

## DECLARATION

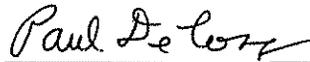
I, Paul Delong, hereby state and declare:

1. I am employed by East Kentucky Network, LLC d/b/a Appalachian Wireless (“EKN”) as a paging technician.
2. My responsibilities include the upkeep and maintenance of paging services and cellular services/towers. As such, I conduct the vast majority of drive test surveys for EKN. The purpose of these surveys is to accurately and efficiently measure and assess Commercial Mobile Radio Service (“CMRS”) coverage and the potential for CMRS interference.
3. Measurements from these surveys can be used to baseline the worst-case carrier-to-interference-ratio (“C/I”) near cell sites and help troubleshoot interference problems if they occur.
4. I observed best practices by using a receiver system with an omnidirectional antenna comparable to mobile user antenna, sensitivity equal to or better than the user radio, measurements accurate to +/- 1.5 dB and reproducible, a high dynamic range, filters and attenuators as necessary to reject strong interferers, fast scanning and/or fast wideband sampling, GPS position logging and automated, computer controlled operation. Measurements of Automatic Gain Control (“AGC”) are specified down to -110 dB.
5. On August 1 and 2, 2007 from approximately 10:00 A.M. to 7:00 P.M., I used a ZK-Sam, model DXME coupled with Kyocera phone 6325 to capture data for a survey in the Kentucky 8 – Mason Rural Service Area (“CMA450”). This is the same equipment we use to troubleshoot other areas that are served by EKN’s network.
6. The data collection occurred on a planned drive route in CMA450. On the drive test I traversed Interstate 64 and Route 9, commonly referred to as the “Double A Highway,” as well as Route 32, US Route 460, KY Route 11, Route 36, Route 59, and KY Route 10. This route allowed me to survey the availability of CDMA service on heavily traveled roads in the counties of: Mason, Lewis, Fleming, Bourbon, Bath, Montgomery, Rowan, Bracken, Robertson, Nicholas and Menifee. Out of the 830 mile drive test in CMA450, I found that only approximately 50 miles had reliable CDMA service.

7. Morehead State University, located in Rowan County and with a student population nearing 10,000, is accessed primarily by means of the roads I traveled during the drive test.
8. On or about August 1 and 2, 2007, I plotted the results of the drive test survey. Attached is a copy of the plot which shows the CMA450 outer boundary in a heavy red line and the CDMA signal strength measurements in colored circles along my drive route. The yellow circles and the red circles shown on the drive route indicate signal level measurements that were -100 dB or worse and which are of an unacceptable quality by EKN's standards. Only areas where blue, green and purple circles appear was a CDMA signal of acceptable quality detected. It is notable that the CDMA signal quality measurements obtained east and west of CMA450 were of a consistently acceptable quality while much of the drive route in CMA450 yielded a poor quality signal or no CDMA signal at all.
9. Also attached is an enlargement of the plot in the area of Morehead State University. The poor quality of service on Flemingsburg Road west of the school is evident from the red and yellow circles appearing on the plot.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on this \_\_\_\_\_ 7<sup>th</sup> \_\_\_\_\_ day of August, 2007.



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Paul DeLong