

TOWN OF ATHERTON

SUPPLEMENTAL APPLICATION FORM FOR WIRELESS PROJECTS

AND DISTRIBUTED ANTENNA SYSTEM (“DAS”) PROJECTS

The Town of Atherton, California recognizes that the provision of wireless and DAS services are highly technical enterprises subject to various federal, state, and local Regulations. This supplemental application form is designed to elicit necessary and required Technical information in support of a planned application for a new or modified wireless telecommunications site project or a Distributed Antenna System (“DAS”) project within the Town of Atherton.

Completion of this supplemental application is a mandatory document for a wireless and DAS projects. This form assists the Town of Atherton to comply with its duties under its Municipal Code at Chapter 15.32, et seq. and other local, state, and federal laws, regulations, and court rulings. The Town of Atherton requires that the applicant provide this information to assist it in creating a written administrative record containing substantial evidence sufficient to permit the Town of Atherton’s informed consideration of your request, and to determine the duties, rights and obligations of the Town of Atherton and the applicant/owner of the proposed project.

No application for a new wireless site or for a modification of an existing wireless site shall be considered for determination of completeness until all required responses to this supplemental application form and required Exhibits are completed and tendered to the Town of Atherton.

If you do not believe that a specific item of information is necessary or applies to your application, mark the item on this form with the words, “Not Applicable” and attach a detailed written explanation as to the basis for your belief (e.g., “Question 94.7 does not apply to this application because the proposed Project has no microwave transmission element.”) An unsupported statement such as “Question 94.7 does not apply” is insufficient, and the determination of completeness of your application will be delayed while you provide a meaningful and detailed explanation. For wireless or DAS projects involving multiple sites, each site must be requested using a separate application for each proposed wireless or DAS site.

Every page of this form including this page and the last page must be tendered to the Town of Atherton by appointment only. Each page including this page and the last page must be initialed where indicated. The last page must also be completed, signed, and dated. Please note that item numbers in this form are intentionally non-sequential.

Questions about this form or the information required by this form should be directed to:

David Hyunh, PW Maintenance Manager/Senior Engineer, Town of Atherton, 91 Ashfield Road, Atherton, CA 94027, or by telephone on (650) 752-0555.

1.00: Project Location and Applicant Information

1.01: Project Physical Address (if any):

1.02 Applicant's Project Site ID
Number (if any)

1.03: Assessor's Parcel Number:

1.04: Legal Name of Applicant
(Wireless Carrier or DAS Firm,
referred to in this form as the
"Project Owner"):

1.08 Project Owner is:

1.10: Applicant's Representative is: Name:

Title:

Firm Name:

Address 1:

Address 2:

City:

State:

Zip:

Main Tel:

Ext:

Direct Tel:

Work Fax:

Mobile Tel:

Email Address:

Website:

1.14 Provide the Town of Atherton Business License number for the Applicant or
Applicant's firm listed in 1.10: _____

1.20 Proceed to Section 2.00.

2.00: Project Owner Information and CPCN Information

2.03: Attach a letter of agency appointing the Applicant’s Representative as the agent for the Project Owner in connection with this application. Designate the letter of agency as “Exhibit 2.03.”

Initial here _____ to indicate that Exhibit 2.03 is attached to this form.

2.05: For public or private property (but not public right-of-way) attach a letter of agency appointing the Applicant’s Representative as the agent for the underlying Property Owner in connection with this application. Designate the letter of agency as “Exhibit 2.05.”

Initial here _____ to indicate that Exhibit 2.05 is attached to this form.

2.07: Does the Project Owner hold a California Public Utilities Commission ‘Certificate of Public Convenience and Necessity’ (CPCN) for any service to be provided by this project? ___ Yes ___ No

2.08: If the answer to 2.07 is No, proceed to Section 3.00.

2.10 Provide a true and complete copy of the Project Owner’s CPCN and mark it as “Exhibit 2.10.”

Initial here _____ to indicate that the Exhibit 2.10 is attached to this form.

2.20 Proceed to Section 3.00.

3.00: FCC License / RF Safety Compliance / FAA Compliance

3.01: For each entity that will be using the Project site, provide the information in this section. If more than one entity will be using the Project site, provide separate information for each entity using the project site.

Note to DAS provider applicants who are NOT the licensee to be transmitted from the site or who are not in sole control of the RF emissions from the Project: The required information in this Section must be provided on the letterhead of each entity. Each such response must also be signed by an authorized representative of the FCC licensee or the entity in control of the RF emissions, as well as that person's printed name and title, address and telephone number.

3.02: For questions 3.03 through 3.09 inclusive, disclose all information for each proposed Radio Frequency signal emitter ("RF Emitter") at the project site.

3.03: Name of RF Emitter:

3.04: RF Emitter's Address Line 1:

3.05: RF Emitter's Address Line 2:

3.06: RF Emitter's Phone number:

3.07: RF Emitter's Fax number:

3.08: RF Emitter's Contact Email
address:

3.09: Use of facility: Amateur Radio
(Check all that apply) Broadcast Radio
 Broadcast TV
 Cellular (including AWS, PCS, ESMR)
 Microwave
 Paging
 SMR
 WiMax/WiFi
 Satellite Uplink/ Satellite Downlink
 Other(s) (specify): _____

Notice: Applicants not operating under their own FCC license(s) must mark "Other" and disclose of all information required here for all entities that use the project.

3.10: Project latitude and longitude: N _____ W _____

3.11: Specify DATUM used in 3.10: WGS84 NAD23 NAD83
 Other DATUM (specify): _____

3.12: Project maximum height (ft AGL):

3.13: Bottom of lowest transmitting antenna (ft AGL):

3.14: RF Emissions ("Rad") center of the lowest transmitting antenna (ft AGL):

3.15: For each licensed or unlicensed transmitter at the project site, and for each radio service (i.e., "PCS" or "Cellular") at the project site, complete and attach a separate two page "Appendix A" form from "A Local Government Official's Guide to Transmitting Antenna RF Emission Safety: Rules, Procedures, and Practical Guidance" available by download directly from the Federal Communications Commission at <http://www.fcc.gov/encyclopedia/radio-frequency-safety> (the "Appendix A Form"). Ensure that all proposed radio frequency emissions from this project are accounted for on the Appendix A Forms you submit. Complete each Appendix A form all the way to the answer for Question 22.

Distributed Antenna System (DAS) providers: Unless the DAS provider is the FCC licensee for the proposed project or the emissions from the site are solely for the DAS provider's own transmissions, the DAS provider must provide an Appendix A forms required herein completed by each wireless service provider to be transmitted through the Project. Appendix A Forms completed by a DAS provider will not be accepted if they are not the FCC licensee for the particular wireless service(s) to be transmitted through the project.

Designate all completed Appendix A Forms as "Exhibit 3.15."

For collocation projects: In addition to the Appendix A Form(s) which you must submit in connection with the project identified in this application, you must also submit an Appendix A Form for each collocated RF emitter. Designate any additional RF safety compliance information as "Exhibit 3.15-A."

For consistency, all Appendix A forms submitted must use effective radiated power (ERP) units of measure. Do not use effective isotropic radiated power (EIRP). To verify your understanding of this requirement, you must append the letters "ERP" following each wattage listing in each Appendix A form you submit. Complete each Appendix A form submitted to the Town all the way through to the answer for Question 22.

Initial here _____ to indicate that all required Exhibit 3.15 and 3.15-A forms are attached to this form.

3.16 Considering your response in Question 3.15, is the entire Project cumulatively

“categorically excluded” under FCC OET 65 requirements? ___ Yes ___ No

3.17: Does the project design or location require the Applicant to file an FAA Form 7460 or other documentation under Federal Aviation Regulation Part 77.13 et seq., or under the FCC rules? ___ Yes ___ No

3.18: If the answer to 3.17 is NO proceed to Section 4.00.

3.19: Attach true and complete copies of all required FAA/FCC forms including all Exhibits and exhibits thereto, including without limitation FAA Form 7460. Designate this exhibit as “Exhibit 3.17.”

Initial here _____ to indicate that Exhibit 3.17 is attached to this form.

3.30 Proceed to Section 4.00.

4.00: **Project Purpose**

4.02 Distributed Antenna System (DAS) providers applicants: Unless the DAS provider is the FCC licensee for the proposed project or the emissions from the site are solely within the DAS provider's control, the answers to this Section 4 must be provided by the each wireless user that will be transmitting RF emissions from the Project Site, and those answers must be provided on the letterhead of the wireless provider and signed by an authorized signer of the wireless provider.

4.03: For each entity that will transmit from the Project site, provide the information this section. If more than one person/legal entity, provide separate information for each person/legal entity using the Project site. Each response must be on the letterhead of the entity providing the information, signed by an authorized signer, as well as signer's printed name, title, address and telephone number.

4.05: Indicate the dominant purpose of the Project (check one or more, then proceed as directed):

Add network capacity without adding significant new RF coverage area; Proceed to Section 4.10.

Provide significant new radio frequency coverage in an area not already served by radio frequency coverage; Proceed to Section 4.10.

Increase the existing RF signal level in an area with existing radio frequency coverage; Proceed to Section 4.10.

Other; Proceed to Section 4.07.

4.07 Attach a written statement fully and expansively describing all portions or elements of the "Other" dominant purpose of this Project. Designate this exhibit as "Exhibit 4.07."

Initial here _____ to indicate that Exhibit 4.07 is attached to this form.

4.10 Is this Project intended to close or reduce an asserted "significant gap" in a wireless telecommunications network? Yes No

4.11 If the answer to 4.10 is NO proceed to Section 4.20.

- 4.12 Attach a written statement fully and expansively describing the following:
- a. A clear description of the geographic boundary of the claimed significant gap area; and
 - b. Attach a street-level map marked to show the geographic boundary of the claimed significant gap stated in 4.12(a); and
 - c. Identify the size of the area, in units of square miles, of the claimed significant gap; and
 - d. Explain exactly the definition of the term “significant gap” as it applies to this project; and
 - e. Explain exactly how the definition of significant gap term defined in 4.12(d) was developed, and identify who developed that definition, and when the definition was developed; and
 - f. Discuss whether the significant gap term defined in 4.12(d) is identical to that term as used by some or all wireless carriers in the Town of Atherton and/or the wireless industry as a whole, or whether that information is unknown; and
 - g. Specify whether the definition of “significant gap” provided in 4.12(d) is the same definition used in by this applicant and owner in all of its prior projects submitted to the Town of Atherton, and if not, explain all differences and the reasons for the differences; and
 - h. Discuss in detail all of the following in relation to the claimed significant gap area only (where you have relied on external data sources, identify those sources in your response):
 1. Whether claimed significant gap affects significant commuter highway or railway, and if so, name each highway or railway, and how affected; and
 2. Describe in detail the nature and character of that area or the number of potential users in that area who may be affected by the claimed significant gap; and
 3. Describe whether the proposed facilities are needed to improve weak signals or to fill a complete void in coverage, and provide proof of either; and
 4. If the claimed significant gap covers well-traveled roads on which customers lack roaming capabilities, identify all such well-traveled roads by name within the claimed significant gap area and provide road use information about each such road; and
 5. If one or more “drive tests” has been conducted within the claimed significant gap area, discuss in detail the methodology of how the test(s) was conducted, including details about the test equipment model numbers and location of the test equipment and antennas in or on the test vehicle, and provide all of the objective data collected during the drive test in .XLS or .CSV or similar portable spreadsheet format; and

6. If the claimed significant gap affects a commercial district, show the boundaries of the district on the map; and
7. If the claimed significant gap poses a public safety risk, describe in detail the claimed risk, and then expansively discuss the basis for this claim; and
- i. If the claimed significant gap is based in whole or in part on factors regarding any factor related to switching center capacity; dropped calls; failed hand-offs; interference from or to other cell sites; pilot channels; site hopping; degraded RXQUAL; degraded Ec/Io; and/or any failure to meet any carrier transmission goal or percentage goal, attach at least the most recent twelve months of historical data by month documenting at least (1) the results or numerical data of each claimed parameter; (2) the wireless carrier's numerical and percentage requirements for each such claimed perimeter; (3) the total number of calls attempted for each month both successfully and unsuccessfully completed; (4) the total number of calls that were not completed including failed originations; failed hand-offs; and non-normal call terminations; and (5) for every such claimed parameter that is not categorized by way of number or percentage, provide the data in the way kept by the carrier; and
- j. Provide all other relevant information you want the Town of Atherton to consider when evaluating your claim of a significant gap.

Designate this exhibit as "Exhibit 4.12." Initial here _____ to indicate that Exhibit 4.12 is attached to this form.

4.13 Is the proposed project the least intrusive means to close the significant gap claimed and described in 4.12? ___ Yes ___ No

4.14 If the answer to 4.13 is NO proceed to Section 4.20.

4.15 Attach a written statement fully and expansively describing at a minimum:

- a. Why this project is the least intrusive means to close the significant gap claimed and described in 4.12.
- b. Identify and discuss all alternative sites and means considered to close the significant gap claimed and described in 4.12.
- c. Whether two or more sites in lieu of the site proposed in Section 1 could close the significant gap claimed and described in 4.12, or to reduce the significant gap to be less than significant, with less impact on the community as compared with a single site? If the answer is no, please explain in narrative format the basis for that answer.
- d. Whether the Town of Atherton requiring two or more sites in place of the site

proposed in Section 1 would prohibit or have the effect of prohibiting the applicant from providing any interstate or intrastate telecommunications service. If the response asserts that a prohibition or effective prohibition would occur, explain in detail in narrative form all of the reasons why it would.

- e. Include and attach all information whatsoever you relied on in reaching your affirmative determination in 4.13.

- f. Include any other information you believe would assist the Town of Atherton make findings regarding whether the proposed project is the least intrusive means of closing the significant gap claimed and described in 4.12, or to reduce the significant gap to be less than significant.

Designate this exhibit as "Exhibit 4.15."

Initial here _____ to indicate that Exhibit 4.15 is attached to this form. Proceed to Section 4.20.

- 4.20 If any portion of the project is to utilize radio spectrum that does not require an FCC license, identify in detail the portions of the project that used unlicensed spectrum. Designate this exhibit as "Exhibit 4.20."

Initial here _____ to indicate that Exhibit 4.20 is attached to this form.

- 4.25 Is this project designed to use any form of direct site-to-site light-of-sight radio Interconnection (i.e., microwave or donor/donee configuration, for example) with Another existing or currently planned site? ___ Yes ___ No

- 4.26: If the answer to 4.25 is NO proceed to Section 4.30.

- 4.27: Attach a detailed written statement fully and expansively describing the radio interconnection proposed, and identify all other existing or planned sites that will be interconnected with this project. Designate this exhibit as "Exhibit 4.27."

Initial here _____ to indicate that Exhibit 4.27 is attached to this form.

- 4.30: Does the applicant assert that this project is subject to the provisions of 47 U.S.C. § 1455(a)? ___ Yes ___ No

- 4.36: If the answer to 4.30 is NO proceed to Section 5.00.

- 4.37: Attach a detailed written statement fully and expansively describing each and every reason upon which the applicant believes that 47 U.S.C. § 1455(a) applies to this application. Designate this exhibit as "Exhibit 4.37."

Initial here _____ to indicate that Exhibit 4.37 is attached to this form.

4.40: Proceed to Section 5.00.

5.00: **Build-Out Requirements**

5.01: Do any of radio services to be provided from the Project require the FCC licensee to provide specific radio frequency/population build-out coverage pursuant to the underlying FCC license conditions? ___ Yes ___ No

5.02: If the answer to 5.01 is NO proceed to Section 6.00.

5.03: Have all of the FCC build-out requirements been met for all licenses covering all radio services proposed at this Project? ___ Yes ___ No

5.04: If the answer to 5.03 is YES proceed to Section 6.00.

5.05: Disclose by licensee FCC call sign all build-out requirements/obligations which have not yet to be achieved and the known or estimated date when the remaining build-out requirements will be met. Designate this exhibit as "Exhibit 5.05."

Initial here _____ to indicate that Exhibit 5.05 is attached to this form.

5.10 Will this proposed site be interconnected via radio frequency transmissions to any other site or sites now constructed, proposed, or anticipated? For the purpose of this question, interconnection includes one or more radio frequency links to provide for 'back-haul' from this site to a switching center or centralized node location.
___ Yes ___ No

5.11: If the answer to 5.10 is NO proceed to Section 6.00.

5.15 Identify by physical address (or if none, by geographic description) all other sites, regardless of whether now constructed, proposed, or anticipated, that are to be interconnected with this Project site. Disclose in technical detail the proposed method of interconnection. Designate this exhibit as "Exhibit 5.15."

Initial here _____ to indicate that Exhibit 5.15 is attached to this form.

5.20 Proceed to Section 6.00.

6.00: Radio Frequency Coverage Maps

6.03 If there is no geographic coverage area for the RF emissions from the Project, initial here _____ and proceed to Section 7.00, otherwise proceed to Section 6.10.

6.10: Where a licensee intends to provide radio frequency coverage from the Project to an identified geographic coverage, the coverage maps and information requested in Section 6 are required Exhibits.

Distributed Antenna System (DAS) providers who are providing antenna facilities for use by other parties: You must provide radio frequency coverage maps prepared by the FCC licensee(s) or other non-licensed users that will actually control the RF emissions from this Project. The radio frequency maps required by this section must reflect the existing and future RF emissions of the FCC licensee(s) or other non-licensed users. Supplemental DAS site-specific RF coverage maps provided by the DAS applicant are acceptable.

Radio frequency coverage maps required here that are completed by a DAS provider are unacceptable if they are not the FCC licensee or in full control of the RF emitter for the particular wireless service transmitted through the Project.

6.15 For the coverage maps required here, the following mandatory requirements apply. Failure to adhere to these requirements may delay your application's determination of completeness.

- a. The size of each submitted map must be no smaller than 11" by 8.5." Each map must be of the same physical size and map area scale. Each map must use the same base map (i.e., same streets and legends shown on all).
- b. If the FCC rules for any proposed radio service defines a minimum radio frequency signal level that level must be shown on the map in a color easily distinguishable from the base paper or transparency layer, and adequately identified by RF level and map color or gradient in the map legend. If no minimum signal level is defined by the FCC rules you must indicate that in the legend of each RF coverage map. You may show other RF signal level(s) on the map so long as they are adequately identified by objective RF level and map color or gradient in the map legend.

6.20: Provide a map consistent with the requirements of 6.15 showing the existing RF coverage within the Town of Atherton on the Applicant's same network, if any

(or if no existing coverage, so state on the map). This map should not depict any RF coverage to be provided by the Project. Designate this exhibit as "Exhibit 6.20."

Initial here _____ to indicate that Exhibit 6.20 is attached to this form.

6.25: Provide a map consistent with the requirements of 6.15 showing the RF coverage to be provided only by the Project. This map should not depict any RF coverage provided any other existing or proposed wireless sites. Designate this Exhibit "Exhibit 6.25."

Initial here _____ to indicate that Exhibit 6.25 is attached to this form.

6.30: Provide a map consistent with the requirements of 6.15 showing the RF coverage to be provided by the Project and by all other existing wireless sites on the same network should the Project site be activated. Designate this exhibit as "Exhibit 6.30."

Initial here _____ to indicate that Exhibit 6.30 is attached to this form.

6.40 Proceed to Section 7.00.

7.00: Project Photographs and Photo Simulations

7.01: The Applicant shall submit photo simulations consistent with the following standards:

1. Minimum size of each base photo and each photo simulation must be 10 inches by 8 inches (landscape orientation). Each base photo and matching photo simulation must be the same size. Single sheets of 11 x 8 ½ inches showing base photos and photo simulations on the same page are unacceptable.
2. All elements of the Project as proposed by the Applicant which can be seen from any point at ground level, or from any level within or on buildings within 500 feet of the Project must be shown in one or more close-in photo simulations (i.e., panel antennas, omni-directional antennas, GPS antennas, antenna camouflage devices, cable trays, equipment cabinets, working lights, etc.).
3. The overall Project as proposed by the Applicant must be shown in three or more area photo simulations. Base photographs must, at a minimum, be taken from widely scattered positions of 120 degrees. A map detail showing each location where a photograph was taken, the proposed site, and the direction to the site from each photo location must be included. Base photographs taken from locations that have some physical feature obscuring the Project site, and the photo simulations associated with those same base photographs, are not acceptable.

Attach all base photographs and photo simulations to this application marked as Exhibit 7.01.

The purpose of the photo simulations is to allow the Town of Atherton to visualize the Project as completed, therefore the number of site photos, and photo simulations, and the actual or simulated camera location of these photos and photo simulations are subject to Town of Atherton determination. The Applicant should submit photos and photo simulations consistent with these instructions, and be prepared to provide additional photos and photo simulations should they be requested by the Town of Atherton.

By initialing the space at the end of this paragraph, the Applicant certifies that all of the photos and photo simulations provided for Exhibit 7.01 are accurate and reliable photographic representations of the current project site and the proposed project to be constructed or modified, and that the Applicant is fully aware that the Town of Atherton will rely on all of the photos and photo simulations provided in Exhibit

7.01 when it considers approval of this Project, and later when determining project construction compliance.

Applicant's initials: _____

7.20 Proceed to Section 8.00.

8.00: **Alternative Candidate Sites**

8.01: Amateur radio applicants proceed to Section 9.00.

8.02: Has the Applicant or Owner or anyone working on behalf of the Applicant or Owner secured or attempted to secure any leases or lease-options or similar formal or informal agreements in connection with this Project for any sites other than the proposed Project site? ___ Yes ___ No

8.03: If the answer to 8.02 is NO proceed to Section 8.05.

8.04: Provide the physical address of each such other location, and provide an expansive technical explanation as to why each such other site was disfavored over the Project site. Designate this exhibit as "Exhibit 8.04."

Initial here _____ to indicate that Exhibit 8.04 is attached to this form.

8.05: Considering this proposed site, is it the one and only one location within or outside of the Town of Atherton that can possibly meet the objectives of the Project?
___ Yes ___ No

8.04: If the answer to 8.05 is NO, proceed to Section 9.00.

8.05: Provide a technically expansive and detailed explanation supported as required by comprehensive radio frequency data and all other necessary information fully describing why the proposed site is the one and only one location within or outside of the Town of Atherton that can possibly meet the radio frequency objectives of the Project. Explain, in exact and expansive technical detail, all of the objectives of this Project that can be achieved only at this Project site, and why.

Designate this exhibit as "Exhibit 8.05."

Initial here _____ to indicate that Exhibit 8.05 is attached to this form.

8.20 Proceed to Section 9.00.

9.00: **Identification of Key Persons**

9.01: Identify by name, title, company affiliation, work address, telephone number and extension, and email address of the key person or persons most knowledgeable regarding this Project so that the Town of Atherton may contact them with questions regarding the Project:

9.10 Person responsible for the final site selection for the Project;

Name:

Title:

Company Affiliation:

Work Address:

Telephone / Ext.:

Email Address:

9.20 Person responsible for the radio frequency engineering of the Project;

Name:

Title:

Company Affiliation:

Work Address:

Telephone / Ext.:

Email Address:

9.30 Person responsible for rejection of other candidate sites evaluated, if any;

Name:

Title:

Company Affiliation:

Work Address:

Telephone / Ext.:

Email Address:

9.50 Proceed to Section 10.00.

10.00 **Additional Information Provided by Applicant**

10.01 You are invited and encouraged to provide any additional written information of any kind that you wish the Town of Atherton to consider in connection with your proposed project.

If you wish to attach additional written information, designate this exhibit as "Exhibit 10.01"

Initial here _____ to indicate that Exhibit 10.01 is attached to this form,
or initial here _____ to indicate that there is no Exhibit 10.01 attached.

10.20 Proceed to Section 11.00.

11.00: **Certification of Accuracy and Reliability**

11.01: The undersigned certifies on behalf of itself, the Applicant, and the Project Owner, and the Property Owner that the information provided in this form and its contents are true and complete to the best of the undersigned's ability and knowledge, and that information provided here can and should be relied upon by the Town of Atherton as being accurate and complete as the Town of Atherton evaluates this Project.

Signature Print Name

Title Email Address

Print Company Name Telephone Number

Date Signed

<Last Page: Remember to sign above and initial below>