

**NARRATIVE FOR FRANCHISE AGREEMENT APPLICATION: MIS18-A
Mercer Island, Washington**

APPLICANT: WA-CLEC, LLC (“Crown Castle”).

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SUBMITTED: March 13, 2018

1. CROWN CASTLE SMALL CELLS UNDER THE MERCER ISLAND FRANCHISE AGREEMENT

WA-CLEC, LLC (“Crown Castle”), is a telecommunications company that designs, develops, operates, upgrades, maintains, and owns fiber-fed wireless communications system and other technologies that are known collectively as Small Cell networks (referred to herein as “Small Cells”). Small Cells are unobtrusive and low profile systems capable of delivering telecommunication services, to customers of multiple carriers such as AT&T, Verizon, Sprint and T-Mobile.

On December 5, 2016, the City Council of the City of Mercer Island approved Ordinance No. 16-12, granting Crown Castle a non-exclusive Franchise Agreement to install Small Cells within the public rights-of-way. Among other things, the Franchise Agreement specifies the process by which Crown Castle may apply for Small Cell Facilities and the factors that the City of Mercer Island may consider in approving the Facilities’ locations.

Crown Castle seeks approval of a Small Cell Facility under the existing Franchise Agreement as a substitute for a previously approved application. This application narrative describes the proposed substitute site and addresses all relevant sections of the Franchise Agreement.

2. THE PROPOSED SMALL CELL NODE

Crown Castle previously submitted an application for a Small Cell node, designated MIS18, with the nearest property located on 6315 77th Ave SE, Mercer Island, WA, 98040. The City approved the application, and the City’s approval was upheld on appeal. Crown Castle has been informed that the pole where the approved node would be installed is likely to be removed as part of a conversion to underground utilities. Crown Castle seeks approval of this application to install the Small Cell on a new original pole in a location that is designed to provide wireless communication service in the same service area as the original node location. Crown has designated this new node as MIS18-A.

(1) Location of the Proposed Facilities.

The new site is located on the north side of 78th Avenue SE, just west of the intersection of 77th Avenue SE. The nearest property adjacent to the proposed site is 6065 78th Ave SE, Mercer Island, WA, 98040.

(2) Design of the Proposed Facilities.

The proposed node would be installed on and in an original decorative street pole, and would not include the installation of any ground-mounted equipment¹. The node would include: (1) an equipment enclosure whose dimensions are approximately four feet tall and one foot wide, the bottom of which is located 11 feet above ground level, (2) a decorative concealment shroud whose dimensions are approximately two feet tall and two feet in diameter, the base of which is 25' above ground level, (3) two antennas whose dimensions are approximately two feet tall and one foot wide, located inside of the concealment shroud, and (4) fiber optic and electrical cables routed through the interior of the decorative street pole.

(3) Views from Properties Surrounding the Proposed Facilities.

The proposed node would be adjacent to two residential lots. The proposed node location has the least intrusive impact on the the views from the adjacent residential structures.

3. THE PROPOSED SITE MEETS ALL CRITERIA IN THE FRANCHISE AGREEMENT

The Franchise Agreement states location and design preferences in sections 6.3 and 6.4, respectively. Crown Castle proposes to install an original pole designed as a decorative street pole to comply with the following location and design priorities of the Franchise Agreement.

A. The Proposed Site Location Priorities Under Section 6.3.

1. Pruning of Surrounding Vegetation. Section 6.3.1 of the Franchise Agreement states that sites that do not require pruning of trees or other vegetation are to be prioritized:

6.3.1. Trees. On PSE Poles that are in a location in the following order of priority:

6.3.1.1 The installation will not require the pruning of trees or other vegetation; then

6.3.1.2 The installation of the Small Cell Facility will require pruning of trees or other vegetation, provided that any pruning shall be the minimum necessary, comply with Section 6.12 and shall not constitute a threat to the tree's or vegetation's health or safety in the opinion of the City Arborist.

¹ Need to confirm location of electric meter.

6.3.1.3 Crown Castle shall not cut any trees for the installation of a Small Cell Facility. For purposes of this Franchise, “cut” means the intentional cutting of a tree to the ground or any practice or act which is likely to result in the death or significant damage to the tree.

Crown Castle proposes the use of an original pole that will not require pruning of any trees or other vegetation.

2. Views from Nearby Residential Properties. The Franchise Agreement assigns priority to areas that minimize visibility of the facilities.

6.3.2 Views. On PSE Poles in a location that minimizes the appearance of Small Cell Facilities from existing adjacent residential structures to the maximum extent feasible. Minimizing the appearance of Small Cell Facilities to the “maximum extent feasible” shall not require the installation of a new PSE Pole or relocating the Small Cell Facility to a PSE Pole more than 100 feet away from the proposed location.

The proposed original pole would minimize the appearance of Small Cell Facilities from existing adjacent residential structures. The proposed node would not be visible from the existing adjacent residential structure on the north (6065 78th Ave SE) due to heavy tree cover and the westerly orientation of the house. The proposed node would be partially visible from the existing residential structure on south (6220 78th Ave SE) due to the wooden fence, screen of trees and vegetation on that property, and the view shed is directly west from the existing residential structure. Finally, the proposed node would not be visible from the residential structures to the west due to the density of trees and vegetation between the node and the existing residential structures. In addition, the view shed is downhill towards the west away from the proposed node.

3. Street Classification.

6.3.3 Streets. On Public Rights-of-Way, in the following order of priority:

6.3.3.1 Major;

6.3.3.2 Secondary;

6.3.3.3 Collector; then

6.3.3.4 Local.

The proposed location is in the Public Right-of-Way on 78th Avenue SE at its intersection with 77th Avenue SE. Both 77th Ave SE and 78th Ave NE are classified as local roads. If the node is located on the nearest major, secondary or collector street, the node would not provide service in the intended coverage area. Therefore, the node must be located on a local street.

B. The Proposed Site Design Requirements and Priorities under Section 6.4.

1. No co-location.

6.4.1 No co-location. Each PSE Pole shall contain no more than one Small Cell Facility.

The proposed pole will have only one Small Cell Facility.

2. Antenna Design.

6.4.2 Antenna Design. Antennas shall measure no larger than 2 feet in height and 14 inches in width.

The proposed antennas are 23.2 inches tall and 12 inches wide.

3. Antenna Location.

6.4.3 Antenna Location. Antennas shall be located in the following order of priority:

6.4.3.1 Within the communication space of the PSE Pole as illustrated in Exhibit C; then

6.4.3.2 A pole top extension to locate antenna equipment above the electrical conductor. Pole top extensions shall meet all PSE requirements and shall not extend beyond the top of the pole more than 48 inches.

The proposed node would have antennas located on a pole top extension in a shroud.

4. Cabinet Location and Dimensions.

6.4.4 Small Cell Facilities Cabinet Location and Dimensions. The equipment cabinets for Small Cell Facilities shall be located below the antennas in the communications space on the PSE Pole as illustrated in Exhibit C. The equipment cabinets for Small Cell Facilities shall not exceed 10 cubic feet in volume on any one PSE Pole for the 39 Small Cell Facilities listed on Exhibit A.

The proposed original pole would have its equipment enclosure located 11' above ground level and would be beneath the antenna shroud.

5. Replacement PSE Pole Height.

6.4.5 Replacement PSE Poles Height. Replacement PSE Poles shall not be more than 15% or 10 feet taller than the Original PSE Pole, whichever is less, except for

guy poles which may be increased to a height equal to the surrounding PSE Poles upon a showing that the proposed height increase must be granted in order to allow Crown Castle to use the least intrusive means to close a significant gap in wireless service.

The proposed pole is not a replacement pole, so this section does not apply.

6. Color, Material, Mounting, Illumination and Wiring.

6.4.6 Other Design Priorities.

6.4.6.1 Color and Material. Small Cell Facilities antennas, conduit, mounting hardware and equipment cabinets shall be painted to match the color of the PSE Pole, or at the City's preference, Crown Castle shall paint its Small Cell Facilities any color of the City's choosing, so long as the paint is reasonably commercially available. If Small Cell cabinets require a special heat-reducing paint finish, they shall be a neutral color such as brown, beige, off-white, or light gray.

6.4.6.2 Flush Mount. All Small Cell Facilities shall be Flush-Mounted.

6.4.6.3 No Illumination. Small Cell Facilities shall not be illuminated.

6.4.6.4 Concealed Wires. Small Cell Facilities' external cables and wires shall be enclosed in a conduit so that wires are protected and not visible or visually minimized to the maximum extent possible, except for the space between the conduit and the antennas and/or equipment cabinets.

The proposed pole would be painted the color of the City's choosing. The Small Cell Facilities would be Flush-Mounted, would not be illuminated, and would have wiring enclosed in the body of the pole that would not be visible, except for the top of the pole where the wiring exits the pole to attach to the antennas.

4. ALTERNATE SITE ANALYSIS

There are two PSE poles near the proposed location, one north and one south along 77th Avenue SE. Neither alternate site is suitable for Small Cell facilities under the Franchise Agreement. The alternate location to the south was originally approved by the Mercer Island City Council, but Crown Castle has been informed that the pole will be removed during a conversion to an underground electric distribution line.

The alternate PSE pole to the north does not follow the location priorities of section 6.3.2 of the Franchise Agreement because any Small Cell Facilities would be directly visible from nearby residential structures. The existing PSE pole is at the end of a residential driveway to the west, with no trees between the structure and the pole. Additionally, the residential structure to the

east is uphill from the site with a west-facing view shed; as such, any facilities would be able to be seen from the east as well.

5. CONCLUSION

Applicant Crown Castle proposes the installation of one original pole, MIS18-A, as an alternate for the previously approved node MIS18. MIS18-A would satisfy all location and design criteria. As such, Applicant respectfully requests approval of the proposed node.