Company's five members consist of Cellular Services, Inc.; Gearheart Communications Company, Inc.; Mountain Telecommunications, Inc.; Peoples Rural Telephone Cooperative Corporation, Inc.; and Thacker-Grigsby Telephone Co., Inc.

Cash

The Company maintains its cash balances, which exceed the \$100,000 federally insured limit, with several financial institutions. These financial institutions have strong credit ratings and management believes that credit risk related to the accounts is minimal.

Cash equivalents

For purposes of the statement of cash flows, the Company considers temporary investments having a maturity of three months or less to be cash equivalents.

Short-term investments

Certificates of deposit having original maturities between three and nine months are classified as short-term investments, are carried at cost, which approximates fair value, and are held to maturity.

Inventory

Inventory is composed of cellular telephone equipment, paging equipment, and accessories purchased for resale during the ordinary course of business. The inventory is valued at the lower of cost or market, cost being determined by the first-in, first-out (FIFO) method.

Property, plant and equipment

Property, plant and equipment are recorded at cost. Depreciation is provided using the straight-line method over the estimated useful lives of the assets.

Investment

The investment in affiliated company is composed of equity certificates in Rural Telephone Finance Cooperative and is reported at cost, which approximates fair value.

NOTES TO FINANCIAL STATEMENTS

Note 1. Summary of Significant Accounting Policies (Continued)

Intangible assets

The customer lists, non-compete agreements, FCC licenses, and use of name are recorded at cost and are being amortized over 15 years by the straight-line method. The excess cost over the fair value of the net assets acquired (goodwill) related to paging acquisitions is measured for impairment on an annual basis, and written down, if necessary, to its estimated value at that time. During the prior year, the Company expensed the remaining balance of goodwill as an impairment (see Note 8).

Recognition of revenue

Cellular service and paging revenues are recognized when earned. Monthly access and feature charges are billed one month in advance and recognized as revenue the following month. Revenue from telephone and accessories sold are recognized as revenue upon delivery to the customer.

Advertising

Advertising costs are expensed as incurred. At December 31, 2006 and 2005, these costs were \$1,574,298 and \$1,139,697, respectively.

Income taxes

Under existing provisions of the Internal Revenue Code, the income or loss of a limited liability company is recognized by the members for income tax purposes. Accordingly, no provision for federal income taxes has been provided for in the accompanying financial statements. Effective for years beginning on or after January 1, 2005, the State of Kentucky enacted legislation which now provides for the taxation of limited liability companies' at the entity level. The accompanying financial statements include the related state tax liability under the new regulations.

Use of estimates

Management uses estimates and assumptions in preparing financial statements. Those estimates and assumptions affect the reported amounts of assets and liabilities, the disclosure of contingent assets and liabilities, and the reported revenues and expenses.

NOTES TO FINANCIAL STATEMENTS

Note 2. Intangible Assets

Intangible assets consist of the following at December 31, 2006:

	<u>Gross Amount</u>	<u>Accumulated Amortization</u>
Customer lists	\$ 5,363,530	\$ (2,152,951)
Non-compete agreements	220,348	(121,577)
FCC licenses	1,141,593	(330,542)
Use of name	10,000	(4,334)
Other	408,474	(37,509)
	<u>\$ 7,143,945</u>	<u>\$ (2,646,913)</u>

Intangible assets consist of the following at December 31, 2005:

	<u>Gross Amount</u>	<u>Accumulated Amortization</u>
Customer lists	\$ 5,363,530	\$ (1,795,634)
Non-compete agreements	220,348	(106,898)
FCC licenses	1,141,593	(264,446)
Use of name	10,000	(3,668)
Other	68,038	(9,008)
	<u>\$ 6,803,509</u>	<u>\$ (2,179,654)</u>

Aggregate amortization expense related to these intangible assets for the years ended December 31, 2006 and 2005 totaled \$467,259 and \$437,982, respectively. The following represents the total estimated amortization of intangible assets for each of the succeeding five years:

Year ending December 31:

2006	\$ 450,000
2007	450,000
2008	450,000
2009	450,000
2010	450,000

NOTES TO FINANCIAL STATEMENTS

Note 3. Long-Term Debt

Long-term debt consists of the following at December 31:

	<u>2006</u>	<u>2005</u>
Note payable, Fifth Third Bank (a)		
Dated 02/28/06, variable rate		
(5.41% at 12/31/06)	\$ 14,200,000	\$ --
Notes payable, RTFC (b)		
Dated 11/13/97, variable rate		
Paid in full 03/01/06	--	194,957
Dated 11/13/97, variable rate		
Paid in full 03/01/06	--	899,406
Dated 11/13/97, fixed rate		
Paid in full 03/01/06	--	727,521
Dated 12/31/98, fixed rate		
Paid in full 03/01/06	--	618,521
Dated 02/13/01, variable rate		
Paid in full 03/01/06	--	786,457
Dated 02/13/01, variable rate		
Paid in full 03/01/06	--	932,200
Dated 07/27/01, variable rate		
Paid in full 03/01/06	--	2,845,311
Lines of Credit, RTFC		
Line of credit, variable rate (c)		
Paid in full 03/01/06	--	5,000,000
Line of credit, variable rate (d)		
Paid in full 03/01/06	--	1,750,000
Line of Credit, Fifth Third Bank (e)		
Due 03/28/08, variable rate	--	--
(5.41% at 12/31/06)		
	<u>\$ --</u>	<u>\$ 13,754,373</u>

(a) On February 28, 2006, the Company borrowed \$14,200,000 to restructure its debt. The note is payable in 10 annual installments of \$1,200,000 for 2007, \$1,400,000 for 2008 through 2012, and \$1,500,000 for 2013 through 2016, with a variable interest rate. The note is collateralized by the assets of the Company.

(b) The notes payable to Rural Telephone Finance Cooperative (RTFC) were secured by mortgage and security agreements that include substantially all of the assets of the Company. In addition, the Company was required to purchase equity certificates in RTFC equal to 5% of the total amounts borrowed. The notes were payable in quarterly installments over 15 years with interest at variable or fixed rates set by RTFC. The notes were paid in full on March 1, 2006.

NOTES TO FINANCIAL STATEMENTS

Note 3. Long-Term Debt (Continued)

- (c) The line of credit agreement with RTFC provided for borrowings up to \$5,000,000. The agreement carried an interest rate at prime, plus one and one-half percent, was unsecured and was renewed June 28, 2004 for 24 months. The line of credit was paid in full on March 1, 2006.
- (d) The line of credit agreement with RTFC provided for borrowings up to \$2,000,000. The agreement carried an interest rate at prime, plus one and one-half percent, was unsecured and due May 16, 2006. The line of credit was paid in full on March 1, 2006.
- (e) The line of credit agreement with Fifth Third Bank provides for borrowing up to \$3,000,000. The agreement carries a variable interest rate, is secured by certain assets of the company, and is due March 28, 2008.

Approximate maturities or payments required on principal under note payable agreements for each of the succeeding five years are as follows:

Year ending December 31:

2006	\$ 1,200,000
2007	1,400,000
2008	1,400,000
2009	1,400,000
2010	1,400,000

Note 4. Retirement Plans

The Company has a 401(k) plan for qualifying employees who have reached twenty-one years of age. Eligible employees are allowed to invest up to 15% of their compensation and the Company has agreed to match 100% of the first 3% of the employees' contribution and 50% of the employees' contribution between 3% and 5%. The Company contributed \$73,607 and \$67,460 matching funds for its 401(k) plan during the years ended December 31, 2006 and 2005, respectively.

The Company also offers an employer sponsored retirement savings plan for qualified employees who have reached twenty-one years of age. The Company has agreed to contribute 9% of the eligible employee's compensation, plus an additional 5% of the original contribution.

The Company contributed \$259,859 and \$221,669 to its retirement savings plan during the years ended December 31, 2006 and 2005, respectively.

NOTES TO FINANCIAL STATEMENTS

Note 5. Related Party Transactions

The Company shares personnel with one of its members. The Company paid \$114,996 and \$132,681 for shared personnel during the years ended December 31, 2006 and 2005 respectively. The Company also leased offices and warehouse space from two members. The leases are for an unspecified length of time. The monthly lease payments total approximately \$7,000. In addition, the Company incurred interconnection and telephone charges from its members aggregating \$752,095 and \$786,283 for the years ended December 31, 2006 and 2005, respectively.

The Company leases two cellular tower sites from the officers and majority shareholders of a member for \$100 per month for each site. The leases are for an unspecified length of time. In addition, the Company leases two other sites from a company owned by this member for \$600 each on a month to month basis.

The Company leases cellular tower sites from the parent company of one of its other members for \$1,039 per month. The leases are for five years with options to renew.

The Company pays commissions to two of its members for phone sales to customers. The amount of commissions paid to related parties was \$45,484 and \$43,873 for 2006 and 2005 respectively.

Note 6. Operating Leases

The Company has entered into operating leases with its members and other customers to provide fiber optic transmission capacity and ancillary services. The terms of these leases are for 15 years.

Total rental income earned from these operating lease commitments included in the statements of income were \$1,130,809 and \$1,254,902 for the years ended December 31, 2006 and 2005, respectively. Rental income earned from the Company's members from these leases was \$631,789 and \$713,599 for the years ended December 31, 2006 and 2005, respectively.

Investments in operating leases are as follows at December 31:

	<u>2006</u>	<u>2005</u>
Fiber ring	\$ 6,471,128	\$ 6,245,412
Accumulated depreciation	<u>(982,379)</u>	<u>(773,028)</u>
	<u>\$ 5,488,749</u>	<u>\$ 5,472,384</u>

The future minimum rental payments expected to be received under these lease agreements for each of the succeeding five years are approximately \$700,000 each year based upon new contracts negotiated during 2005.

NOTES TO FINANCIAL STATEMENTS

Note 6. Operating Leases (Continued)

The Company has also entered into lease agreements with its members to obtain fiber optic transmission and digital microwave transmission services. The terms of these leases are for 15 years.

Rental expenses incurred under these operating lease commitments included in the statements of income were \$194,083 and \$33,329 for the years ended December 31, 2006 and 2005, respectively. The future minimum lease payments required under these lease agreements for each of the succeeding five years are \$115,734 each year.

Note 7. Eligible Telecommunication Carrier

During the prior year, the Company was granted Eligible Telecommunication Carrier (ETC) status by the Kentucky Public Service Commission. As an ETC, the Company receives funding from the federal Universal Service Fund (USF) to support the high cost of providing local telephone service in rural areas. USF payments amounted to \$3,716,602 and \$589,913 for 2006 and 2005 respectively.

Note 8. Impairment of Goodwill

During 2005, the Company completed its annual valuation of the acquired goodwill related to paging acquisitions. Pursuant to the valuation, the Company expensed the remaining balance of goodwill. In management's judgment, the underlying assets associated with the goodwill were determined to be of substantially less value than the amount originally paid. The Company disputed the amount based upon the estimated current market value of the purchased customer lists, which approximates the current amortized book value. Accordingly, the entire balance of the remaining note payable issued as part of the acquisitions, along with the related accrued interest, has been written off due to the impairment of goodwill.

The following is a summary of the impairment of goodwill expense included in the financial statements for the year ended December 31, 2005:

Goodwill	\$ 787,286
Note payable	(400,000)
Accrued interest	(56,000)
	<u>\$ 331,286</u>

Directions to Hyden Tower Site

From the Courthouse in Hyden Kentucky Take route 421 west .4 miles to route 118. Turn right onto Hwy. 118 North for 100 feet to the Jct. of Hwy. 118 and Maggard Rd.. Turn right onto Maggard Rd. and continue for .2 miles and the road will turn to gravel. Take the left fork of the Gravel Road and continue up the hill .9 miles to the tower site. Road ends at the site.

Directions were written by,

Marty Thacker
Appalachian Wireless
606-438-2355 Ext. 111 (office)
606-634-9505 (cell phone)
m.thacker@tgtel.com (email)

Search Area map



**DECLARATION AND GRANT OF PERPETUAL EASEMENT/LEASE
AND RIGHT OF WAY**

This declaration and grant of perpetual easement/lease and right of way made and entered into on this the 8th day of October, 2008, by Jack Maggard and Eva Maggard, his wife, P.O. Box 102, Hyden, Kentucky 41749, Grantors, and East Kentucky Network, LLC, d/b/a Appalachian Wireless, 101 Technology Trail, Ivel, Kentucky 41642, Grantee;

Whereas, the Grantors are the owners of that certain tract of land located in Leslie County, Kentucky, as more particularly described in a deed of conveyance from Evelyn Maggard, to Jack Maggard by deed dated September 3, 1968, and recorded in Deed Book 69, at page 538, records of the Leslie County Court Clerk's Office, Leslie County, Kentucky.

Whereas, Grantors and Grantee have, for a valuable consideration as set out hereinafter agreed to the declaration and grant of a perpetual easement and lease for a portion of the property and a right of way in favor of the grantee, its successors and assigns, for a portion of the property all of which is described by meets and bounds in the description attached hereto for a tower site and made a part hereof as Exhibit "A" and shown on the Plat dated the 3rd day of September, 2008, prepared by James W. Caudill, LLS, and the right of way as attached hereto and made a part hereof as Exhibit "B", said property being hereinafter referred to collectively as the "premises", together with certain nonexclusive easements and right of ways as set out hereinafter;

Now therefore, for and in consideration of the sum of Twenty-Five Thousand (\$25,000.00) Dollars, the receipt and sufficiency of which is hereby acknowledged, the Grantor does hereby grant and convey unto Grantee, its successors and assigns, the perpetual and exclusive right, easement and lease to use the premises as described as Exhibit "A" and shown

upon the Plat at Exhibit "B", and respectively attached hereto and made a part hereof, for the purpose of constructing buildings, towers, guy lines, anchors 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 Grantee to receive and transmit any and all electronic signals from the rural service area now or hereafter to be served by the facilities. The parties hereto recognize that technology in the communications field is advancing at a rapid rate and 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 Grantee, that being to transmit and receive signals and communications by wire, fiber optics, radio and satellite, in connection with Grantee's business.

Additionally, for the consideration aforesaid, Grantors grant and conveys to Grantee, the nonexclusive easement and right of way for ingress and egress by any method, whether pedestrian or motorized vehicles of all types and descriptions, together with the right, privilege and easement to reconstruct a roadway or easement as described herein. The road shall follow the existing road and be reconstructed in a manner which allows loaded concrete trucks to travel to the tower site. Culverts will be sized and placed in accordance with Appalachian Wireless' engineers requirements. The roadway width shall be a minimum of twelve (20) feet; together with:


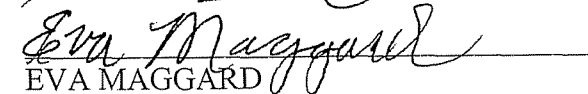
A non-exclusive easement and right of way of twenty feet (20') either side along any such roadway for the construction, installation and maintenance of utility lines, including telephone, electric power, including wires, poles, cables, conduits, and pipes over, under or along a twenty foot (20') wide right of way across the Property of Grantors extending from the nearest public right of way to the Premises. Grantee may gate its access road in a manner to best prevent

additional compensation for any increase in the real estate taxes levied against the Grantors (or its successors or assigns) which are attributable to or arise as a result of the improvements constructed by the Grantee, its successors or assigns.

Grantee shall indemnify and save harmless the Grantors for any liability by virtue of Grantee's activities upon the premises or in the exercise of any of the rights, privileges and rights of way granted herein, including but not limited to any claim, loss, fine, penalty and costs (including reasonable attorney fees) arising out of any violation of any environmental law or regulations. This provision shall survive the termination of this grant of easement. All notices, demands or other writings provided to be given, made or sent hereunder, shall be deemed to have been given when made in writing and deposited in the United States mail, certified and postage prepaid, to Grantors and Grantee at the addresses stated in the caption of this grant, unless addresses have been changed by written notice given by either party.

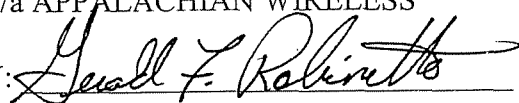
In Testimony Whereof, the parties have affixed their signatures on this the day and year aforesaid.

GRANTORS:


JACK MAGGARD

EVA MAGGARD

GRANTEE:

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

BY: 

ITS: GENERAL MANAGER

STATE OF KENTUCKY

COUNTY OF LESLIE

Subscribed and sworn to before me by JACK MAGGARD and EVA MAGGARD as his true act and deed on this the 20th day of October, 2008.

My commission expires: oct: 22- 2009.


NOTARY PUBLIC, STATE AT LARGE

STATE OF KENTUCKY

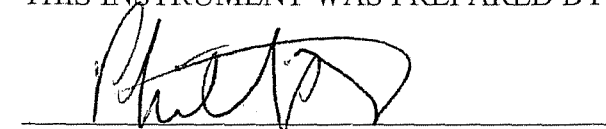
COUNTY OF Floyd

Subscribed and sworn to before me by Gerald Robinette on behalf of East Kentucky Network, LLC, d/b/a Appalachian Wireless as its true act and deed on this the 14 day of October, 2008.

My commission expires: June 22, 2009.


NOTARY PUBLIC, STATE AT LARGE

THIS INSTRUMENT WAS PREPARED BY:


HON. PHILLIP LEWIS
P.O. BOX 915
HYDEN, KENTUCKY 41749
(606) 672-2372

**DEED DESCRIPTION
FOR SUB DIVISION OF**

Property of
Jack Maggard

Rt Fk of Big Br (Maggard Br.) off Rockhouse Creek off Middle Fk KY River
City of Hyden in Leslie County
September 3, 2008

A portion of the property lying within the tract of land located on Right Fork of Big Branch (Maggard Br.) off Rockhouse Creek off Middle Fork of Kentucky River in Leslie County Kentucky, near the community of Hyden. Being a part of property conveyed by deed from Evelyn Maggard to Jack Maggard and recorded in Deed Book 69 Page 538 of the Leslie County Court House.

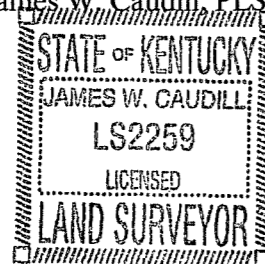
Lot 1A

Unless stated otherwise, any monument referred to herein as "set iron pin with cap" is a set ½" diameter rebar, at least eighteen (18") in length, with a plastic cap stamped "LS-2259". All bearings stated herein are referred to the NAD83 KY South State Plane north. This survey performed by James W. Caudill, LS2259, on September 3, 2008.

Beginning on a found 14" Red Oak tree marked as corner and located on top of ridge between Tan Trough Branch and Maggard Branch, being a point on the line of Jack Maggard Property (deed book 69 page 538) and Biggerstaff and Lewis (deed book 48 page 357) and having NAD 83 coordinates of N:1951755.64, E:2329183.80, also being a point on a survey made by Darrell E. Joseph PLS 3223 on 3/31/95; thence leaving the ridge and running over the hill toward Maggard Br. severing the property of Jack Maggard, South 11 deg 43 min 23 Sec East, a distance of 99.09 feet to a set iron pin with cap on hillside; thence running around the hill continuing to sever the land of Jack Maggard, North 83 deg 06 min 37 sec West a distance of 204.42 feet to a set iron pin with cap on hillside; thence running up the hillside North 03 deg 39 min 01 sec East a distance of 53.06 feet to a set iron pin with cap on hillside, North 37 deg 04 min 45 sec East a distance of 110.38 feet to a point on the ridge and on the survey line of Biggerstaff, said point being South 58 deg 44 min 34 sec East a distance of 111.37 feet from a found iron pin with cap marked PLS 3223 on top of the knob, being a point on the ridge survey made by Darrell E. Joseph PLS3223 on 3/31/95; thence running with the ridge survey and line of Biggerstaff South 58 deg 44 min 34 sec East a distance of 132.04 feet to the point of beginning.

Containing a calculated area of 21567 sq ft or 0.50 acres.

This according to a survey by James W. Caudill, PLS #2259, on September 3, 2008.



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

STATE OF KENTUCKY
COUNTY OF LESLIE

I, JAMES LEWIS, CLERK OF THE COUNTY AND
STATE AFORESAID, DO HEREBY CERTIFY THAT THE
FOREGOING LEASE WAS, ON THE 20TH
DAY OF OCTOBER, 20 08, LODGED IN
MY OFFICE FOR RECORD, AND THAT IT, THE
FOREGOING AND THIS CERTIFICATION HAVE BEEN
DULY RECORDED IN MY SAID OFFICE IN LEASE
BOOK NO 74, PAGE 145

WITNESS MY HAND THIS 20TH DAY OF OCTOBER
20_08.

JAMES LEWIS CLERK

BY: Karen Williams, D.C.

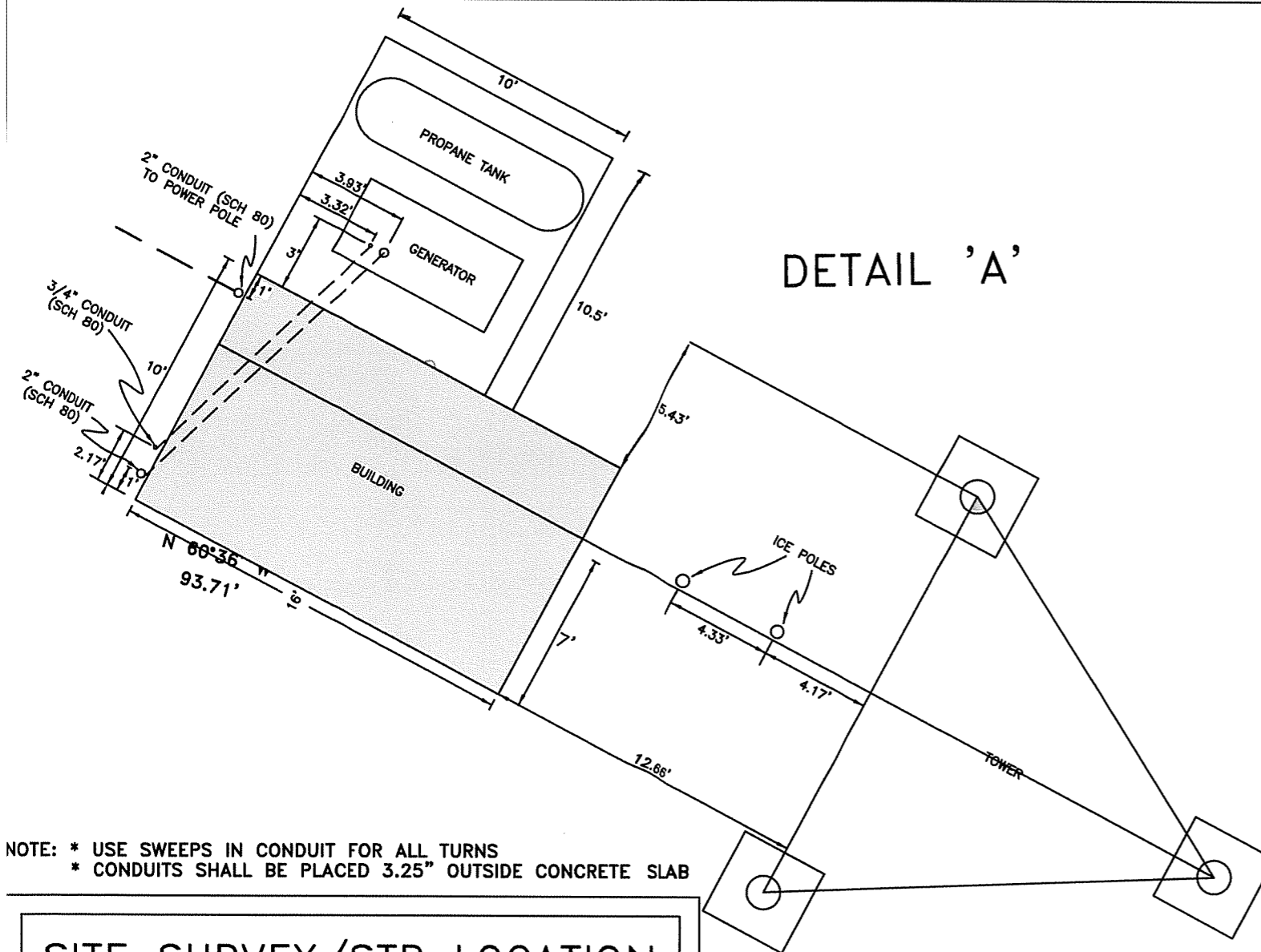
APPALACHIAN WIRELESS

101 TECHNOLOGY TRAIL

IVEL, KY. 41642

PROPOSED TOWER SITE

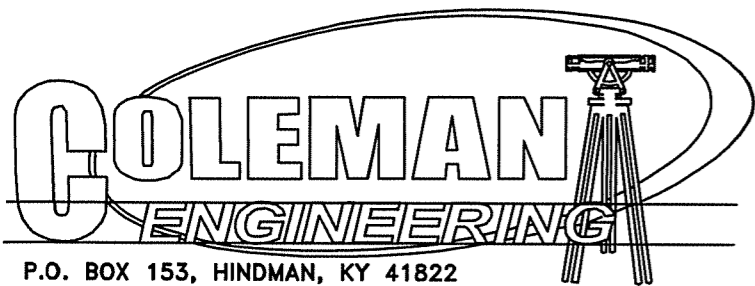
MAGGARD TR. HYDEN LESLIE CO. OF KY



DETAIL 'A'

NOTE: * USE SWEEPS IN CONDUIT FOR ALL TURNS
* CONDUITS SHALL BE PLACED 3.25" OUTSIDE CONCRETE SLAB

SITE SURVEY/STR LOCATION

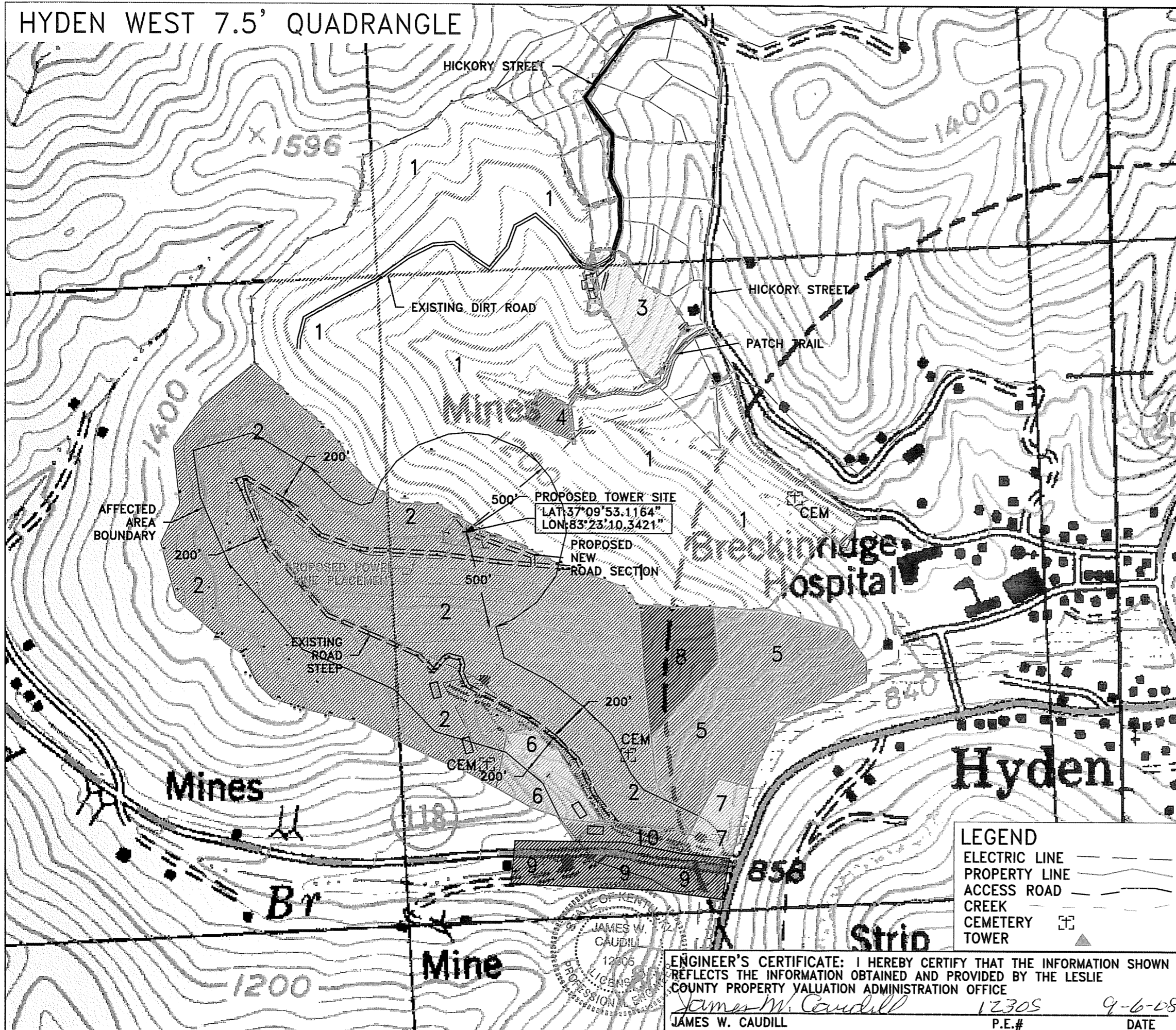


09/06/08

SCALE 1" = 6'



HYDEN WEST 7.5' QUADRANGLE



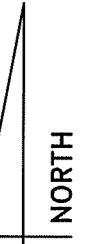
APPALACHIAN WIRELESS

101 TECHNOLOGY TRAIL
IVEL, KY. 41642

PROPOSED TOWER SITE
HYDEN IN LESLIE CO
JACK MAGGARD TRACT

LAND OWNERS:

- 1 MARY L. BIGGERSTAFF
C/O LEWIS BIGGERSTAFF
2401 TRAM ROAD
NEW BERN, NC 28562
- 2 JACK & EVA DEAN MAGGARD
PATRICK & SABRINA MAGGARD
P.O. BOX 102
HYDEN, KY 41749
- 3 KENNETH R WITT
BOX 921, 1212 HICKORY STREET
HYDEN, KY 41749
- 4 FREDERICK & SUSAN RATLIFF
131 PATCH TRAIL
HYDEN, KY 41749
- 5 JACK MAGGARD & OTT SIZEMORE
P.O. BOX 102
HYDEN, KY 41749
- 6 RODERICK MAGGARD
P.O. BOX 230
HYDEN, KY 41749
- 7 MALLIE LEWIS C/O RALPH LEWIS
P.O. BOX 907
HYDEN, KY 41749
- 8 BIGE MAGGARD
339 MAGGARD LANE
HYDEN, KY 41749
- 9 COMMONWEALTH OF KY
TRANSPORTATION CAB DISTRICT 11
MANCHESTER, KY 40962
- 10 CLAIMED BY JACK MAGGARD—NO TITLE
OLD ROADWAY UP BIG BR—NOW REPLACED
BY HIGHWAY 118



09/06/08

GRAPHIC SCALE

0 500 1000 1500



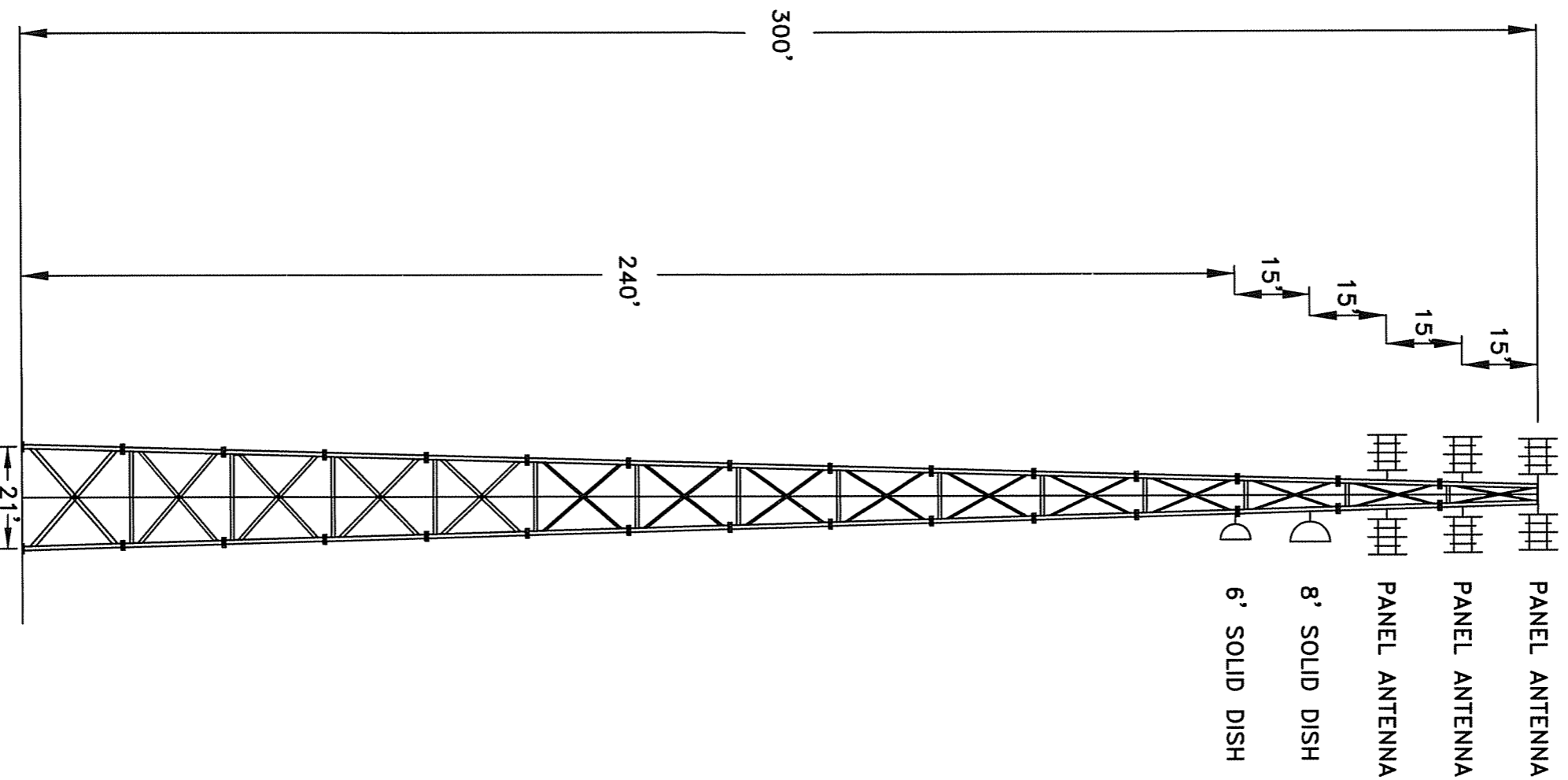
LEGEND

- ELECTRIC LINE ———
- PROPERTY LINE ———
- ACCESS ROAD - - - - -
- CREEK ———
- CEMETERY ☩
- TOWER ▲

ENGINEER'S CERTIFICATE: I HEREBY CERTIFY THAT THE INFORMATION SHOWN
REFLECTS THE INFORMATION OBTAINED AND PROVIDED BY THE LESLIE
COUNTY PROPERTY VALUATION ADMINISTRATION OFFICE
James W. Caudill 12305 9-6-08
JAMES W. CAUDILL P.E.# DATE

MAP SHOWING STRUCTURES & LAND OWNERS
WITHIN 500 FT OF THE PROPOSED TOWER

APPALACHIAN WIRELESS
 101 TECHNOLOGY TRAIL
 IVEL, KY. 41642
 PROPOSED TOWER SITE
 MAGGARD TR. HYDEN IN LESLIE CO. OF KY



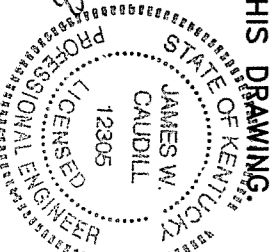
GRAPHIC SCALE



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.

09/06/08

James W. Caudill 12305
 JAMES W. CAUDILL P.E. DATE 9-6-08



VERTICAL PROFILE SKETCH

