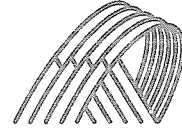


EAST KENTUCKY NETWORK
101 TECHNOLOGY TRAIL
IVEL, KY 41642
PHONE: (606) 874-7550
FAX: (606) 874-7551
EMAIL: INFO@EKN.COM
WEBSITE: WWW.EKN.COM

EAST KENTUCKY
NETWORK



RECEIVED

JUL 22 2010

PUBLIC SERVICE
COMMISSION

July 20, 2010

Linda Faulkner, Division Director Filings
Public Service Commission
211 Sower Blvd.
P.O. Box 615
Frankfort, KY 40602-0615

RE: Public Service Commission of Kentucky (Case No. 2010-00053)

Dear Ms. Faulkner:

Please find enclosed the approval letters from the FAA and the KAZC for the Cody Tower (Case No. 2010-00053).

If you have any further questions, feel free to contact me at 606-791-2375, ext. 1007 or via email lhanev@ekn.com.

Sincerely,

Lynn Haney
Staff Accountant/
Compliance Coordinator

Enclosures



Federal Aviation Administration
 Air Traffic Airspace Branch, ASW-520
 2601 Meacham Blvd.
 Fort Worth, TX 76137-0520

Aeronautical Study No.
 2010-ASO-1536-OE

Issued Date: 04/13/2010

Ali Kuzehkanani
 East Kentucky Network, LLC
 8300 Greensboro Drive, Suite 1200
 McLean, VA 22102

**** 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: Tower Cody (Carr Creek)
 Location: Carr Creek, KY
 Latitude: 37-13-47.20N NAD 83
 Longitude: 82-58-39.80W
 Heights: 310 feet above ground level (AGL)
 1865 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)

While the structure does not constitute a hazard to air navigation, it would be located within or near a military training area and/or route.

This determination expires on 10/13/2011 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.

This determination is based, in part, on the foregoing description which includes specific coordinates , heights, frequency(ies) and power . Any changes in coordinates , heights, and frequencies or use of greater power will void this determination. Any future construction or alteration , including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

A copy of this determination will be forwarded to the Federal Communications Commission (FCC) because the structure is subject to their licensing authority.

If we can be of further assistance, please contact our office at (847) 294 8084. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2010-ASO-1536-OE.

Signature Control No: 693694-124746433

(DNE)

Carole Bernacchi
Technician

Attachment(s)
Frequency Data

cc: FCC

Frequency Data for ASN 2010-ASO-1536-OE

LOW FREQUENCY	HIGH FREQUENCY	FREQUENCY 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



KENTUCKY AIRPORT ZONING COMMISSION

STEVEN BESHEAR
Governor

90 Airport Road, Bldg 400
Frankfort, KY 40601
www.transportation.ky.gov/aviation
502 564-4480

May 20, 2010

APPROVAL OF APPLICATION

APPLICANT:

East Kentucky Network, LLC.
8300 Greensboro Drive|Suite 1200
McLean, VA 22102

SUBJECT: AS-060-K20-2010-035

STRUCTURE: Antenna Tower
LOCATION: Carr Creek, KY
COORDINATES: 37° 13' 47.2" N / 82° 58' 39.8" W
HEIGHT: 310' AGL/1865' AMSL

The Kentucky Airport Zoning Commission has approved your application for a permit to construct 310' AGL/ 1865' AMSL Antenna Tower near Carr Creek, KY 37° 13' 47.2" N / 82° 58' 39.8" 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.

Medium Dual Obstruction Lighting is required.

A handwritten signature in black ink, appearing to read "John Houlihan".

John Houlihan
Administrator



An Equal Opportunity Employer M/F/D



KENTUCKY AIRPORT ZONING COMMISSION

STEVEN BESHEAR
Governor

90 Airport Road, Bldg 400
Frankfort, KY 40601
www.transportation.ky.gov/aviation
502 564-4480

CONSTRUCTION/ALTERATION STATUS REPORT

May 20, 2010

AERONAUTICAL STUDY NUMBER: AS-060-K20-2010-035

East Kentucky Network, LLC.
8300 Greensboro Drive|Suite 1200
McLean, VA 22102

This concerns the permit which was issued to you by the Kentucky Airport Zoning Commission on May 20, 2010. 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: Carr Creek, KY
COORDINATES: 37° 13' 47.2" N / 82° 58' 39.8" W
HEIGHT: 310' AGL /1865' 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 _____



An Equal Opportunity Employer M/F/D

Kentucky Transportation Cabinet, Kentucky Airport Zoning Commission, 200 Mero Street, Frankfort, KY 40622

Kentucky Aeronautical Study Number

APPLICATION FOR PERMIT TO CONSTRUCT OR ALTER A STRUCTURE

AS-060-K20-2010-035

INSTRUCTIONS INCLUDED

1. APPLICANT -- Name, Address, Telephone, Fax, etc. East Kentucky Network, LLC c/o Lukas, Nace, Gutierrez & Sachs, Chtd 8300 Greensboro Drive, Suite 1200 McLean, VA 22102 T: 703-584-8667 F: 703-584-8692

9. Latitude: 37 ° 13 ' 47 " 2 " 10. Longitude: 82 ° 58 ' 39 " 8 " 11. Datum: [X] NAD83 [] NAD27 [] Other 12. Nearest Kentucky City: Carr Creek County Knott

2. Representative of Applicant -- Name, Address, Telephone, Fax Ali Kuzehkanani Lukas, Nace, Gutierrez & Sachs, Chtd 8300 Greensboro Drive, Suite 1200 McLean, VA 22102 T: 703-584-8667 F: 703-584-8692

13. Nearest Kentucky public use or Military airport: Wendell H Ford 14. Distance from #13 to Structure: 19.3 mi 15. Direction from #13 to Structure: SE 16. Site Elevation (AMSL): 1,555.00 Feet

3. Application for: [X] New Construction [] Alteration [] Existing 4. Duration: [X] Permanent [] Temporary (Months ___ Days ___) 5. Work Schedule: Start 4/10/2010 End 4/15/2010 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

17. Total Structure Height (AGL): 310.00 Feet 18. Overall Height (#16 + #17) (AMSL): 1,865.00 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. 0.5 mi (0.8 km) W of Carr Creek (Knott), KY

21. Description of Proposal: The structure will include a 300' tower with top-mounted antennas (overall height of 310' 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 [X] Yes, When March 23, 2010

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.

All Kuzehkanani/ Dir of Engineering Printed Name and Title Ali Kuzehkanani Signature 3/23/2010 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 [X] Administrator, KAZC [X] Approved [] Disapproved Date 5-20-10