

Dinsmore & Shohl LLP
ATTORNEYS

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April 20, 2009

RECEIVED

APR 21 2009

PUBLIC SERVICE
COMMISSION

Mr. Ryan Gatewood
Director of Filings Division
Public Service Commission
211 Sower Blvd.
P.O. Box 615
Frankfort, KY 40602-0615

RE: Application of Kentucky RSA #3 Cellular General Partnership for issuance of a Certificate of Public Convenience and Necessity to Construct a Cell Site (WELCOME), Case No. 2009-00023

Dear Mr. Burford:

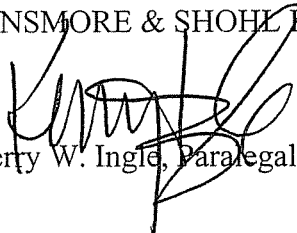
Enclosed for filing with the Kentucky Public Service Commission are an original and five (5) copies of the approvals from the Federal Aviation Administration (FAA) and Kentucky Airport Zoning Commission (KAZC) with respect to the above referenced cellular tower application.

If you have any questions with respect to this matter, please call me.

Thank you very much.

Very truly yours,

DINSMORE & SHOHL LLP


Kerry W. Ingle, Paralegal

kwi
Enclosures

Welcome



KENTUCKY AIRPORT ZONING COMMISSION

Steven Beshear
Governor

90 Airport Road, Bldg 400
FRANKFORT, KY
www.transportation.ky.gov/aviation
502 564-4480

March 24, 2009

APPROVAL OF APPLICATION

APPLICANT:
BLUEGRASS CELLULAR
MR SCOTT McCLOUD
2902 RING ROAD
ELIZABETHTOWN, KY 42702

SUBJECT: AS-016-7K4-2009-052

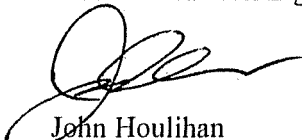
STRUCTURE: Antenna Tower
LOCATION: Morgantown, KY
COORDINATES: 37° 16' 8.17" N / 86° 40' 27.43" W
HEIGHT: 255' AGL/829' AMSL

The Kentucky Airport Zoning Commission has approved your application for a permit to construct 255' AGL/ 829' AMSL Antenna Tower near Morgantown, KY 37° 16' 8.17" N / 86° 40' 27.43" W.

This permit is valid for a period of 18 Month(s) from its date of issuance. If construction is not completed within said 18-Month period, this permit shall lapse and be void, and no work shall be performed without the issuance of a new permit.

A copy of the approved application is enclosed for your files.

Dual Obstruction Lighting is required.


John Houlihan
Administrator





KENTUCKY AIRPORT ZONING COMMISSION

Steven Beshear
Governor

90 Airport Road, Bldg 400
FRANKFORT, KY
www.transportation.ky.gov/aviation
502 564-4480

CONSTRUCTION/ALTERATION STATUS REPORT

March 24, 2009

AERONAUTICAL STUDY NUMBER: AS-016-7K4-2009-052

BLUEGRASS CELLULAR
MR SCOTT McCLOUD
2902 RING ROAD
ELIZABETHTOWN, KY 42702

This concerns the permit which was issued to you by the Kentucky Airport Zoning Commission on March 24, 2009. This permit is valid for a period of 18 Month(s) from its date of issuance. If construction is not completed within the said 18-Month period, this permit shall lapse and be void, and no work shall be performed without the issuance of a new permit. When appropriate, please indicate the status of the project in the place below and return this letter to John Houlihan, Administrator, Kentucky Airport Zoning Commission, 90 Airport Road, Bldg 400, FRANKFORT, KY, 40601. 502 564-4480.

STRUCTURE: Antenna Tower
LOCATION: Morgantown, KY
COORDINATES: 37° 16' 8.17" N / 86° 40' 27.43" W
HEIGHT: 255' AGL / 829' AMSL

CONSTRUCTION/ALTERATION STATUS

1. The project () is abandoned. () is not abandoned.

2. Construction status is as follows:

Structure reached its greatest height of _____ ft. AGL
_____ ft. AMSL on _____ (date).

Date construction was completed. _____

Type of obstruction marking/painting. _____

Type of obstruction lighting. _____

As built coordinates. _____

Miscellaneous Information. _____

DATE _____

SIGNATURE/TITLE _____



Kentucky Transportation Cabinet, Kentucky Airport Zoning Commission, 125 Holmes Street, Frankfort KY 40622

Kentucky Aeronautical Study Number

APPLICATION FOR PERMIT TO CONSTRUCT OR ALTER A STRUCTURE

AS-016-7KA-09-052

1. APPLICANT - Name, Address, Telephone, Fax, etc.

Scott McCloud
Bluegrass Cellular
2902 Ring Road
Elizabethtown, KY 42702
Tel: 270-769-0339
Fax: 270-737-0580

9. Latitude: 37 ° 16 ' 8 . 17 "

10. Longitude: 86 ° 40 ' 27 . 43 "

11. Datum: [X] NAD 83 [] NAD 27 [] Other

12. Nearest Kentucky City: Morgantown County: Butler

13. Nearest Kentucky public use or Military airport:

Ohio County Airport

14. Distance from #13 to Structure: 16.2 Miles

15. Direction from #13 to Structure: Southeast

16. Site Elevation (AMSL): 574 Feet

17. Total Structure Height (AGL): 255 Feet

18. Overall Height (#16 + #17) (AMSL): 829 Feet

19. Previous FAA and/or Kentucky Aeronautical Study Number(s):

N/A

20. Description of Location: (Attach a USGS 7.5 minute Quadrangle Map or an Airport Layout Drawing with the precise site marked and any certified survey)

Site is located at:

224 Cook Road
Morgantown, KY 42261

2. Representative of Applicant - Name, Address, Telephone, Fax

Leila Rezanavaz
Lukas, Nace, Gutierrez & Sachs, Chartered
1650 Tysons Blvd., Suite 1500
McLean, VA 22102
T: 703-584-8668

3. Application for: [X] New Construction [] Alteration [] Existing

4. Duration: [X] Permanent [] Temporary (Months Days)

5. Work Schedule: Start 4/1/09 End 4/10/09

6. Type: [X] Antenna Tower [] Crane [] Building [] Power Line
[] Landfill [] Water Tank [] Other

7. Marking/Painting and/or Lighting Preferred:

[] Red Lights and Paint [X] Dual - Red & Medium Intensity White
[] White - Medium Intensity [] Dual - Red & High Intensity White
[] White - High Intensity [] Other

8. FAA Aeronautical Study Number 2009-ASO-315-OE

21. Description of Proposal:

Structure: Proposed self supporting tower with top-mounted antennas for overall height of 255' AGL.

Max ERP: 250 watts.

Frequencies: Cellular Band B

22. Has a "NOTICE OF CONSTRUCTION OR ALTERATION" (FAA Form 7460-1) been filed with the Federal Aviation Administration?

[] No

[X] Yes, When 1/22/2009

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.

Leila Rezanavaz / Consulting Engineer

Printed Name

Signature

Leila Rezanavaz

Date

1/23/2009

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

[X] Administrator, KAZC

[X] Approved
[] Disapproved

[Signature]

Date 3-24-09



Issued Date: 02/19/2009

Scott McCloud
 Bluegrass Cellular, Inc.
 2902 Ring Road
 Elizabethtown, KY 42701

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure: Antenna Tower Welcome
 Location: Morgantown, KY
 Latitude: 37-16-08.17N NAD 83
 Longitude: 86-40-27.43W
 Heights: 255 feet above ground level (AGL)
 829 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

As a condition to this Determination, the structure is marked and/or lighted in accordance with FAA Advisory circular 70/7460-1 K Change 2, Obstruction Marking and Lighting, a med-dual system - Chapters 4,8(M-Dual),&12.

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be completed and returned to this office any time the project is abandoned or:

- At least 10 days prior to start of construction (7460-2, Part I)
- Within 5 days after the construction reaches its greatest height (7460-2, Part II)

This determination expires on 08/19/2010 unless:

- (a) extended, revised or terminated by the issuing office.
- (b) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE POSTMARKED OR DELIVERED TO THIS OFFICE AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE.