

EAST KENTUCKY NETWORK  
101 TECHNOLOGY TRAIL  
IVEL, KY 41642  
PHONE: (606) 874-7550  
FAX: (606) 874-7551



March 31, 2016

James Gardner  
Acting Executive Director  
Public Service Commission  
211 Sower Blvd.  
Frankfort, KY 40602

RECEIVED

APR 01 2016

PUBLIC SERVICE  
COMMISSION

RE: East Kentucky Network, LLC d/b/a Appalachian Wireless  
Case No. 2015-00380

Dear Mr. Gardner,

Please find enclosed the original and five (5) copies of the *Response to Commission Staff's First Request for Information to East Kentucky Network, LLC d/b/a Appalachian Wireless* in the above-referenced matter.

If you should need any additional information, please do not hesitate to contact me.

Very truly yours,

A handwritten signature in blue ink that reads "Cindy D. McCarty". The signature is written in a cursive style.

Cindy D. McCarty  
Staff Attorney  
(606) 477-2355 ext. 1006  
cmccarty@ekn.com

**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. 2015-00380  
NECESSITY TO CONSTRUCT A TOWER IN FLOYD )  
COUNTY, KENTUCKY. )

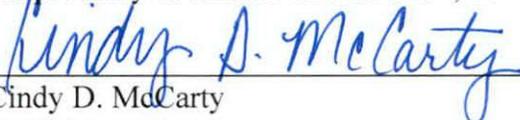
**RESPONSES TO COMMISSION STAFF'S FIRST REQUEST FOR INFORMATION TO  
EAST KENTUCKY NETWORK, LLC D/B/A APPALACHIAN WIRELESS**

East Kentucky Network, LLC d/b/a Appalachian Wireless hereby submits its responses to the information requests of the Public Service Commission Staff, dated March 23, 2016. Each response is individually tabbed as follows:

- Tab 1 - Response to PSC Request No. 1
- Tab A - Exhibit A in support of Response to PSC Request No. 1
- Tab 2 - Response to PSC Request No. 2
- Tab B - Exhibit B in support of Response to PSC Request No. 2

East Kentucky Network, LLC also submits herewith the Certification of Lynn Haney, Regulatory Compliance Director, as the witness responsible for responding to the questions related to the information provided.

Respectfully submitted on March 31, 2016.

  
Cindy D. McCarty

Staff Attorney  
East Kentucky Network, LLC d/b/a  
Appalachian Wireless  
101 Technology Trail  
Ivel, Kentucky 41642  
(606) 477-2355 ext. 1006  
cmccarty@ekn.com

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. 2015-00380  
NECESSITY TO CONSTRUCT A TOWER IN FLOYD )  
COUNTY, KENTUCKY. )

**CERTIFICATION**

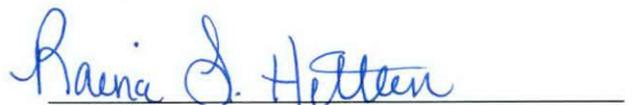
STATE OF KENTUCKY

COUNTY OF FLOYD

Lynn Haney, being duly sworn, states that she has supervised the preparation of the response of East Kentucky Network, LLC d/b/a Appalachian Wireless to the Commission Staff's First Request for Information in the above-referenced matter dated March 23, 2016, and that the matters and things set forth therein are true and accurate to the best of her knowledge, information and belief, formed after reasonable inquiry.

  
Lynn Haney

Subscribed and sworn to before me on this 31<sup>st</sup> day of March, 2016.

  
Notary Public  
My Commission Expires: Feb 6, 2020

EAST KENTUCKY NETWORK, LLC D/B/A APPALACHIAN WIRELESS

CASE NO. 2015-00380

RESPONSE TO FIRST REQUEST FOR INFORMATION

RESPONSIBLE WITNESS – LYNN HANEY, REGULATORY COMPLIANCE DIRECTOR

**Request 1:** Refer to East Kentucky Network’s Application, page 1, and Exhibits 2, 3, and 5, all of which state that the height of the proposed cell tower will be 350 feet. Refer also to the Application, Exhibit 6, the applications to construct the proposed cell tower that were approved by the Federal Aviation Administration (“FAA”) and Kentucky Airport Zoning Commission (“KAZC”), both of which state that the height of the proposed cell tower will be 310 feet.

- a. State whether the height of the proposed cell tower will be 350 feet or 310 feet.

**Response 1.a.:** 350 feet

- b. If the height of the proposed cell tower will be 350 feet submit a copy of the revised FAA and KAZC applications and approvals.

**Response 1.b.:** Revised FAA and KAZC applications are **attached** hereto collectively as **Exhibit A**. FAA and KAZC approvals will be filed with the Commission in this case upon receipt.



### Notice of Proposed Construction or Alteration - Off Airport

[Add a new Case Off Airport - Desk Reference Guide V\\_2015.4.0](#)

[Add a New Case Off Airport for Wind Turbines - Met Towers - Desk Reference Guide V\\_2015.4.0](#)

Project Name: EAST -000363159-16

Sponsor: East Kentucky Network, LLC

#### Details for Case : Hippo

[Show Project Summary](#)

##### Case Status

ASN: 2016-ASO-7887-OE  
Status: Accepted

Public Comments: None

Date Accepted: 03/25/2016

Date Determined:

Letters: None

Documents: 03/25/2016 Hippo\_2C Survey.pdf

Project Documents:  
None

##### Construction / Alteration Information

Notice Of: Alteration  
Duration: Permanent  
**if Temporary :** Months: Days:  
Work Schedule - Start: 04/15/2016  
Work Schedule - End: 04/20/2016

*\*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 Summary

Structure Type: Tower  
Structure Name: Hippo  
FDC NOTAM:  
NOTAM Number:  
FCC Number:  
Prior ASN: 2015-ASO-19099-OE

##### Structure Details

Latitude: 37° 32' 38.50" N  
Longitude: 82° 51' 56.90" W  
Horizontal Datum: NAD83  
Site Elevation (SE): 1294 (nearest foot)  
Structure Height (AGL): 360 (nearest foot)  
Current Height (AGL): 310 (nearest foot)

*\* For notice of alteration or existing provide the current AGL height of the existing structure. Include details in the Description of Proposal*

Minimum 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 minimum operating height to avoid delays if impacts are identified that require negotiation to a reduced height. If the Structure Height and minimum operating height are the same enter the same value in both fields.*

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: Dual-red and medium intensity

**Other :**

Nearest City: Hippo

Nearest State: Kentucky

Description of Location: Approx. 0.8 mi N of Hippo (Floyd), KY

Description of Proposal: Increase the overall structure height from 310' AGL to 360' AGL.

##### 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

##### Specific Frequencies



## KENTUCKY AIRPORT ZONING COMMISSION

## APPLICATION FOR PERMIT TO CONSTRUCT OR ALTER A STRUCTURE

<b>APPLICANT (name)</b> East Kentucky Network, LLC c/o LNGS		<b>PHONE</b> 703-584-8667	<b>FAX</b> 703-584-8692	<b>KY AERONAUTICAL STUDY #</b>
<b>ADDRESS (street)</b> 8300 Greensboro Dr, #1200		<b>CITY</b> McLean	<b>STATE</b> VA	<b>ZIP</b> 22102
<b>APPLICANT'S REPRESENTATIVE (name)</b> Ali Kuzehkanani		<b>PHONE</b> 703-584-8667	<b>FAX</b> 703-584-8692	
<b>ADDRESS (street)</b> 8300 Greensboro Dr, #1200		<b>CITY</b> McLean	<b>STATE</b> VA	<b>ZIP</b> 22102
<b>APPLICATION FOR</b> <input type="checkbox"/> New Construction <input checked="" type="checkbox"/> Alteration <input type="checkbox"/> Existing			<b>WORK SCHEDULE</b>	
<b>DURATION</b> <input type="checkbox"/> Permanent <input type="checkbox"/> Temporary (months days )			Start 04/15/16 End 04/20/16	
<b>TYPE</b> <input type="checkbox"/> Crane <input type="checkbox"/> Building <input checked="" type="checkbox"/> Antenna Tower <input type="checkbox"/> Power Line <input type="checkbox"/> Water Tank <input type="checkbox"/> Landfill <input type="checkbox"/> Other		<b>MARKING/PAINTING/LIGHTING PREFERRED</b> <input type="checkbox"/> Red Lights & Paint <input type="checkbox"/> White- medium intensity <input type="checkbox"/> White- high intensity <input checked="" type="checkbox"/> Dual- red & medium intensity white <input type="checkbox"/> Dual- red & high intensity white <input type="checkbox"/> Other		
<b>LATITUDE</b> 37°32'38.50"		<b>LONGITUDE</b> 82°51'56.90"		<b>DATUM</b> <input checked="" type="checkbox"/> NAD83 <input type="checkbox"/> NAD27 <input type="checkbox"/> Other
<b>NEAREST KENTUCKY</b> City Hippo County Floyd		<b>NEAREST KENTUCKY PUBLIC USE OR MILITARY AIRPORT</b> Pike County - Hatcher Field Airport		
<b>SITE ELEVATION (AMSL, feet)</b> 1294		<b>TOTAL STRUCTURE HEIGHT (AGL, feet)</b> 360		<b>CURRENT (FAA aeronautical study #)</b> 2016-ASO-7887-OE
<b>OVERALL HEIGHT (site elevation plus total structure height, feet)</b> 1654				<b>PREVIOUS (FAA aeronautical study #)</b> 2015-ASO-19099-OE
<b>DISTANCE (from nearest Kentucky public use or Military airport to structure)</b> 16.5 mi				<b>PREVIOUS (KY aeronautical study #)</b> AS-036-PBX-2015-113
<b>DIRECTION (from nearest Kentucky public use or Military airport to structure)</b> East				
<b>DESCRIPTION OF LOCATION (Attach USGS 7.5 minute quadrangle map or an airport layout drawing with the precise site marked and any certified survey.)</b> Approx. 0.8 mi N of Hippo (Floyd), KY				
<b>DESCRIPTION OF PROPOSAL</b> Increase structure height from 310' AGL to 360' AGL.				
<b>FAA Form 7460-1 (Has the "Notice of Construction or Alteration" been filed with the Federal Aviation Administration?)</b> <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes, when? 03/25/16				
<b>CERTIFICATION (I hereby certify that all the above entries, made by me, are true, complete, and correct to the best of my knowledge and belief.)</b>				
<b>PENALTIES (Persons failing to comply with KRS 183.861 to 183.990 and 602 KAR 050 are liable for fines and/or imprisonment as set forth in KRS 183.990(3). Noncompliance with FAA regulations may result in further penalties.)</b>				
<b>NAME</b> Ali Kuzehkanani	<b>TITLE</b> Dir of Engineering	<b>SIGNATURE</b> 	<b>DATE</b> 03/25/16	
<b>COMMISSION ACTION</b> <input type="checkbox"/> Chairperson, KAZC <input type="checkbox"/> Administrator, KAZC				
<input type="checkbox"/> Approved <input type="checkbox"/> Disapproved	<b>SIGNATURE</b>			<b>DATE</b>

EAST KENTUCKY NETWORK, LLC D/B/A APPALACHIAN WIRELESS

CASE NO. 2015-00380

RESPONSE TO FIRST REQUEST FOR INFORMATION

RESPONSIBLE WITNESS – LYNN HANEY, REGULATORY COMPLIANCE DIRECTOR

**Request 2:** Refer to the Application, Exhibit 4, Section 5.3, the geotechnical study which sets forth the recommendations by Environmental Resources Management Consulting Company, LLC (“ERMC2”) for site preparation for constructing the foundation for the proposed cell tower, which is located on a reclaimed mine site. Confirm that appropriate site preparation and foundation construction will be conducted in accordance with the recommendations by ERMC2 as set forth in Section 5.3 of the geotechnical study.

**Response 2:** Appropriate site preparation and foundation construction will be conducted. Richard D. Smith, a Professional Engineer with ERMC2, conducted a site visit on March 29, 2016. As a result of his site visit, Mr. Smith concluded that ten feet of undercut, as originally recommended in Section 5.3 of the ERMC2 report, will not be necessary based on actual site conditions. The Engineering Report dated March 29, 2016, containing Mr. Smith’s findings and bearing his seal is **attached** hereto as **Exhibit B**.



230 Swartz Drive • Hazard • Kentucky • 41701  
phone (606) 436-1111 • fax (606) 435-0668  
www.ermc2.us

---

## ENGINEERING REPORT

TO: Marty Thacker,  
Appalachian Wireless.  
101 Technology Trail  
Ivel, Kentucky 41642

DATE: March 29<sup>th</sup> 2016.

NO: 165-000-0018

Re: Site Visit for Review of Foundation Preparation for the Hippo Tower Site, In  
Floyd County, Kentucky. ERMC<sup>2</sup> Job Number 165-000-0018. .

A site investigation was conducted on March 29<sup>th</sup> 2016 by a qualified representative of ERMC<sup>2</sup> to review the foundation preparation for this tower. Our report dated January 18<sup>th</sup> 2016 recommended ten feet of undercut to remove any unwanted large rocks and unsuitable material directly beneath the foundation. During our site review the inspection of the footing area was clear of any unwanted oversized materials and was excavated and backfilled to the approximate subgrade elevation with suitable material for the footer base. Therefore the total of ten feet of undercut will not be necessary.

Respectfully Submitted,



Richard D. Smith, P.E. PLS.  
ERMC<sup>2</sup> Inc. General Manager Appalachian Division