



1505 Westlake Ave N  
Seattle, WA 98109

Phone: (206) 336-3204  
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January 31, 2024

City of Mercer Island  
Development Services Dept.  
9611 SE 36<sup>th</sup> St.  
Mercer Island, WA 98040

Via Email

**\*\*\*\*\*NOTICE OF COMPLETE SECTION 6409 APPLICATION\*\*\*\*\***

RE: Request for Minor Modification to Existing Wireless Facility – Section 6409  
Site Address: 8477 SE 68TH STREET, MERCER ISLAND, WA 98040  
Crown Site Number: 880416 / Crown Site Name: SEATTLE QWEST - SEA155  
Customer Site Number: 5000381667 / Application Number: 640386

Attention Reviewing Parties:

As you are aware, Seattle SMSA Limited Partnership d/b/a Verizon Wireless (“Verizon Wireless” or “Applicant”) currently has pending before CITY OF MERCER ISLAND, WA an application for (“Application”) submitted as an eligible facilities request pursuant to Section 6409.<sup>1</sup> Section 6409 is a federal law governing the collocation, replacement, and removal of transmission equipment on existing wireless facilities. Under Section 6409 and the applicable Federal Communications Commission regulations,<sup>2</sup> a state or local government must approve an eligible facilities request (or find the request is not covered by the federal rules) within 60 days or the request is deemed granted, effective upon notice from the applicant that the review period has expired.

The 60-day time frame for review, or “shot clock,” is only tolled only if a state or local government determines that the application is incomplete and provides written notice in accordance with the FCC regulations within 30 days of the start of the shot clock.<sup>3</sup>

With respect to the Application, our records show that the shot clock started on December 21, 2024. It has been more than thirty days since the start of the shot clock and we have received no notice of incompleteness that tolls the shot clock under the federal rules. As a result, the application is now complete for purposes of Section 6409.

<sup>1</sup> Middle Class Tax Relief and Job Creation Act of 2012, Pub. L. No. 112-96, § 6409 (2012) (codified at 47 U.S.C. § 1455).

<sup>2</sup> *Acceleration of Broadband Deployment by Improving Wireless Facility Siting Policies*, 29 FCC Rcd. 12865 (2014) (codified at 47 CFR § 1.6100); and *Implementation of State & Local Governments’ Obligation to Approve Certain Wireless Facility Modification Requests Under Section 6409(a) of the Spectrum Act of 2012*, WT Docket No. 19-250 (June 10, 2020).

<sup>3</sup> 47 CFR § 1.6100(c)(3).



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As noted previously, the Application is a request for approval to collocate, replace or remove transmission equipment on an existing tower or base station, which does not substantially change the physical dimensions of that tower base station. As such, it is an eligible facilities request that as state or local government “may not deny and shall approve” under federal law.<sup>4</sup>

Accordingly, it is our expectation that the application will be approved on or before the shot clock deadline of February 19, 2024. Should CITY OF MERCER ISLAND, WA refuse or fail to issue the permits within the timeframe for review, Applicant will reserve all of its rights under federal law, including the right to issue a deemed granted notice under Section 6409.

Our goal is to work with you to obtain approvals earlier than the deadline. If you have questions, please feel free to contact me to discuss. We look forward to working with you on this important project, which will improve wireless telecommunication services in your community using collocation on existing infrastructure.

Regards,

A handwritten signature in black ink that reads 'Sarah Baird'.

Sarah Baird  
Site Acquisition Specialist  
Crown Castle  
Agent for Applicant  
Sarah.Baird@crowncastle.com  
(206) 336-3204

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<sup>4</sup> See 47 U.S.C. § 1455(a); 47 CFR 1.6100.