

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)	CASE NO.
OF A CERTIFICATE OF PUBLIC CONVENIENCE)	2024-00174
AND NECESSITY TO CONSTRUCT A)	
REPLACEMENT TOWER IN MORGAN COUNTY,)	
KENTUCKY)	

COMMISSION STAFF'S SECOND REQUEST FOR INFORMATION
TO EAST KENTUCKY NETWORK, LLC D/B/A APPALACHIAN WIRELESS

East Kentucky Network, LLC d/b/a Appalachian Wireless (Appalachian Wireless), pursuant to 807 KAR 5:001, shall file with the Commission an electronic version of the following information. The information requested is due on November 7, 2024. The Commission directs Appalachian Wireless to the Commission's July 22, 2021 Order in Case No. 2020-00085¹ regarding filings with the Commission. Electronic documents shall be in portable document format (PDF), shall be searchable, and shall be appropriately bookmarked.

Each response shall include the question to which the response is made and shall include the name of the witness responsible for responding to the questions related to the information provided. Each response shall be answered under oath or, for representatives of a public or private corporation or a partnership or association or a

¹ Case No. 2020-00085, *Electronic Emergency Docket Related to the Novel Coronavirus COVID-19* (Ky. PSC July 22, 2021), Order (in which the Commission ordered that for case filings made on and after March 16, 2020, filers are NOT required to file the original physical copies of the filings required by 807 KAR 5:001, Section 8).

governmental agency, be accompanied by a signed certification of the preparer or the person supervising the preparation of the response on behalf of the entity that the response is true and accurate to the best of that person's knowledge, information, and belief formed after a reasonable inquiry.

Appalachian Wireless shall make timely amendment to any prior response if Appalachian Wireless obtains information that indicates the response was incorrect or incomplete when made or, though correct or complete when made, is now incorrect or incomplete in any material respect.

For any request to which Appalachian Wireless fails or refuses to furnish all or part of the requested information, Appalachian Wireless shall provide a written explanation of the specific grounds for its failure to completely and precisely respond.

Careful attention shall be given to copied and scanned material to ensure that it is legible. When the requested information has been previously provided in this proceeding in the requested format, reference may be made to the specific location of that information in responding to this request. When applicable, the requested information shall be separately provided for total company operations and jurisdictional operations. When filing a paper containing personal information, Appalachian Wireless shall, in accordance with 807 KAR 5:001, Section 4(10), encrypt or redact the paper so that personal information cannot be read.

1. Refer to KRS 278.665(2) and 807 KAR 5:063, Section 1(1)(l)(1). Also refer to the Application, Exhibit 2, pdf page 14 of 89 and Appalachian Wireless's response to Commission Staff's First Request for Information, Item 2. Explain why the letter of notice to Isaac and Kristin Allen (collectively, the Allens), the Certified Mail Receipt, and the

USPS Tracking all have different zip code numbers for the Allens. For the Allens, provide a copy of the signed United States Postal Service Forms 3811, otherwise known as “signed green cards,” or a copy of the notice that was returned to Appalachian Wireless as undelivered. This is a continuing request and should be updated in a supplemental filing until all signed green cards and undelivered notices are returned to Appalachian Wireless.

2. Refer to 807 KAR 5:063, Section 1(1)(f). Also refer to the Application Exhibits 8 and 9. The proposed cell tower appears to be partially located on property belonging to the Allens.

a. Confirm whether the project—including the proposed cell tower, its appurtenances, any temporary structures, construction activity, equipment or storage—will use or take place upon any real property owned or controlled by the Allens.

b. If confirmed, identify and provide the lease or other legal documents establishing Appalachian Wireless’s rights to enter upon and use the property.



Linda C. Bridwell, PE
Executive Director
Public Service Commission
P.O. Box 615
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DATED OCT 24 2024

cc: Parties of Record

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