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Commonwealth of Kentucky
Public Service Commission
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Vice Chairman

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Commissioner

March 29, 2016

Buelah Leitch
5056 Nails Creek Road
Rockford, TN 37853

RE: Case No. 2015-00381
East Kentucky Network, LLC dba Appalachian Wireless

Dear Ms. Leitch:

This is in response to your letter received on March 28, 2016. The letter has been placed in the official case file of this proceeding and the Commission will carefully analyze this application before rendering its final decision.

By this letter, the attached public comment has been forwarded to the Applicant for a response. Commission Staff requests the Applicant to submit a written response to the public comment, with a copy to the Commission, within 15 days of the date of this letter.

If a person wishes to become a party in this matter he should submit to the Commission a request for intervention, if intervention is desired. If no request for intervention is received within 30 days of the date of this letter, the Commission Staff will presume that the Applicant's reply has satisfied the concerns raised in the attached request for information.

It may be helpful for you to know the state authority, specifically that of the Public Service Commission, in this matter has been limited by federal law. For example, Section 704 of the federal Telecommunications Act of 1996 prohibits this Commission from regulating the placement of wireless facilities on the basis of environmental effects of the radio frequency emissions to the extent that facilities comply with Federal Communications Commission regulations. Section 704 also prohibits a state or local government from prohibiting telecommunications facilities construction if such denial will have the effect of prohibiting service. In addition, this Commission is required by statute to ensure that utility service, including telecommunications service, is adequate and reliable. The Commission does, however, consider appropriate placement of necessary facilities within applicable engineering boundaries. It also pursues a policy of collocation of facilities whenever possible.

You may view Orders and data requests issued by the Commission or other formal case documents on our website <http://psc.ky.gov>.

Thank you for your letter of interest and concern in this matter.

Sincerely,

Jeff Derouen
Executive Director

Attachment

cc: Parties of Record

March 23, 2016

RECEIVED

MAR 28 2016

Public Service
Commission

To:

East Kentucky Net Work LLC d/b/a
Applacion Wireless
Attention Lynn Harey:

I am protesting your intent to put a new facility to provide cellular telecommunications service in Magoffin County. I do not want your facility to go in 500 feet from my property, it is very unsightly, causing my property to be worth less since we have a beautiful applacion house site with paved road frontage. Our 2.5 acres are applacion beauty for the construction of a house and your facility will take away from the beauty of the land and location. You may contact me at [REDACTED] or mail

Signed -

Buelah Leitch
on March 23, 2016

Letter of
Protest!

Buelah Leitch
5056 Nails Creek Rd
Rockford, TN
37853

Buelah Leitch
5056 Nails Creek
Rockford, TN, 37853

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