

RECEIVED

MAY 04 2015

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 2015-00123
NECESSITY TO CONSTRUCT A TOWER IN FLOYD)
COUNTY, KENTUCKY).

East Kentucky Network, LLC, d/b/a Appalachian Wireless, was granted authorization to provide cellular service in the KY-9 Cellular Market Area (CMA451) by the Federal Communications Commission (FCC). FCC license is included as Exhibit 1. East Kentucky Network, LLC merger documents were filed with the Commission on February 2, 2001 in Case # 2001-022. East Kentucky Network, LLC is a Kentucky Limited Liability Company that was organized on June 16, 1998. East Kentucky Network, LLC is in good standing with the state of Kentucky.

In an effort to improve service in Floyd 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 300 foot self-supporting tower on a tract of land located .2 miles on Shopper's Path Road, Prestonsburg, Floyd County, Kentucky (37°00'39'24.3877"N 82°46'37.2190"W). A map and detailed directions to the site can be found in Exhibit 7.

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 Network's property.

Pursuant to 807 KAR 5:063 Section 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.

Floyd County has no formal local planning unit. In absence of this unit the Floyd 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 3 is a copy of that notification.

Notice of the location of the proposed construction was published in the The Floyd County Times, May 1, 2015, edition. Enclosed is a copy of that notice in Exhibit 3. The Floyd County Times is the newspaper with the largest circulation in Floyd County.

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 4.

A copy of the tower design information is enclosed as Exhibit 5. The proposed tower has been designed by engineers at World Tower Company, 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 S & S Tower Services of St. Albans, West Virginia. S & S Tower Services has vast experience in the erection of communications towers.

FAA and Kentucky Airport Zoning Commission applications are included as Exhibit 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.

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

Estimated Cost of Construction	\$ 350,000.00
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 April 20, 2015, and will remain posted for at least two weeks after filing of this application as specified.

Enclosed in Exhibit 8 is a copy of East Kentucky Network LLC's Option to Purchase for the site location along with a lot description.

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 7. 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.

Enclosed, and filed as Exhibit 9 is a survey of the proposed tower site signed by a Kentucky registered professional engineer.

Exhibit 11 contains a vertical sketch of the tower supplied by James W. Caudill, Kentucky registered professional engineer.

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 Bethany Bowersock, Staff Attorney for East Kentucky Network, LLC 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: Lynn Haney DATE: 5/1/15
Lynn Haney, Regulatory Compliance Director

APPROVED BY: W.A. Gillum DATE: 5/1/2015
W.A. Gillum, General Manager

ATTORNEY: Bethany L. Bowersock DATE: 5-1-15
Hon. Bethany Bowersock, Staff Attorney

CONTACT INFORMATION:

W.A. Gillum, General Manager
Phone: (606) 477-2355, Ext. 111
Email: wagillum@ekn.com

Lynn Haney, Regulatory Compliance Director
Phone: (606) 477-2355, Ext. 1007
Email: lhaney@ekn.com

Bethany L. Bowersock, Attorney
Phone: (606) 477-2355. Ext. 1006
Email: bbowersock@ekn.com

Mailing Address:

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

1	FCC License
2	Copies of Cell Site Notices to Land Owners
3	Notification of County Judge Executive and Newspaper Advertisement
4	Universal Soil Bearing Analysis
5	Tower Design
6	FAA and KAZC Applications
7	Driving Directions from County Court House and Map to Suitable Scale
8	Option to Purchase for Proposed Site with Legal Description
9	Survey of Site Signed/Sealed by Professional Engineer Registered in State of Kentucky
10	Site Survey Map with Property Owners Identified in Accordance with PVA of County
11	Vertical Profile Sketch of Proposed Tower
12	



ULS License

Cellular License - KNKN880 - East Kentucky Network, LLC d/b/a Appalachian Wireless

Call Sign	KNKN880	Radio Service	CL - Cellular
Status	Active	Auth Type	Regular

Market

Market	CMA451 - Kentucky 9 - Elliott	Channel Block	B
Submarket	0	Phase	2

Dates

Grant	08/30/2011	Expiration	10/01/2021
Effective	08/30/2011	Cancellation	

Five Year Buildout Date

10/23/1996

Control Points

1 U.S. 23, HAROLD, KY

Licensee

FRN	0001786607	Type	Limited Liability Company
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Licensee

East Kentucky Network, LLC d/b/a Appalachian Wireless 101 Technology Trail Ivel, KY 41642 ATTN Gerald Robinette, Manager	P:(606)477-2355 F:(606)874-7551
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Contact

Lukas, Nace, Gutierrez & Sachs, LLP Pamela L Gist Esq 8300 Greensboro Drive McLean, VA 22102	P:(703)584-8665 F:(703)584-8695 E:pgist@fcclaw.com
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Ownership and Qualifications

Radio Service Type	Mobile
Regulatory Status	Common Carrier Interconnected Yes

Alien Ownership

The Applicant answered "No" to each of the Alien Ownership questions.

Basic Qualifications

The Applicant answered "No" to each of the Basic Qualification questions.

EXHIBIT II: LIST OF PROPERTY OWNERS:

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

Henry Slone Est.
C/O Bill Slone
614 South Lake Dr.
Prestonsburg, KY 41653

Leonard Hall
P.O. Box 219
Haorld, KY 41635

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

May 1, 2015
Henry Slone Est.
C/O Bill Slone
614 South Lake Dr.
Prestonsburg, KY 41653

RE: Public Notice-Public Service Commission of Kentucky (Case No. 2015-00123)

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 Floyd County. The facility will include a 300-foot self-supporting tower with attached antennas extending upwards, and an equipment shelter located on a tract of land .2 miles on Shopper's Path. 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. 2015-00123 in your correspondence.

If you have any questions for East Kentucky Network, LLC, please direct them to my attention at the following address: East Kentucky Network, LLC, 101 Technology Trail, Ivel, KY 41642 or call me at 606-477-2355, Ext. 1007.

Sincerely,

A handwritten signature in cursive script that reads "Lynn Haney".

Lynn Haney
Regulatory Compliance Director
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

May 1, 2015

Leonard Hall
P.O. Box 219
Harold, KY 41635

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If you have any questions for East Kentucky Network, LLC, please direct them to my attention at the following address: East Kentucky Network, LLC, 101 Technology Trail, Ivel, KY 41642 or call me at 606-477-2355, Ext. 1007.

Sincerely,

A handwritten signature in cursive script that reads "Lynn Haney".

Lynn Haney
Regulatory Compliance Director
Enclosure 1

Appalachian Wireless Location Map



Site Name

Prestonsburg East

Location

Shoppers Path Prestonsburg KY.

GPS Location

N 37 39 24.287

W 82 46 37.219



VIA: U.S. CERTIFIED MAIL

May 1, 2015

Ben Hale, Judge Executive
149 S Central Ave.
Prestonsburg, KY 41653

RE: Public Notice-Public Service Commission of Kentucky (Case No. 2015-00123)

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 Floyd County. The facility will include a 300-foot self-supporting tower with attached antennas extending upwards, and an equipment shelter located on a tract of land .2 miles on Shopper's Path Road, Prestonsburg, Floyd County, Kentucky. 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 Floyd 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. 2015-00123 in your correspondence.

If you have any questions for East Kentucky Network, LLC, please direct them to my attention at the following address: East Kentucky Network, LLC, 101 Technology Trail, Ivel, KY 41642 or call me at 606-477-2355, Ext. 1007.

Sincerely,

Lynn Haney
Regulatory Compliance Director
Enclosure

Appalachian Wireless Location Map



Site Name

Prestonsburg East

Location

Shoppers Path Prestonsburg KY.

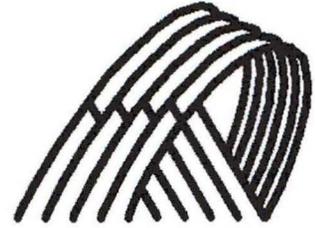
GPS Location

N 37 39 24.287

W 82 46 37.219

dba Appalachian Wireless
101 Technology Trail
Ivel, KY 41642
Phone: 606-477-2355
Fax: 606-791-2225

EAST KENTUCKY
NETWORK



To: Floyd County Times
Attn: Classifieds

From: Raina Helton
Regulatory Compliance Assistant

Email: eosborne@civitasmedia.com

Date: April 27, 2015

Re: PUBLIC NOTICE ADVERTISEMENT

Pages: 1

Please place the following Public Notice Advertisement in the Floyd County Times to be ran on May 1, 2015.

PUBLIC NOTICE:

RE: Public Service Commission of Kentucky (CASE NO. 2015-00123)

Public Notice is hereby given that East Kentucky Network, LLC, dba Appalachian Wireless has applied to the Kentucky Public Service Commission to construct a cellular telecommunications tower on a tract of land .2 miles Shopper's Path Road, Prestonsburg, Floyd County, Kentucky. The proposed tower will be a 300 foot self-supporting tower with attached antennas. 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. 2015-00123.

If you have any questions about the placement of the above mentioned notice, please call me at 606-477-2375, ext. 1005.

Thank you,

Raina Helton
Regulatory Compliance Assistant

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.

WENDELL R. HOLMES, P.G.

424 Pear Street
Hazard, KY 41701
March 29, 2015

Prestonsburg East Tower Site

Purpose:

A site assessment was conducted for Appalachian Wireless on a tract of land located in Floyd County near Prestonsburg, 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 trenching method was used to determine the type of bedrock material at the proposed tower site. It is approximately 2.75 feet to the sandstone bedrock. (See attached page for descriptions of materials encountered.) The terrain in Floyd County is moderately to very steep. The tower site is located on a ridge between Middle Creek and Town Branch and approximately three quarters of a mile southwest of the city of Prestonsburg in Floyd County. The sandstone formation below the tower site is approximately 10.00 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 ridge in the area. The sandstone bedrock on the proposed tower site is part of the Breathitt Formation of the Breathitt Group, 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.



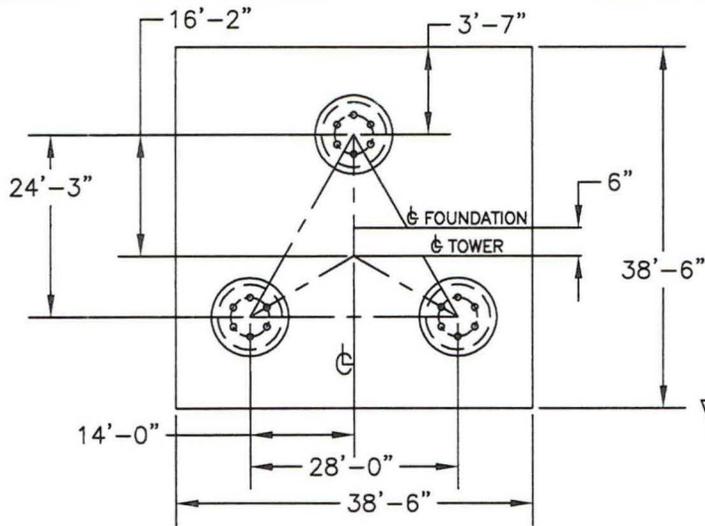
WENDELL R. HOLMES, P.G.

**424 Pear Street
Hazard, Ky. 41701
(606)438-7250**

Geologist Log

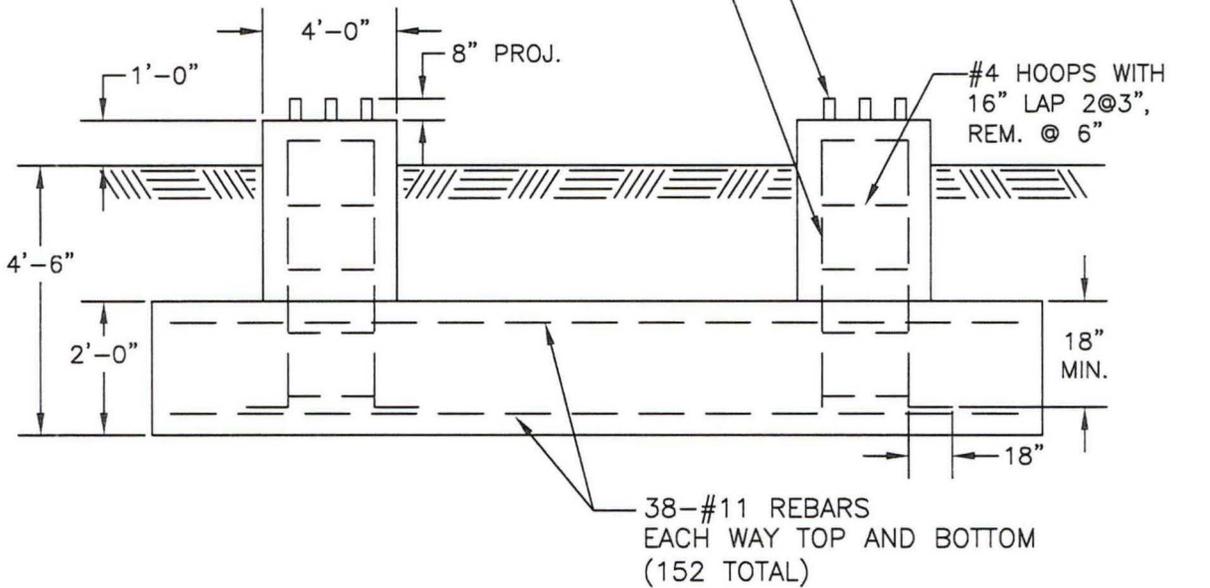
Location: Prestonsburg East Tower Site

Unit Thickness	Total depth	Strata	Description
0.16'	0.16'	Soil	Brown with Plant Fragments
2.69'	2.75'	Clay	Red and Gray
10.00'	12.75'	Sandstone	Weathered, Brown and Gray



114.7 CU. YDS.
CONCRETE REQ'D.

BASE REACTIONS	
OTM:	12263.0 FT. KIPS
COMP.	536.0 KIPS
UPLIFT	452.0 KIPS
SHEAR (3 LEGS)	77.0 KIPS
WT. NO ICE	90.0 KIPS
WT. 1/2" ICE	208.0 KIPS



38-#11 REBARS
EACH WAY TOP AND BOTTOM
(152 TOTAL)

GENERAL NOTES

1. CONCRETE TO HAVE 4000 PSI MIN. COMPRESSIVE STRENGTH AFTER 28 DAYS.
2. ALL REINFORCEMENT STEEL IS DEFORMED AND MEETS THE STRENGTH REQUIREMENTS OF ASTM A615 GRADE 60.
3. EMBEDDED STEEL TO HAVE 3" MIN. CONCRETE COVER.
4. FOUNDATION DESIGN IS BASED ON CUSTOMER SUPPLIED SOIL DATA FROM WENDELL R. HOLMES, P.G. DATED MARCH 29, 2015.



4-8-2015

TITLE: FOUNDATION DETAIL
300' WSST TOWER
FOR: APPALACHIAN WIRELESS
SITE: PRESTONSBURG EAST, KY

WORLD TOWER

SCALE NONE	DWN. LKG	CKD.	DATE 4-8-15
FILE	DWG. NO. Q15051F		



Notice of Proposed Construction or Alteration - Off Airport

[Add a new Case Off Airport - Desk Reference Guide V_2015.1.0](#)

[Add a New Case Off Airport for Wind Turbines - Met Towers - Desk Reference Guide V_2015.1.0](#)

Project Name: EAST -000323413-15

Sponsor: East Kentucky Network, LLC

Details for Case : East Prestonsburg

[Show Project Summary](#)

Case Status

ASN: 2015-ASO-5409-OE
Status: Accepted

Date Accepted: 04/17/2015

Date Determined:

Letters: None

Documents: 04/17/2015 East Prestonsburg...

Public Comments: None

Project Documents:
None

Construction / Alteration Information

Notice Of: Construction
Duration: Permanent
if Temporary : Months: Days:
Work Schedule - Start: 05/15/2015
Work Schedule - End: 05/31/2015

Structure Summary

Structure Type: Tower
Structure Name: East Prestonsburg
FDC NOTAM:
NOTAM Number:
FCC Number:
Prior ASN:

**For temporary cranes-Does the permanent structure require separate notice to the FAA? To find out, use the Notice Criteria Tool. If separate notice is required, please ensure it is filed. If it is not filed, please state the reason in the Description of Proposal.*

State Filing: Filed with State

Structure Details

Latitude: 37° 39' 24.30" N
Longitude: 82° 46' 37.20" W
Horizontal Datum: NAD83
Site Elevation (SE): 1236 (nearest foot)
Structure Height (AGL): 310 (nearest foot)
Current Height (AGL): (nearest foot)
** For notice of alteration or existing provide the current AGL height of the existing structure. Include details in the Description of Proposal*

Common Frequency Bands

Low Freq	High Freq	Freq Unit	ERP	ERP Unit
698	806	MHz	1000	W
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

Max Operating Height (AGL): (nearest foot)
** For aeronautical study of a crane or construction equipment the maximum height should be listed above as the Structure Height (AGL). Additionally, provide the maximum operating height to avoid delays if impacts are identified that require negotiation to a reduced height. If the Structure Height and maximum operating height are the same enter the same value in both fields.*

Specific Frequencies

Nacelle Height (AGL): (nearest foot)
** For Wind Turbines 500ft AGL or greater*

Requested Marking/Lighting: Dual-red and medium intensity

Other :

Recommended Marking/Lighting:

Current Marking/Lighting: N/A Proposed Structure

Other :

Nearest City: Prestonsburg

Nearest State: Kentucky

Description of Location: Approx. 0.7 miles south of Prestonsburg (Floyd), KY

Description of Proposal: A new 300' tower with top-mounted antennas (overall height of 310' AGL).

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

REVISIONS 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 ° 39 ' 24 . 3 "

10. Longitude: 82 ° 46 ' 37 . 2 "

11. Datum: NAD83 NAD27 Other

12. Nearest Kentucky City: Prestonsburg County Floyd

13. Nearest Kentucky public use or Military airport:
Big Sandy Regional Airport

14. Distance from #13 to Structure: 10.0 miles

15. Direction from #13 to Structure: SW

16. Site Elevation (AMSL): 1,236.00 Feet

17. Total Structure Height (AGL): 310.00 Feet

18. Overall Height (#16 + #17) (AMSL): 1,546.00 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. 0.7 miles south of Prestonsburg (Floyd), KY

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

3. Application for: New Construction Alteration Existing

4. Duration: Permanent Temporary (Months _____ Days _____)

5. Work Schedule: Start 5/15/2015 End 5/31/2015

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

7. Marking/Painting and/or Lighting Preferred:

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

8. FAA Aeronautical Study Number _____

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 Yes, When April 17, 2015

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
Printed Name and Title

Ali Kuzehkanani
Signature

4/17/2015
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 other penalties.

Commission Action:

Chairman, KAZC

Administrator, KAZC

Approved

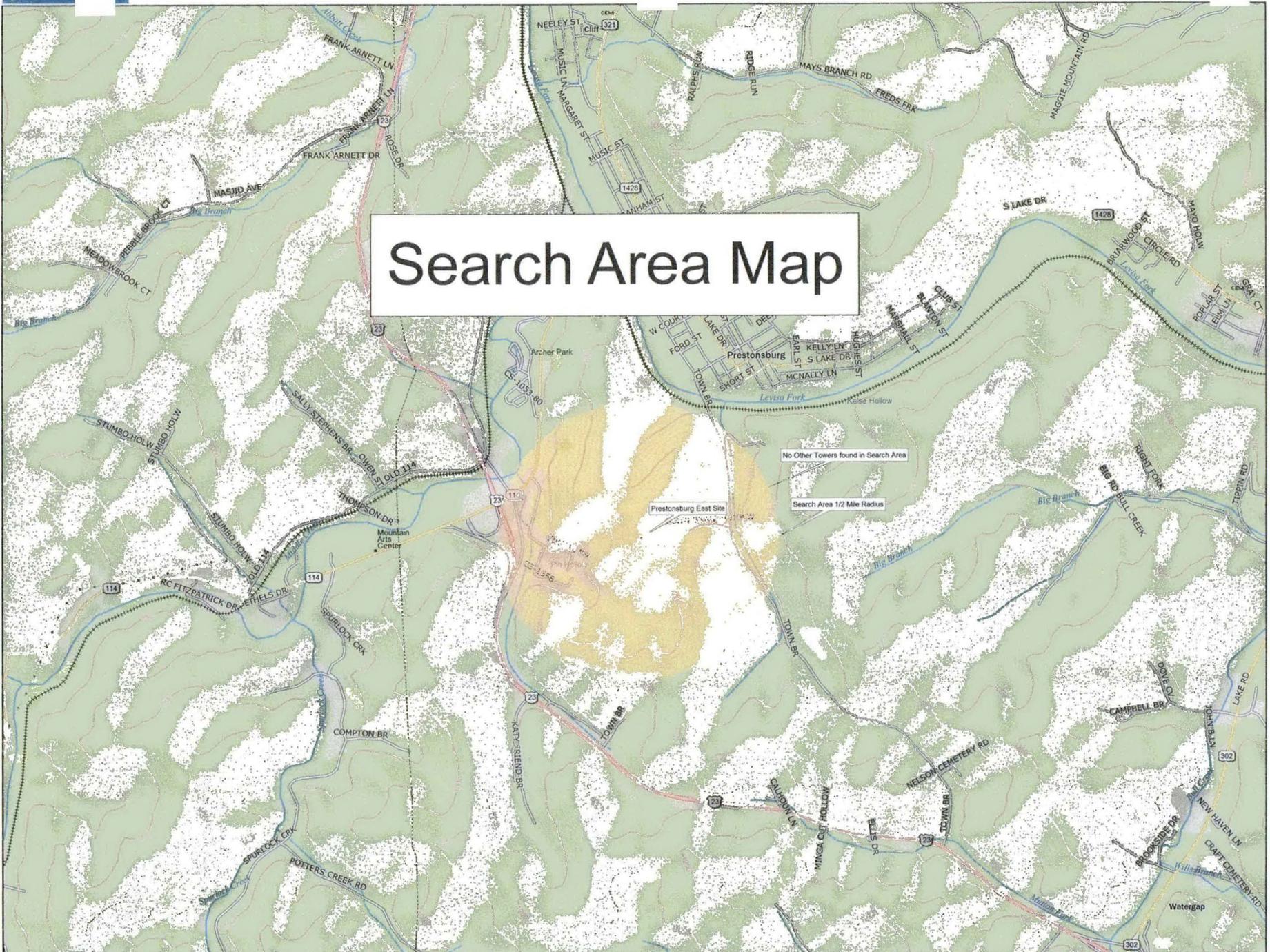
Disapproved

Date _____

Driving directions for Prestonsburg East

Beginning in front of the Courthouse in Prestonsburg, Floyd County, Kentucky on South Lake Drive travel .2 miles to the junction of South Lake Drive and 114, turn left at the traffic light staying on 114 for .9 miles. Turn left at the traffic light onto Village Drive and go .2 miles, take a right onto Shopper's Path traveling .2 miles straight ahead (signs will be posted). Take the gravel road for one and a quarter mile to the site (signs will be posted).

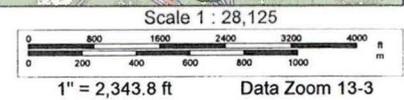
Search Area Map



Data use subject to license.

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www.delorme.com



OPTION TO PURCHASE

THIS OPTION AGREEMENT is made and entered into this 9th day of January, 20 15 by and between Leonard Hall, whose mailing address is P.O. Box 219, Harold, Kentucky, 41635 ("Seller"), and East Kentucky Network, LLC, d/b/a Appalachian Wireless, of 101 Technology Trail, Ivel, Kentucky, 41642 ("Buyer").

IN CONSIDERATION OF PAYMENT of the sum of Five Thousand Dollars (\$5,000.00) (the "Option Money"), by Buyer to Seller, the receipt thereof being hereby acknowledged, the parties agree as follows:

1. GRANT OF OPTION. Seller irrevocably grants to Buyer the exclusive option ("Option") to purchase property located in Floyd County, Kentucky, being a portion of the property described in the Deed of Master Commissioner dated November 15, 2010, and recorded in Deed Book 573, Page 654 in the Floyd County Clerk's Office (the "Property"). Said lot of real property contains approximately .525 acres and is more particularly described in Lot Description and Plat of Survey attached hereto as Exhibits A, B and C.
2. TERM OF OPTION. The Option shall continue for a term of one (1) year from the date of execution hereof ("Initial Option Term"); with Buyer having the option to renew for an additional one (1) year term ("Renewal"). Upon exercising the right to renew this Option Agreement, Buyer shall pay additional Option Money in the amount of Five Thousand Dollars (\$5,000.00). The Option may be exercised in accordance with the terms of this agreement at any time on or before the expiration of Initial Option Term or Renewal.

3. ENTRY ONTO PROPERTY. Seller consents that during the Option Period or Renewal, the Buyer, its representatives and/or agents, may enter onto the Property for the purpose of conducting a physical inspection, surveying boundary lines, and may travel across Seller's adjoining lands for ingress, egress and regress to the Property.
4. EXERCISE OF OPTION. Buyer may exercise this Option at any time during the Initial Option Period or Renewal by delivering notice of its election to exercise said Option to Seller by phone call or U.S. Mail at their address as set forth in the preamble to this agreement. If this Option is exercised, Buyer shall purchase the Property free and clear of any liens, encumbrances or claims of any kind.
5. FAILURE TO EXERCISE OPTION. If Buyer shall fail to exercise this Option within the Initial Option Period or Renewal period, Seller shall retain the Option Money, this Agreement shall thereupon terminate, and neither party shall have any further rights or obligations hereunder. However, the Option Money shall be returned to Buyer if the closing does not take place due to the fault of the Seller.
6. PURCHASE PRICE. The one-time purchase price for the Property shall be Forty Thousand Dollars (\$40,000.00). Upon exercise of this Option, Buyer shall deduct any Option Money previously paid from the purchase price.

The Seller grants unto Buyer full and complete rights of ingress, egress and regress over roads located upon this property controlled by Seller to and from the Property, and the non-exclusive right to use any existing road located on this property. In the event the Buyer desires to relocate all or any portion of an existing roadway or to construct another access road to the Property, the location

of such roadway shall be mutually agreed upon by the Seller and Buyer. Seller further grants to the Buyer a right of way and easement to construct, maintain, and operate telephone/power transmission lines over Seller's remaining property for service of the tower and related facilities. Said lines shall be located where feasible along the access road to the Property, with the Seller having input as to the location of said transmission lines. Buyer shall have the right to trim or remove trees, limbs, or underbrush that interferes with its access road or power/telephone lines wherever such road and lines are located. It is understood that either party has the right to, but not the obligation to perform maintenance on the access road.

7. CLOSING. The closing of this transaction shall be at a date, time, and location mutually agreed to by the parties, provided that the Option is exercised in accordance with the terms hereof. Buyer shall pay the cost of the preparation of the deed and the cost of (a) the title insurance and examination, if any, (b) the survey, if any, and (c) the recording of the deed. Real estate taxes, insurances expenses, utility expenses, and other similar expenses and charges shall be apportioned between the parties as of the date of closing. Buyer shall pay all closing fees and out-of-pocket expenses charged by the closing agent in connection with the closing.
8. BINDING EFFECT. This Agreement shall be binding upon and inure to the benefit of the parties and their respective heirs, successors, and assigns.

IN WITNESS WHEREOF, the parties hereto have executed and delivered this
Option to Purchase Agreement on the day and year first above mentioned.

SELLER:

Leonard Hall
LEONARD HALL

STATE OF KENTUCKY

COUNTY OF Floyd

The foregoing instrument was produced and acknowledged before me by Leonard
Hall, on this the 9th day of January, 2015.

Rain S. Helton
Notary Public

My Commission Expires July 3, 2016

BUYER: EAST KENTUCKY NETWORK
d/b/a APPALACHIAN WIRELESS

By: WA Gillum

Its: CEO/GM

COPIES
10/1/15

STATE OF KENTUCKY

COUNTY OF Floyd

The foregoing instrument was acknowledged before me on this 9th day of January, 20 15, by W.A. Gillum, CEO/General Manager of East Kentucky Network, LLC, d/b/a Appalachian Wireless.

Rainey D. Bradley
Notary Public

My Commission Expires February 3, 2016

This instrument was prepared by:

Bethany L. Bowersock

Bethany L. Bowersock, Attorney at Law
101 Technology Trail
Ivel, KY 41642

LOT DESCRIPTION

Property of
Leonard Hall
P.O. Box 219
Harold, KY 41635
Near Prestonsburg in Floyd County
December 08, 2014

A portion of the property lying in Katie Friend Branch of Middle Creek and east of Highway 23 and south of Levisa Fork of the Big Sandy River in Floyd County of Kentucky, near the city of Prestonsburg. Being a part of the same land conveyed to Leonard Hall, P.O. Box 219, Harold, Kentucky 41635, through William S. Kendrick, Master Commissioner, P.O. Box 268, Prestonsburg, Kentucky, 41653, in Deed Book 573 page 654 of the Floyd county Court Clerk.

Unless stated otherwise, any monument referred to herein as "set iron pin with cap" is a set 1/2" diameter rebar, at least eighteen (18") in length, with a plastic cap stamped "LS-2259". All bearings stated herein are referred to NAD83, KY single zone of the Kentucky state plane system. This survey performed by James W. Caudill, LS2259, on December 8, 2014.

Lot 1A

Beginning on point on the ridge between Pin hollow off Katy Friend Br and Town Branch off Levisa Fork on a set iron pin with cap marked ls2259 at the base of twin 12" hickories at old wire fence and on the line between Leonard Hall (Book 573 Page 654) and Henry Slone Estate (Will Book M Page 444); thence running with the ridge and the line between Slone Estate and Leonard Hall South 04 deg 26 min 38 sec East, 75.26 feet to a set iron pin with cap marked ls2259 on top of small knob, South 15 deg 48 min 58 sec East, 77.38 feet to a set iron pin with cap marked ls2259 on ridge, South 23 deg 08 min 47 sec East, 106.29 feet to a set iron pin with cap marked ls2259 2' west of 16" oak on ridge; thence leaving the ridge and the line of Henry Slone Estate and running around the hill severing the land of Leonard Hall North 67 deg 08 min 12 sec West, 110.76 feet to a set iron pin with cap marked ls2259 on hillside 2' above 8" oak, North 55 deg 08 min 18 sec West, 100.71 feet to a set iron pin with cap marked ls2259 on point 1' above 6" oak, North 12 deg 35 min 30 sec East, 115.79 feet to a set iron pin with cap marked ls2259 at base of 36" oak on hillside, then up the hill North 69 deg 40 min 12 sec East, 96.74 feet to the beginning. Containing a calculated area of 22852 sq ft or .525 acres, more or less, as determined by survey completed on December 08, 2014 by James W. Caudill, PLS No. 2259 of Amburgey, Kentucky 41773.

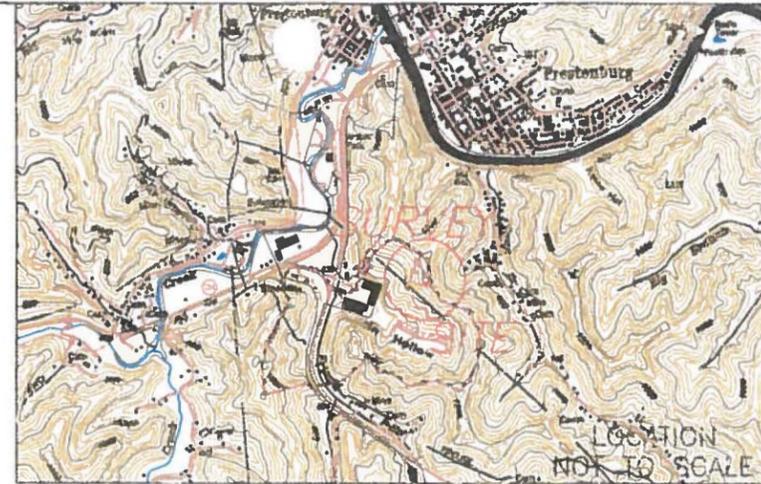
Being a part of the same land conveyed to Leonard Hall, by deed in Book 573, Page 654, on September 30, 2010, records of the Floyd County Court Clerk's Office.

This property description was prepared on December 08, 2014, based on surveying conducted on the ground under my supervision. Right of ways or easements could exist on, under, or through this property and not be referenced in this description.



James W. Caudill
James W. Caudill, PLS #2259
12-8-14

APPALACHIAN WIRELESS
 101 TECHNOLOGY TRAIL
 IVEL, KY. 41642
 PROPOSED TOWER SITE
 EAST PRESTONSBURG IN FLOYD COUNTY



LEONARD HALL
 BOOK 573 PAGE 654

SET IRON PIN WITH CAP MARKED LS2259
 AT BASE OF 36" OAK ON HILLSIDE

LAT: 37°39'24.3877"
 LON: 82°46'37.2190"
 N: 3776425.33
 E: 5781715.40
 Z: 1242.94

SET IRON PIN WITH CAP MARKED LS2259
 AT BASE TWIN 12" HICKORY ON RIDGE

beginning at a set iron pin/ls2259 on ridge at fence ;
 thence S 04°26'38" E a distance of 75.26' to a set iron pin/ls2259 on knob;
 thence S 15°48'58" E a distance of 77.38' to a set iron pin/ls2259 on ridge;
 thence S 23°08'47" E a distance of 106.29' to a set iron pin/ls2259 on ridge;
 thence N 67°08'12" W a distance of 110.76' to a set iron pin/ls2259 on hillside;
 thence N 55°08'18" W a distance of 100.71' to a set iron pin/ls2259 on point;
 thence N 12°36'30" E a distance of 115.79' to a set iron pin/ls2259 on hillside;
 thence N 69°40'12" E a distance of 96.74' to set iron pin/ls2259 on ridge;
 which is the point of beginning,
 having an area of 22852 square feet, 0.525 acres

LEONARD HALL
 BOOK 573 PAGE 654

SET IRON PIN WITH CAP MARKED LS2259
 TOP OF KNOB ON RIDGE

HENRY SLOANE ESTATE
 WILL BOOK M PAGE 444

LOT 1A
 22852 Sq. Feet
 0.525 Acres

SET IRON PIN WITH CAP MARKED LS2259
 ON POINT 1' ABOVE 6" OAK

SET IRON PIN WITH CAP MARKED LS2259
 ON RIDGE

SET IRON PIN WITH CAP MARKED LS2259
 2' ABOVE 8" OAK ON HILLSIDE

SET IRON PIN WITH CAP MARKED LS2259
 2' WEST OF 16" OAK ON RIDGE

LEONARD HALL
 BOOK 573 PAGE 654

RURAL CLASS SURVEY
 I HEREBY CERTIFY THAT THIS PLAT DEPICTS A SURVEY, MADE
 BY ME, BY THE METHOD OF RANDOM TRAVERSE. THE
 BEARINGS SHOWN HEREON HAVE NOT BEEN ADJUSTED FOR
 CLOSURE. THIS SURVEY AND PLAT MEETS OR EXCEEDS
 THE MINIMUM STANDARDS OF GOVERNING AUTHORITIES.
 THE UNADJUSTED ERROR OF CLOSURE WAS 1 IN 13658



James W. Caudill 2259 12-8-14
 NAME PLS# DATE

SURVEY STA SET FOUND
 IRON PIN WITH CAP (18" X .5" REBAR PLASTIC CAP MARKED LS2259)
 BOUNDARY LINE
 ACCESS ROAD
 PARENT TR LINE



PLAT OF SURVEY

DRAWN BY JWC	SURVEY DATE 12/08/14	SUB DIVISION PROPERTY OF LEONARD HALL P.O. BOX 219 HAROLD, KY 41635 PRESTONSBURG, FLOYD COUNTY DEED BOOK 573 PAGE 654
CHECKED BY JWC	DRAWING DATE 12/08/14	
SCALE 1" = 50'	SHEET 1 OF 1	SURVEYED BY JAMES W. CAUDILL LS2259 2999 PERKINS/MADDEN ROAD AMBURGEY, KY 41773 PHONE 606-642-3217

APPALACHIAN WIRELESS

101 TECHNOLOGY TRAIL
IVEL, KY. 41642

PROPOSED TOWER SITE
PRESTONSBURG IN FLOYD CO

PANEL ANTENNA
PANEL ANTENNA
PANEL ANTENNA
PANEL ANTENNA

MICROWAVE DISH

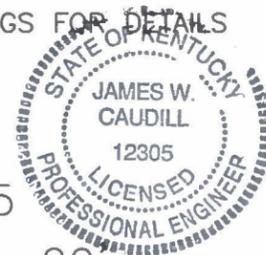
300'

PROFILE WITH TOWER

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.

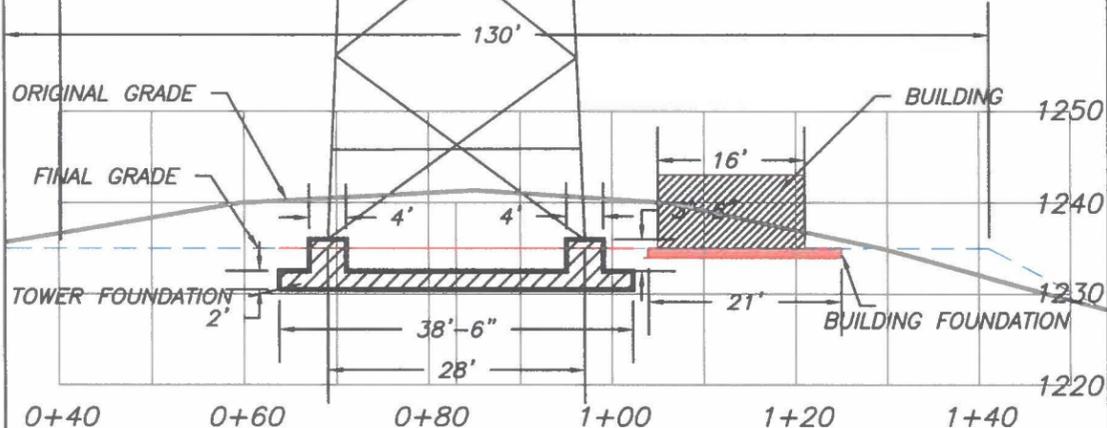
James W. Caudill 12305 4-13-15
JAMES W. CAUDILL PE #. DATE

NOTE: SEE FOUNDATION DRAWINGS FOR DETAILS



04/13/15

SCALE 1" = 20'



PROPOSED STRUCTURE PROFILE PRESTONSBURG EAST TOWER APPALACHIAN WIRELESS		
DRAWN JWC	DATE 04/13/15	PRESTONSBURG EAST PROPOSED TOWER SITE MIDDLE CREEK LEONARD HALL TR PRESTONSBURG IN FLOYD CO
APPROVED	DATE	
SCALE 1" = 20'	SHEET 3 OF 3	PROJECT NO. PRESTONSBURG/EAST/PELPLAN20

Filing
CONTAINS
LARGE OR OVERSIZED
MAP(S)

RECEIVED ON:
05/04/2015