			Арр	lication Date	C.	U.P Number	
Dane County			09	9/20/2022	DCPCl	JP-2022-0257	'8
<b>Conditional Use</b>	Permit		Public	Hearing Date			
Application			10	)/25/2022			
OWNER I	NFORMATION				AGENT INFO	RMATION	
OWNER NAME BRETT LUNDE		Phone with Area Code (608) 628-11		ENT NAME REK MCGRE	W		with Area Code ) 507-4541
BILLING ADDRESS (Number, Street 1576 SPRING RD	t)	I		DRESS (Number, Str 3 WILSHIRE CC			
(City, State, Zip) STOUGHTON, WI 53589				y, State, Zip) blesville, IN 460	62		
E-MAIL ADDRESS				AIL ADDRESS rek@cellusite.ne	t		
ADDRESS/LOCAT	TION 1	ADDRESS	/LOCA	TION 2	ADDRE	ESS/LOCATIOI	V 3
ADDRESS OR LOCATIO	N OF CUP	ADDRESS OF	R LOCAT	ION OF CUP	ADDRESS	OR LOCATION C	OF CUP
1576 Spring Road							
	SECTION 3	TOWNSHIP		SECTION	TOWNSHIP	SE	CTION
PARCEL NUMBERS IN	VOLVED	PARCEL NU	MBERS	INVOLVED	PARCEL	NUMBERS INVO	LVED
0511-032-810	0-0						
		CUP D	ESCRII	PTION			
195' Self-Support Commu	inication Towe	r					
	DANE CO	UNTY CODE OF O	RDINA	NCE SECTION			ACRES
10.103(9)						(	3.8
		DEED RESTRICT REQUIRED?		Inspectors Initials	SIGNATURE:(Ow	ner or Agent)	
		□ <sub>Yes</sub> □	No	AMA1			
		Applicant Initials		AWAT	PRINT NAME:		
COMMENTS: 195' SELF-	SUPPORT CC	MMUNICATION	TOWE	R			
					DATE:		

Form Version 01.00.03

**Dane County** 

(608) 266-4266

Madison, Wisconsin 53703

**Department of Planning and Development** Zoning Division Room 116, City-County Building 210 Martin Luther King Jr. Blvd.

Application Fees						
General: \$495						
Mineral Extraction:	\$1145					
Communication Tower:	\$1145					
communication rower:	(+\$3000 RF eng review fee)					
PERMIT FEES DOUBLE FOR VIOLATIONS OR WHEN WORK HAS						

STARTED PRIOR TO ISSUANCE OF PERMIT

## CONDITIONAL USE PERMIT APPLICATION

APPLICANT INFORMATION							
Property Owner Name:	Property Owner Name: Brett Lunde Agent Name: Derek McGrew						
Address (Number & Street):	1576 Spring Road	Address (Number & Street):	103 Wilshire Court				
Address (City, State, Zip):	Stoughton, WI 53589	Address (City, State, Zip):	Noblesville, IN 46062				
Email Address:		Email Address:	derek@cellusite.net				
Phone#:	608-628-1143	Phone#:	317-507-4541				

#### SITE INFORMATION

Township:	Dunkirk		Parcel Number(s):	051103281000
Section:	03		Property Address or Location:	1576 Spring Road
Existing Zor		Proposed Zoning: Rura	CUP Code Section(s):	10.103

#### DESCRIPTION OF PROPOSED CONDITIONAL USE

Type of conditional use permit (for example: limited family business, animal boarding, mineral extraction, or any other listed conditional use):Communication Towers	Is this application being submitted to correct a violation? Yes No
Provide a short but detailed description of the proposed conditional use: See Application Cover Letter.	

#### **GENERAL APPLICATION REQUIREMENTS**

Applications will not be accepted until the applicant has met with department staff to review the application and determined that all necessary information has been provided. <u>Only complete applications will be accepted</u>. All information from the checklist below must be included. Note that additional application submittal requirements apply for particular uses or as may be required by the Zoning Administrator. Applicants for significant and/or potentially controversial conditional uses are strongly encouraged to meet with staff prior to submittal.

Complete attached information sheet	Site Plan drawn to scale	Detailed operational plan	Written legal description of	Detailed written statement of	Application fee ( <b>non-</b> <b>refundable</b> ), payable to
for standards			boundaries	intent	Dane County Treasurer

I certify by my signature that all information presented herein is true and correct to the best of my knowledge. I hereby give permission for staff of the Dane County Department of Planning and Development to enter my property for the purpose of collecting information to be used as part of the review of this application. I acknowledge that submittal of false or incorrect information may be grounds for denial of this application.

**Owner/Agent Signature:** 

08/29/2022 Date:\_\_\_\_\_



#### STANDARDS FOR CONDITIONAL USE PERMITS

Applicants must provide adequate evidence demonstrating to the Town and Dane County Zoning & Land Regulation Committee that the proposed conditional use satisfies the following 8 standards for approval, along with any additional standards specific to the applicable zoning district or particular use found in sections <u>10.220(1)</u> and <u>10.103</u> of the code.

Please explain how the proposed land use will meet the following standards (attach additional pages, if necessary):

1. The establishment maintenance or operation of the conditional use will not be detrimental to or endanger the public health, safety, comfort or general welfare.

See Application Cover Letter.

2. The uses, values, and enjoyment of other property in the neighborhood for purposes already permitted shall be in no foreseeable manner substantially impaired or diminished by establishment, maintenance or operation of the conditional use.

See Application Cover Letter.

3. The establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district. See Application Cover Letter.

4. Adequate utilities, access roads, drainage and other necessary site improvements have been or are being made to accommodate the conditional use.

See Application Cover Letter.

5. Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.

See Application Cover Letter.

6. That the conditional use shall conform to all applicable regulations of the district in which it is located.

See Application Cover Letter.

7. The conditional use is consistent with the adopted town and county comprehensive plans.

See Application Cover Letter.

8. If the conditional use is located in a Farmland Preservation (FP) Zoning district, the conditional use is subject to the following additional standards found in section 10.220(1). Attach additional pages, if necessary.

• Explain how the use and its location in the Farmland Preservation Zoning District are consistent with the purposes of the district:

N/A

• Explain how the use and its location in the Farmland Preservation Zoning district are reasonable and appropriate, considering alternative locations:

N/A

• Explain how the use is reasonably designed to minimize the conversion of land from agricultural use or open space use:

N/A

• Explain how the use does not substantially impair or limit the current or future agricultural use of surrounding parcels zoned for agricultural use:

N/A

• Explain how construction damage to land remaining in agricultural use is minimized and repaired, to the extent feasible:

N/A

#### WRITTEN STATEMENT OF INTENT AND OPERATIONS PLAN

Applicants must provide a detailed written statement of intent describing the proposed conditional use along with an operational plan that explains how the conditional use will be operated. Please use the form below and provide responses, as applicable, to your proposed conditional use. Attach additional pages, if necessary.

Describe in detail the proposed conditional use. Provide the specific location of the use(s), type of equipment used, planned property improvements, including description / size of existing or proposed new buildings to be used, and any other relevant information. For existing or proposed commercial operations, provide the name of the business and describe the nature and type of business activity. See Application Cover Letter. List the proposed days and hours of operation. 24/7List the number of employees, including both full-time equivalents and maximum number of personnel to be on the premises at any time. 0 List any anticipated noise, odors, dust, soot, runoff or pollution associated with the conditional use, along with any proposed measures that will be taken to mitigate impacts to neighboring properties. See Application Cover Letter. Describe any materials proposed to be stored outside and any activities, processing or other operations taking place outside an enclosed building. None For proposals involving construction of new facilities and/or infrastructure, describe, as applicable, any measures being taken to ensure compliance with county stormwater and erosion control standards under Chapter 11 of Chapter 14, Dane County Code. None anticipated to be required. Land is completely flat. List and describe existing or proposed sanitary facilities, including adequate private onsite wastewater treatment systems, associated with the proposed conditional use. For uses involving domestic pets or livestock, list and describe measures taken to address manure storage or management. None required List and describe any existing or proposed facilities for managing and removal of trash, solid waste and recyclable materials. None required Describe anticipated daily traffic, types and weights of vehicles, and any provisions, intersection or road improvements or other measures proposed to accommodate increased traffic. See Application Cover Letter. Provide a listing of any hazardous, toxic or explosive materials to be stored on site, and any spill containment, safety or pollution prevention measures.

None

Describe any existing or proposed outdoor lighting along with any measures that will be taken to mitigate light-pollution impacts to neighboring properties. The Zoning Administrator may require submittal of a photometric plan for outdoor lighting if deemed necessary to determine potential impacts to neighbors.

None

Describe any existing or proposed signage, including size, location, and materials, consistent with the county's sign ordinance found in s. 10.800.

The only signage is a small 2'x1' sign to include the ASR registration as required by the FCC

Briefly describe the current use(s) of the property on which the conditional use is proposed.

See Application Cover Letter.

Briefly describe the current uses of surrounding properties in the neighborhood.

See Application Cover Letter.

#### APPLICATION CHECKLIST FOR A CONDITIONAL USE PERMIT

A scaled site plan and detailed operations plan must be submitted with your Conditional Use Permit application. Please use the checklist below to ensure you are submitting all required information applicable to your request. Please attach to your application form the required maps and plans listed below, along with any additional pages.

#### □ SCALED SITE PLAN. Show sufficient detail on 11" x 17" paper. Include the following information, as applicable:

Scale and north arrow.

Date the site plan was created.

Existing subject property lot lines and dimensions.

Existing and proposed wastewater treatment systems and wells.

All buildings and all outdoor use and/or storage areas, existing and proposed, including provisions for water and sewer.

All dimension and required setbacks, side yards and rear yards.

E Location and width of all existing and proposed driveway entrances onto public and private roadways, and of all interior roads or driveways.

E Location and dimensions of any existing utilities, easements or rights-of-way.

Parking lot layout in compliance with s. <u>10.102(8)</u>.

Proposed loading/unloading areas.

Zoning district boundaries in the immediate area. All districts on the property and on all neighboring properties must be clearly labeled.

All relevant natural features, including navigable and non-navigable waters, floodplain boundaries, delineated wetland areas, natural drainage patterns, archeological features, and slopes over 12% grade.

E Location and type of proposed screening, landscaping, berms or buffer areas if adjacent to a residential area.

Any lighting, signs, refuse dumpsters, and possible future expansion areas.

#### □ NEIGHBORHOOD CHARACTERISTICS. Describe existing land uses on the subject and surrounding properties:

Provide a brief written statement describing the current use(s) of the property on which the conditional use isproposed.

Provide a brief written statement documenting the current uses of surrounding properties in the neighborhood.

#### **OPERATIONS PLAN AND NARRATIVE.** Describe in detail the following characteristics of the operation, as applicable:

Hours of operation.

Number of employees, including both full-time equivalents and maximum number of personnel to be on the premises at any time.

E Anticipated noise, odors, dust, soot, runoff or pollution and measures taken to mitigate impacts to neighboring properties.

Descriptions of any materials stored outside and any activities, processing or other operations taking place outside an enclosed building.

Compliance with county stormwater and erosion control standards under Chapter 11 of Chapter 14, Dane County Code.

Sanitary facilities, including adequate private onsite wastewater treatment systems and any manure storage or management plans approved by the Madison and Dane County Public Health Agency and/or the Dane County Land and Water Resources Department.

E Facilities for managing and removal of trash, solid waste and recyclable materials.

Anticipated daily traffic, types and weights of vehicles, and any provisions, intersection or road improvements or other measures proposed to accommodate increased traffic.

A listing of hazardous, toxic or explosive materials stored on site, and any spill containment, safety or pollution prevention measures taken.

Outdoor lighting and measures taken to mitigate light-pollution impacts to neighboring properties.

Signage, consistent with section <u>10.800</u>.

#### **ADDITIONAL MATERIALS. Additional information is required for certain conditional uses listed in s. 10.103**:

Agricultural entertainment, special events, or outdoor assembly activities anticipating over 200 attendees must file an event plan.

Domestic pet or large animal boarding must provide additional information in site and operations plans.

Communication towers must submit additional information as required in s. <u>10.103(9)</u>.

□ Farm residences proposed in the FP-35 district must submit additional information as required in s.10.103(11).

□ Mineral extraction proposals must submit additional information as required in s. <u>10.103(15)</u>.



August 29, 2022

Mr. Majid Allan County of Dane Department of Planning and Development City-County Building, Room 116 210 Martin Luther King Jr. Blvd. Madison, WI 53703

> Re: Application for Conditional Use Permit – Telecommunication Tower <u>Property Address</u>: 1576 Spring Road, Stoughton, WI 53589 (Town of Dunkirk) <u>Applicants</u>: CelluSite, LLC, agent for Iron Mountain Towers, LLC dba TowerKing and DISH Wireless LLC <u>Parcel Owner</u>: Brett Lunde

Dear Mr. Allan:

Enclosed for consideration please find Iron Mountain Towers, LLC dba TowerKing ("**TowerKing**") and DISH Wireless LLC's ("**DISH**") (TowerKing and DISH, collectively, the "**Applicants**") Conditional Use Permit Application (the "**Application**") to construct a multicarrier wireless telecommunication tower and associated facilities (the "**Wireless Communications Facility**"). I serve as agent for Applicants.

The Wireless Communications Facility has been designed to accommodate additional providers (carriers, wireless internet providers and E911) interested in improving service within the greater Stoughton area. TowerKing actively markets its tower sites for collocation to all communications users and offers competitive business terms, which are attractive to its customers. We have approached this project thoughtfully, with an emphasis on blending the needs of the local citizenry with the goals of the Applicants.

The proposed facility meets the guidelines in Wis. Stat. § 66.0404 (the "**Wireless Siting Law**").<sup>1</sup> It includes a 195-foot self-supporting tower, with a 4-foot lightning rod, for an overall structure height of 199 feet (the "**Tower**").

<sup>&</sup>lt;sup>1</sup> The Wireless Siting Law provides that a political subdivision may regulate the siting and construction of a new mobile service support structure and facilities only as provided in Wis. Stat. § 66.0404 and further provides that any ordinances in effect that are inconsistent with Wis. Stat. § 66.0404 may not be applied to, or enforced against, the activity. Wis. Stat. § 66.0404(h) & (i).

### WIRELESS SITING LAW

The Wireless Siting Law sets forth six (6) requirements which must be included in an application to construct a new tower.<sup>2</sup> Those requirements, and the Applicants' responses to those requirements, follow. It is my belief that this information and related enclosures fulfill the requirements of the Wireless Siting Law.

Applicants:	Contact Individual:
Iron Mountain Towers, LLC dba TowerKing	Derek McGrew / CelluSite, LLC
c/o Grant Phillips	103 Wilshire Court
23434 Elliot Road	Noblesville, IN 46062
Defiance, OH 43512	(317) 507-4541
(419) 438-7587	derek@cellusite.net
DISH Wireless LLC	
8040 Excelsior Drive, Suite 400	
Madison, WI 53717	

#### 1. The name and business address of, and the contact individual of, the applicant.

### 2. The location of the proposed or affected support structure.

Applicants propose to construct a mobile service facility and related mobile support service structure, as defined by the Wireless Siting Law, at 1576 Spring Road, which bears Parcel ID # 0511-0328-1000 (the "**Property**").

The Tower will be constructed by TowerKing and located within a 60' x 60' leased area (the "**Leased Premises**"), of which 50' x 50' will be fenced and located in the southeastern portion of the Property and as depicted in the enclosed survey and construction drawings (the "**Construction Drawings**") marked as <u>Exhibit A</u>.

### 3. The location of the proposed mobile service facility.

<sup>&</sup>lt;sup>2</sup> The six requirements are found at Wis. Stat. § 66.0404(2)(b).

The Wireless Siting Law defines "mobile service facility" as:

the set of equipment and network components, including antennas, transmitters, receivers, base stations, power supplies, cabling, and associated equipment, that is necessary to provide mobile service to a discrete geographic area, but does not include the underlying support structure.<sup>3</sup>

The Construction Drawings depict where the mobile service facility will be located on the Property (the mobile service facility and the Tower, collectively, the "**Installation**"). As noted on the enclosed Construction Drawings, sheet T-1, DISH will attach its equipment on the Tower at the 195-foot centerline. DISH will route its coax/cabling through the interior of the Tower and install its equipment near the base of the Tower within a fenced compound within the Leased Premises. The Installation is designed to accommodate three (3) additional wireless providers besides DISH.

4. If the application is to substantially modify an existing support structure, a construction plan which describes the proposed modifications to the support structure and the equipment and network components, including antennas, transmitters, receivers, base stations, power supplies, cabling, and related equipment associated with the proposed modifications.

The application proposes installation of a new Tower; therefore, the requirements of this section are not applicable.

5. If the application is to construct a new mobile service support structure, a construction plan which describes the proposed mobile services support structure and the equipment and network components, including antennas, transmitters, receivers, base stations, power supplies, cabling, and related equipment to be placed on or around the new mobile service support structure.

The Construction Drawings provide this information.

6. If an application is to construct a new mobile service support structure, an explanation as to why the applicant chose the proposed location and why the applicant did not choose collocation, including a sworn statement from an individual

<sup>&</sup>lt;sup>3</sup> Wis. Stat. § 66.0404(1)(L).

> who has responsibility over the placement of the mobile service support structure attesting that collocation within the applicant's search ring would not result in the same mobile service functionality, coverage, and capacity; is technically infeasible; or is economically burdensome to the mobile service provider.

Enclosed is a sworn statement prepared by a DISH radio frequency engineer (the "**DISH Sworn Statement**") marked as <u>Exhibit B</u>. The DISH Sworn Statement includes the search ring which defines the precise geographic area where an additional cell site is needed to expand network coverage or capacity. Contributing factors for search ring placement and shape include the surrounding topography, the demographics and even whether the surrounding areas are urban, suburbs or open land.

The DISH Sworn Statement outlines why the proposed location was selected and attests there are no existing structures of sufficient height available for collocation within the search ring, making collocation technically infeasible. The proposed location for the Installation is the best candidate due to DISH's network design needs, the nature of the surrounding area, and current use of the Property.

#### **SETBACKS**

The Tower meets the RR-2 Rural Residential Zoning District minimum front setback for structures of 63 feet from the town road center line; the minimum side yard setback of 10 feet from the lot line; and the minimum rear yard setback of 10 feet from the rear lot line (Section 10.242). There are no existing telecommunications towers within 0.5 miles of the proposed Tower.

### **ADDITIONAL DISCUSSION**

TowerKing is a national owner and operator of wireless communications infrastructure. TowerKing proposes to operate the Installation within the Leased Premises and will own the Tower. DISH will install its equipment on the Tower and place ground equipment within the Leased Premises. It is not uncommon for wireless telecommunications service providers to partner with companies like TowerKing to site development projects.

The proposed Installation results from the needs of DISH. In 2020, DISH became a nationwide U.S. wireless carrier through the acquisition of Boost Mobile. DISH is building the

nation's first virtualized, standalone 5G broadband network, and has also determined a need for coverage within the immediate area.

The Installation will include a 20-foot wide access and utility easement from the existing gravel drive off of Spring Road. The access and utility easement will require only minimal improvement.

The Installation will provide a great benefit in providing high quality, technologically advanced wireless communication services to the area. The Installation will conform to all applicable laws and regulations, including the national standard's seventh revision for Steel Antenna Towers and Antenna Supporting Structures published by the Telecommunications Industry Association (ANSI/TIA 222-G), Federal Communications Commission, and Federal Aviation Administration ("FAA"). Enclosed and marked as Exhibit C is the FAA Determination of No Hazard, which further negates any risk posed by the Tower.

The Installation will fill the void for wireless coverage within the immediate geographic area of the site. Once constructed, the Installation will negate requests for additional towers in the area.

The Property is in the RR-2 Rural Residential (2 to 4 acres) Zoning District (the "**RR-2 District**"), which is described in Section 10.242 of the County's Zoning Ordinance. The Leased Premises has been positioned upon the Property in a location to best fit with the current uses of the Property. Photo simulations are included at marked as <u>Exhibit D</u>. The Installation will require no public financial contribution or result in any additional expenses public facilities and services.

The communication services offered by DISH are expected to be used by the general public, providing an economic asset to the community. The Installation will enhance E-911 services, further protecting public health, safety, and welfare within the Stoughton, Dunkirk, Pleasant Spring and Lake Kegonsa areas. Besides strengthening coverage, the Tower will facilitate deployment of next generation technology.

The Installation will be unmanned and will not be lighted. No parking or employee facilities are required. DISH's technicians will visit the site periodically, typically a couple hours once per month, for the security monitoring, testing, monitoring, and maintenance of its equipment. TowerKing will also visit the site periodically to monitor the maintenance and

security of the facility. The facility will not generate recognizable traffic. Noise level is limited to periodic generator operation.

### DANE COUNTY COMMUNICATION TOWER ORDINANCE

Dane County regulates wireless siting via Section 10.103(9) of its Code of Ordinances (the "**Dane County Communication Tower Ordinance**" or the "**Ordinance**"). The Application meets the applicable provisions of the Ordinance, when read in conjunction with the Wireless Siting Law.

The requirements of the Ordinance, and the Applicants' responses to those requirements, follow. This information and related enclosures fulfill the applicable requirements of the Ordinance.

- Section 10.103(9)(b)1.a.i.
  - Contact information for the Applicants is provided above. FCC license numbers are set forth in the FCC Radio Station Authorizations enclosed with this Application and marked as <u>Exhibit E</u>.
- Section 10.103(9)(b)1.a.ii.
  - See the Construction Drawings, sheet S-1.
- Section 10.103(9)(b)1.a.iii.
  - See FCC Radio Station Authorizations.
- Sections 10.103(9)(b)1.b.i. and 10.103(9)(b)1.b.ii.
  - See DISH Sworn Statement.
- Section 10.103(9)(b)1.c.
  - See Search Ring, Tower Map & Existing Residences Map enclosed with this Application and marked as <u>Exhibit F</u>.
- Section 10.103(9)(b)1.d.
  - This information has been provided directly to the County's third-party engineering consultant.
- Sections 10.103(9)(b)1.e. & 10.101(6)

- See the Construction Drawings and Search Ring, Tower Map & Existing Residences Map.
- Section 10.103(9)(b)1.f.
  - See the Construction Drawings
  - The Tower will not be lighted per the FAA Determination of No Hazard.
  - See Photo Simulations.
  - Notification to other carriers has been provided via email.
  - Notification to nearby airports has been provided per the FAA Determination of No Hazard.

## STANDARDS FOR CONDITIONAL USE PERMITS

# 1. The establishment maintenance or operation of the conditional use will not be detrimental to or endanger the public health, safety, comfort or general welfare.

The proposed Tower will not be detrimental to or endanger the public health, safety, comfort or general welfare. The proposed Tower is more than 1,500 feet from the nearest residential property and is otherwise surrounded by agriculturally-zoned parcels. The Tower does not generate noise, traffic, sounds, odors, or any nuisance that would be detrimental to the residents of the County or Town. As depicted in the attached Photo Simulations, the Tower is minimally invasive from a visual standpoint and existing vegetation screens many, if not all, of the views of the residences within 0.5 miles of the proposed Tower. At the same time, the Tower will increase telecommunication connectivity, Wi-Fi, and access to emergency services.

# 2. The uses, values, and enjoyment of other property in the neighborhood for purposes already permitted shall be in no foreseeable manner substantially impaired or diminished by establishment, maintenance or operation of the conditional use.

The proposed use will not foreseeably substantially impair or diminish the uses, values and enjoyment of other property in the area. The properties immediately to the north, south, east and west of the Property are all Farmland Preservation, the uses of which will not be affected by the Tower.

3. The establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.

The proposed use will not impede the normal and orderly development and improvement of the surrounding properties. The small footprint of the proposed site will allow the Property to be used as permitted and the proposed use will not impede the normal and orderly development and improvement of the surrounding agriculturally-zoned properties.

# 4. Adequate utilities, access roads, drainage and other necessary site improvements have been or are being made to accommodate the conditional use.

All access and utilities are provided as indicated in the Construction Drawings. The approval of this Application will add an additional utility for the surrounding public to use.

# 5. Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.

As provided in the Construction Drawings, the Tower will be accessible via an extension of an existing driveway. The use will only generate additional traffic of one vehicle per month.

# 6. That the conditional use shall conform to all applicable regulations of the district in which it is located.

The Tower conforms to all applicable regulations in the district in which it will be located as provided in this letter.

# 7. The conditional use is consistent with the adopted town and county comprehensive plans.

The Tower is consistent with the Comprehensive Plans of the Town and County.<sup>4</sup> Specifically, the proposed use is consistent with the County's goal to ensure that its residents continue to enjoy high quality community services and facilities. It not only will provide the services identified as an existing need by at least one carrier but provides the infrastructure to provide for the County's and Town's future needs as telecommunications service (and wireless Internet service) have become a necessary and indispensable need for residents and businesses. Indeed, the proposed use is also consistent with the County's economic development goals as it

<sup>&</sup>lt;sup>4</sup> The Town's land use policy regarding communication towers is to "ensure that development of new cellular towers is consistent with Dane County's ordinance regarding the procedure and standards for the placement, construction, or modification of communication towers."

allows residents to perform daily tasks and improves businesses opportunities. At the same time, the proposed Tower is located on a parcel that is set apart from properties with residential use and will not interfere with the surrounding agricultural uses.

8. If the conditional use is located in a Farmland Preservation (FP) Zoning district, the conditional use is subject to the following additional standards found in section 10.220(1). Attach additional pages, if necessary.

Not applicable.

## **CONCLUSION**

We look forward to working with you to help advance wireless communications to the residents, guests, and workforce in the Stoughton, Dunkirk, Pleasant Spring and Lake Kegonsa areas. Please contact me at (317) 507-4541 or by e-mail at <u>derek@cellusite.net</u> if you have questions or require additional information.

Very truly yours,

CELLUSITE, LLC

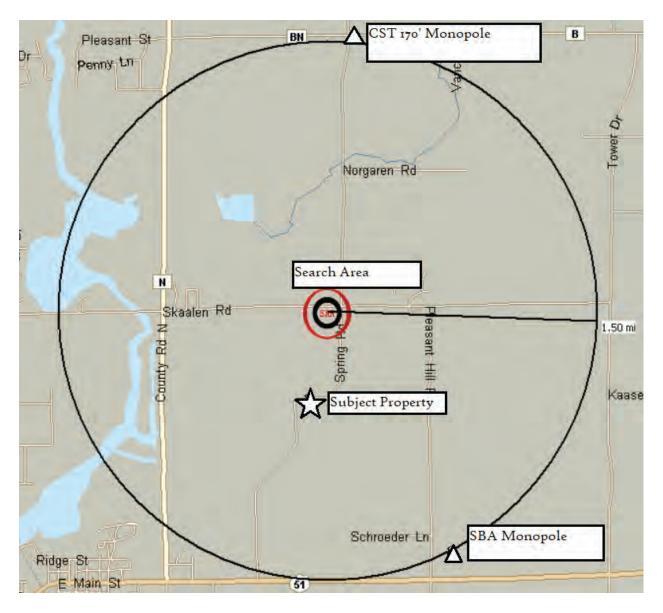
By: /s/ Derek McGrew

Derek McGrew Agent for Iron Mountain Towers, LLC dba TowerKing and DISH Wireless, LLC

Enclosures (Exhibits A-F)

cc: Attorney Jake Remington, Husch Blackwell LLP (legal counsel for Applicants)





## Search Ring, Tower Map & Existing Residences Map

## Search Ring, Tower Map & Existing Residences Map



# <u>EXHIBIT B</u>

### Sworn Statement of Inga Brauneis in Support of New Tower Construction Pursuant to Wis. Stat. §66.0404

SS.

State of Wisconsin

County of Dane

INGA BRAUNEIS, being first duly sworn on oath, deposes and says that:

 I am an adult resident of the State of Wisconsin and serve as a Radio Frequency Engineer at DISH Wireless, LLC ("DISH").

2. My job duties at DISH include design and optimization of new and existing wireless facilities to meet DISH's network needs. I have ongoing oversight duties related to DISH's mobile service support structures in the State of Wisconsin, including the proposed mobile service support structure being proposed by DISH and Iron Mountain Towers, LLC dba TowerKing at 1576 Spring Road, Stoughton, Wisconsin which bears Parcel ID # 0511-0328-1000 (the "Proposed Communications Facility").

3. This sworn statement is made pursuant to Wis. Stat. §66.0404(2)(b)6.

4. DISH identified a genuine need for the Proposed Communications Facility, and

thereafter, DISH's engineering department issued a "search ring" defining the precise geographic area where the Proposed Communications Facility was needed to address the identified need (the "Search Ring").

5. The Proposed Communications Facility is being proposed because collocation within the Search Ring is infeasible, as no existing structures of any kind are available for collocation.

6. Because no structures exist to support collocation within the Search Ring, we are requesting permission to construct the Proposed Communications Facility.

 The minimum height needed for this site is One Hundred Ninety Five Feet (195') antenna centerline.

	INGA BRAUNEIS	
State of [Wisconsin]	)	
County of <u>Dane</u>	) SS.	

This instrument was acknowledged, subscribed and sworn to before me on

08 /26 / 2022, by INGA BRAUNEIS.

JAMAL COLEMAN Notary Public State of Wisconsin

MOTARY PUBLIC FOR My Commission Expires: 10/20/2024

NOTE FOR SITES WHERE A CRANE IS NECESSARY. THE CONTRACTOR PUBLIC CONFIRM AN UNOBSTRUCTED ROUTE FOR THE CRANE FROM PUBLIC ROAD TO TOWER SITE PRIOR TO CONSTRUCTION. NO AERIAL OBSTRUCTIONS UNDER FIFTEEN FEET ABOVE GRADE. INCLUDING AERIAL UTILITY LINES, ARE ALLOWED ALONG SAID CRANE ROUTE.



## **EXHIBIT A**

PROJECT INFORMATION

03/22/22

Date

22359002

## **SKAALEN**

FROM STOUGHTON, WI, PROCEED EAST ON US-51 [CR-A] (EAST), APPROXIMATELY 1.0 MILES; TURN LEFT (NORTH) ONTO SPRING

#### DRAWING INDEX

- T-1 TITLE SHEET
- S-1 SURVEY PLAN
- S-2 ENLARGED SITE PLAN
- C-1 TOWER ELEVATION & DETAILS
- C-2 SHELTER ELEVATIONS
- C-3 FOUNDATION PLAN & DETAILS
- C-4 ICE BRIDGE & FENCE DETAILS
- C-5 GENERAL NOTES
- F-1 ELECTRICAL NOTES & DETAILS
- E-2 SINGLE LINE DIAGRAM & DETAILS
- E-3 GROUNDING DETAILS
- F-4 GROUNDING DETAILS
- E-5 **GROUNDING NOTES & DETAILS**





PH: (419) 782-8591

CIVIL ENGINEER

P.O. BOX 193

DIRECTIONS TO SITE:

LANDTECH PROFESSIONAL

1275 McGREGOR WAY

PHONE: (231) 943-0050

GRAWN, MI 49637

SURVEYING AND ENGINEERING

RD, AND PROCEED 1.1 MILES; TURN RIGHT (EAST) ONTO ACCESS DRIVE,

STOUGHTON, WI 53589

Nil Park

SURVEYOR LANDTECH PROFESSIONAL SURVEYING AND ENGINEERING 1275 McGREGOR WAY GRAWN, MI 49637 P.O. BOX 193 PHONE: (231) 943-0050

SCOPE OF WORK: UNMANNED TELECOMMUNICATIONS FACILITY TYPE OF CONSTRUCTION

PROJECT TYPE: PROPOSED 195' SELF SUPPORT

SITE ADDRESS: 1576 SPRING ROAD, STOUGHTON,WI 53589

#### TOWER INFORMATION: (LATITUDE & LONGITUDE BASED ON NAD1983) LATITUDE: 42° 55' 56.81"N LONGITUDE: 89° 11' 05.74"W PROPOSED RAD CENTER HEIGHT: 195' AGL.

SQUARE FOOTAGE:

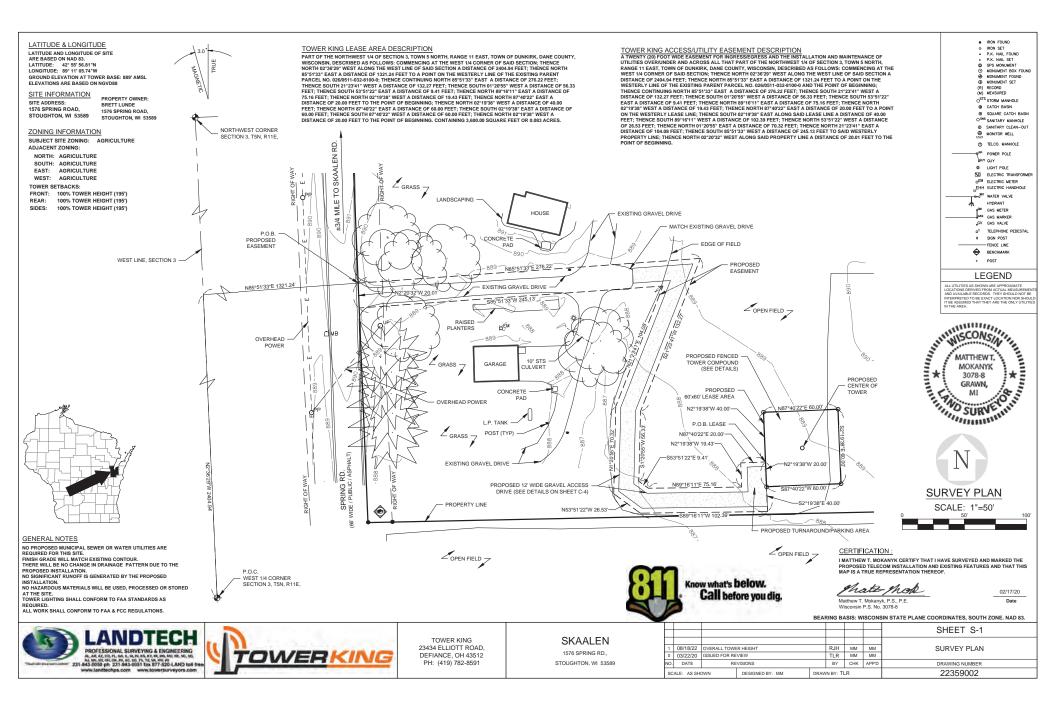
PROPOSED LEASE AREA: 3,600 SQ. FT.

DESIGNED BY: MM

DRAWN BY: TLR

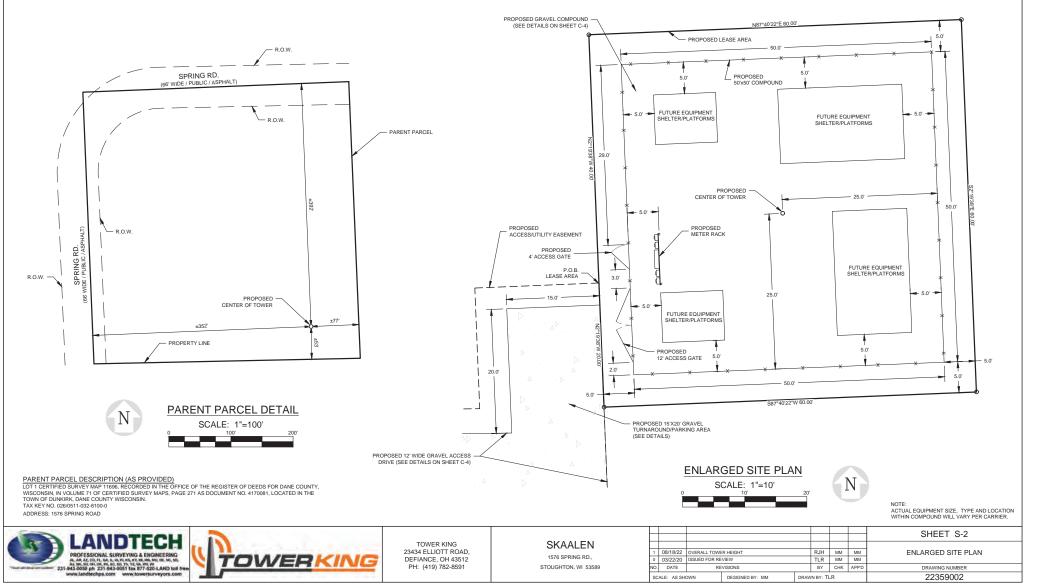
PROPERTY OWNERS:

SCALE: AS SHOWN

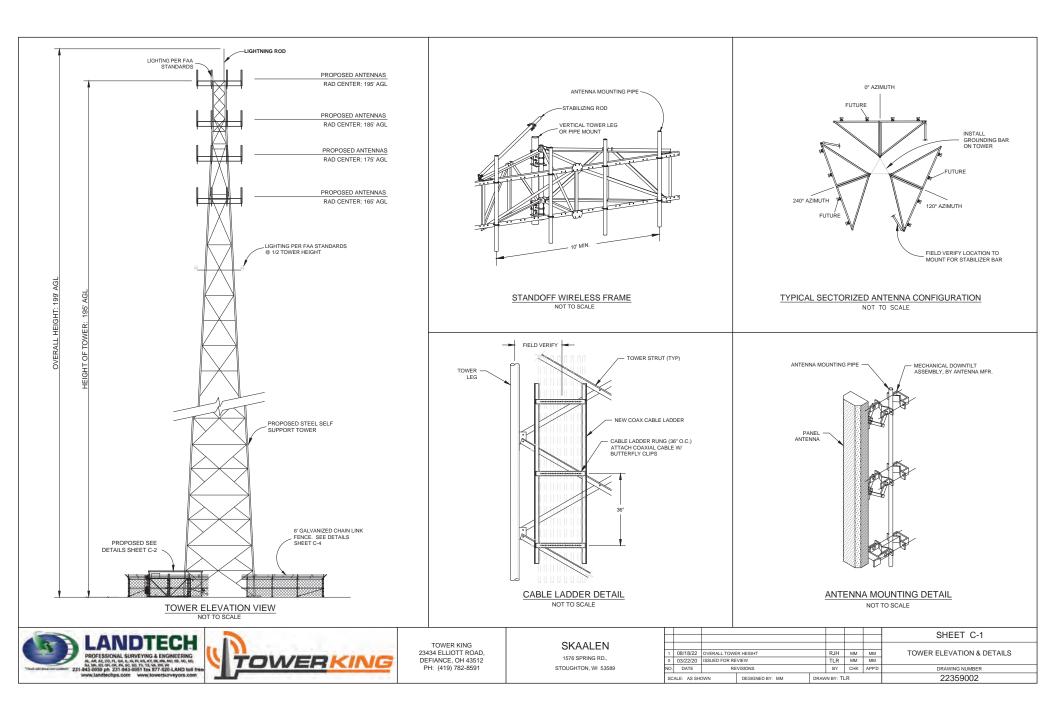


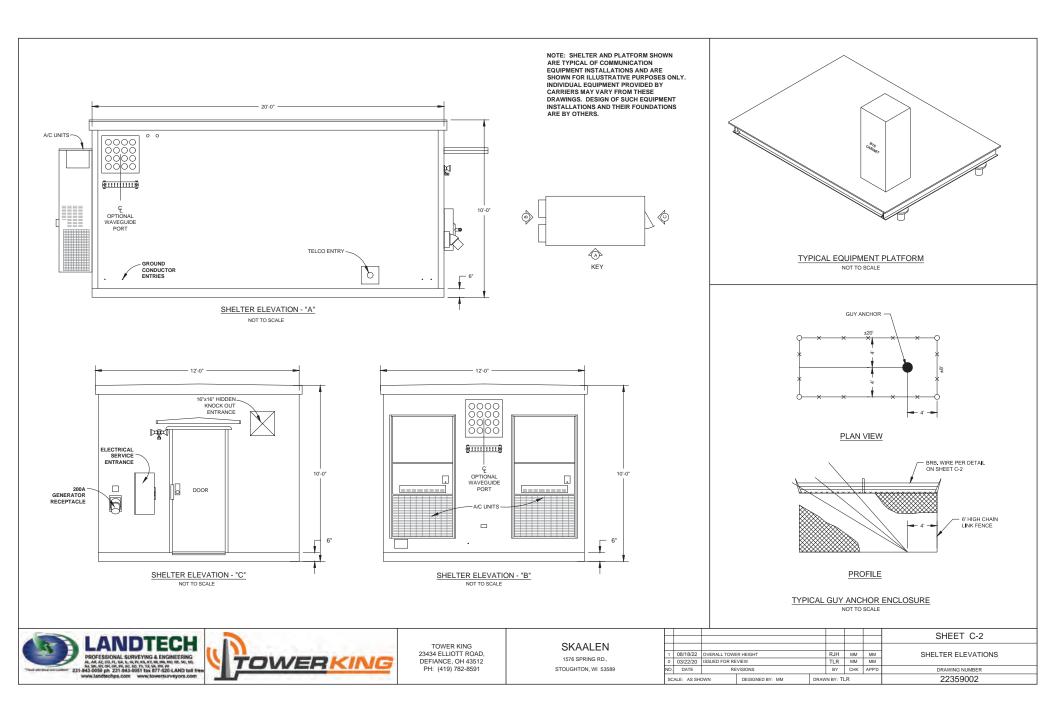
#### GENERAL NOTES

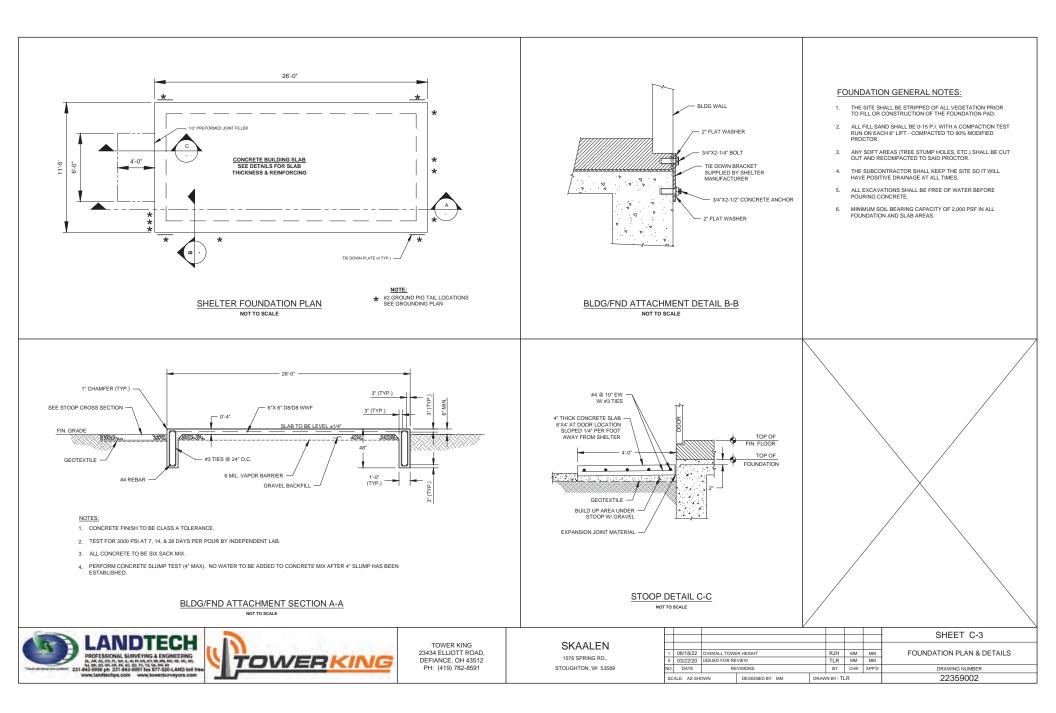
- 1.
- NO PROPOSED MUNICIPAL SEWER OR WATER UTILITIES ARE REQUIRED FOR THIS SITE. FINISH GRADE WILL MATCH EXISTING CONTOURS. THERE WILL BE NO CHANGE IN DRAINAGE PATTERN DUE TO THE PROPOSED INSTALLATION. NO
- 2.
- 3.
- SIGNIFICANT RUNOFF IS GENERATED BY THE PROPOSED INSTALLATION. NO HAZARDOUS MATERIALS WILL BE USED, PROCESSED OR STORED AT THE SITE. TOWER LIGHTING SHALL CONFORM TO FAA STANDARDS AS REQUIRED.
- 4. 5. ALL WORK SHALL CONFORM TO FAA & FCC REGULATIONS.

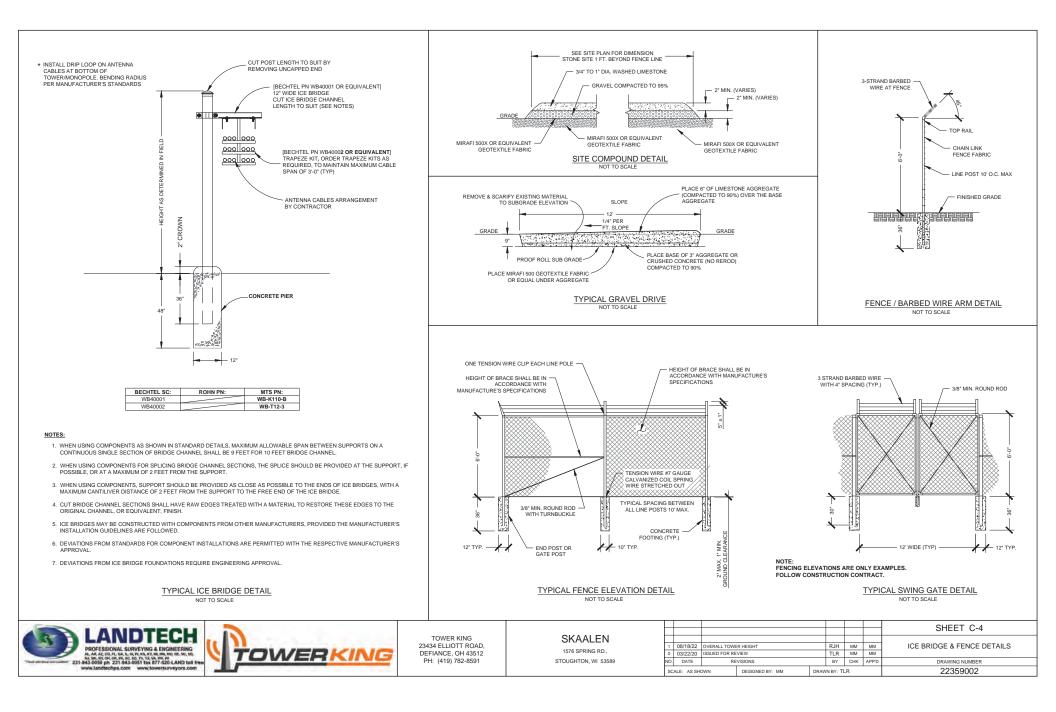












#### SITE WORK GENERAL NOTES:

1. THE SUBCONTRACTOR SHALL CONTACT UTILITY LOCATING SERVICES PRIOR TO THE START OF CONSTRUCTION

2. ALL EXISTING ACTIVE SEWER, WATER, GAS, ELECTRIC, AND OTHER UTILITIES WHERE ENCOUNTERED IN THE WORK, SHALL BE PROTECTED AT ALL TIMES, AND WHERE REQUIRED FOR THE PROPER EXECUTION OF THE WORK, SHALL BE RELOCATED AS DIRECTED BY CONTRACTOR. EXTREME CAUTION SHOULD BE USED BY THE SUBCONTRACTOR WHEN EXCAVATING OR DRILLING PIERS AROUND OR NEAR UTILITIES. SUBCONTRACTOR SHALL PROVIDE SAFETY TRAINING FOR THE WORKING CREW. THIS WILL INCLUDE BUT NOT BE LIMITED TO A) FALL PROTECTION B) CONFINED SPACE C) ELECTRICAL SAFETY D) TRENCHING & EXCAVATION

3. ALL SITE WORK SHALL BE AS INDICATED ON THE DRAWINGS AND PROJECT SPECIFICATIONS.

4. IF NECESSARY, RUBBISH, STUMPS, DEBRIS, STICKS, STONES AND OTHER REFUSE SHALL BE REMOVED FROM THE SITE AND DISPOSED OF LEGALLY.

5. ALL EXISTING INACTIVE SEWER, WATER, GAS, ELECTRIC AND OTHER UTILITIES, WHICH INTERFERE WITH THE EXECUTION OF THE WORK, SHALL BE REMOVED AND/OR CAPPED, PLUGGED OR OTHERWISE DISCONTINUED AT POINTS WHICH WILL NOT INTERFERE WITH THE EXECUTION OF THE WORK, SUBJECT TO THE APPROVAL OF CONTRACTOR, OWNER AND/OR LOCAL UTILITIES.

6. SUBCONTRACTOR SHALL MINIMIZE DISTURBANCE TO EXISTING SITE DURING CONSTRUCTION.

7. THE SUBCONTRACTOR SHALL PROVIDE SITE SIGNAGE IN ACCORDANCE WITH THE TECHNICAL SPECIFICATION FOR SITE SIGNAGE.

8. THE SITE SHALL BE GRADED TO CAUSE SURFACE WATER TO FLOW AWAY FROM THE BTS EQUIPMENT AND TOWER AREAS.

9. NO FILL OR EMBANKMENT MATERIAL SHALL BE PLACED ON FROZEN GROUND. FROZEN MATERIALS, SNOW OR ICE SHALL NOT BE PLACED IN ANY FILL OR EMBANKMENT

10. THE SUB GRADE SHALL BE COMPACTED AND BROUGHT TO A SMOOTH UNIFORM GRADE PRIOR TO FINISHED SURFACE APPLICATION

11, THE AREAS OF THE OWNERS PROPERTY DISTURBED BY THE WORK AND NOT COVERED BY THE TOWER, EQUIPMENT OR DRIVEWAY, SHALL BE GRADED TO A UNIFORM SLOPE, AND STABALIZED TO PREVENT EROSION AS SPECIFIED IN THE PROJECT SPECIFICATIONS.

12. SUBCONTRACTOR SHALL MINIMIZE DISTURBANCE TO EXISTING SITE DURING CONSTRUCTION. EROSION CONTROL MEASURES. IF REQUIRED DURING CONSTRUCTION, SHALL BE IN CONFORMANCE WITH THE LOCAL GUIDELINES FOR EROSION AND SEDIMENT CONTROL

1. ALL STEEL WORK SHALL BE PAINTED IN ACCORDANCE WITH THE PROJECT SPECIFICATIONS

CONFORM TO AISC. WHERE FILLET WELD SIZES ARE NOT SHOWN, PROVIDE THE MINIMUM SIZE PER TABLE J2.4 IN THE AISC "MANUAL OF STEEL CONSTRUCTION". PAINTED SURFACES SHALL BE

3. BOLTED CONNECTIONS SHALL BE ASTM A325 BEARING TYPE (3/4"Ø) CONNECTIONS AND SHALL

4. NON-STRUCTURAL CONNECTIONS FOR STEEL GRATING MAY USE 5/8" DIA. ASTM A 307 BOLTS

5 INSTALLATION OF CONCRETE EXPANSION/WEDGE ANCHOR, SHALL BE PER MANUFACTURER'S

MANUFACTURER'S RECOMMENDATION FOR EMBEDMENT DEPTH OR AS SHOWN ON THE DRAWINGS. NO REBAR SHALL BE CUT WITHOUT PRIOR CONTRACTOR APPROVAL WHEN DRILLING HOLES IN CONCRETE. SPECIAL INSPECTIONS, REQUIRED BY GOVERNING CODES, SHALL BE

PERFORMED IN ORDER TO MAINTAIN MANUFACTURER'S MAXIMUM ALLOWABLE LOADS.

WRITTEN RECOMMENDED PROCEDURE. THE ANCHOR BOLT, DOWEL OR ROD SHALL CONFORM TO

2. ALL WELDING SHALL BE PERFORMED USING E70XX ELECTRODES AND WELDING SHALL

AND IN ACCORDANCE WITH ASTM A36 UNLESS OTHERWISE NOTED.

HAVE MINIMUM OF TWO BOLTS UNLESS NOTED OTHERWISE

#### CONCRETE AND REINFORCING STEEL NOTES:

1. ALL CONCRETE WORK SHALL BE IN ACCORDANCE WITH THE ACI 301, ACI 318, ACI 336, ASTM A184, ASTM A185 AND THE DESIGN AND CONSTRUCTION SPECIFICATION FOR CAST-IN-PLACE CONCRETE.

2. ALL CONCRETE SHALL HAVE A MINIMUM COMPRESSIVE STRENGTH OF 4000 PSI AT 28 DAYS, UNLESS NOTED

3. REINFORCING STEEL SHALL CONFORM TO ASTM A 615. GRADE 60. DEFORMED UNLESS NOTED OTHERWISE. WELDED WIRE FABRIC SHALL CONFORM TO ASTM A 185 WELDED STEEL WIRE FABRIC UNLESS NOTED OTHERWISE. SPLICES SHALL BE CLASS "B" AND ALL HOOKS SHALL BE STANDARD, UNO.

4. THE FOLLOWING MINIMUM CONCRETE COVER SHALL BE PROVIDED FOR REINFORCING STEEL UNLESS SHOWN OTHERWISE ON DRAWINGS

> CONCRETE CAST AGAINST EARTH.......3 IN CONCRETE EXPOSED TO EARTH OR WEATHER:

2 IN #6 AND LARGER #5 AND SMALLER & WWF .....1 1/2 IN CONCRETE NOT EXPOSED TO EARTH OR WEATHER OR NOT CAST AGAINST THE GROUND 

5, A CHAMFER 3/4" SHALL BE PROVIDED AT ALL EXPOSED EDGES OF CONCRETE, UNO, IN ACCORDANCE WITH ACI 301 SECTION 4.2.4.

6. INSTALLATION OF CONCRETE EXPANSION/WEDGE ANCHOR, SHALL BE PER MANUFACTURER'S WRITTEN RECOMMENDED PROCEDURE: THE ANCHOR BOLT, DOWEL OR ROD SHALL CONFORM TO MANUFACTURER'S RECOMMENDATION FOR EMBEDMENT DEPTH OR AS SHOWN ON THE DRAWINGS. NO REBAR SHALL BE CUT WITHOUT PRIOR ENGINEERING APPROVAL WHEN DRILLING HOLES IN CONCRETE. EXPANSION BOLTS SHALL BE PROVIDED BY RAMSET/REDHEAD OR APPROVED EQUAL

#### GENERAL NOTES:

1. FOR THE PURPOSE OF CONSTRUCTION DRAWING, THE FOLLOWING DEFINITIONS SHALL APPLY.

- CONTRACTOR SUBCONTRACTOR - GENERAL CONTRACTOR (CONSTRUCTION)
- OWNER -OEM -ORIGINAL EQUIPMENT MANUFACTURE

2. PRIOR TO THE SUBMISSION OF BIDS, THE BIDDING SUBCONTRACTOR SHALL VISIT THE CELL SITE TO FAMILIARIZE WITH THE EXISTING CONDITIONS AND TO CONFIRM THAT THE WORK CAN BE ACCOMPLISHED AS SHOWN ON THE CONSTRUCTION DRAWINGS, ANY DISCREPANCY FOUND SHALL BE BROUGHT TO THE ATTENTION OF CONTRACTOR

3. ALL MATERIALS FURNISHED AND INSTALLED SHALL BE IN STRICT ACCORDANCE WITH ALL APPLICABLE CODES. REGULATIONS, AND ORDINANCES. SUBCONTRACTOR SHALL ISSUE ALL APPROPRIATE NOTICES AND COMPLY WITH ALL LAWS, ORDINANCES, RULES, REGULATIONS, AND LAWFUL ORDERS OF ANY PUBLIC AUTHORITY REGARDING THE REORMANCE OF THE WORK ALL WORK CARRIED OUT SHALL COMPLY WITH ALL APLICABLE MUNICIPAL AND UTILITY COMPANY SPECIFICATIONS AND LOCAL JURISDICTIONAL CODES, ORDINANCES AND APPLICABLE REGULATIONS.

4. DRAWINGS PROVIDED HERE ARE NOT TO SCALE AND ARE INTENDED TO SHOW OUTLINE ONLY.

5. UNLESS NOTED OTHERWISE. THE WORK SHALL INCLUDE FURNISHING MATERIALS, EQUIPMENT, APPURTENANCES, AND LABOR NECESSARY TO COMPLETE ALL INSTALLATIONS AS INDICATED ON THE DRAWING

6. THE SUBCONTRACTOR SHALL INSTALL ALL EQUIPMENT AND MATERIALS IN ACCORDANCE WITH MANUFACTURER'S RECOMMENDATIONS UNLESS SPECIFICALLY STATED OTHERWISE.

7. IF THE SPECIFIED EQUIPMENT CANNOT BE INSTALLED AS SHOWN ON THESE DRAWINGS. THE SUBCONTRACTOR SHALL PROPOSE AN ALTERNATIVE INSTALLATION FOR APPROVAL BY THE CONTRACTOR.

8. SUBCONTRACTOR SHALL DETERMINE ACTUAL ROUTING OF CONDUIT, POWER AND T1 CABLES, GROUNDING CABLES AS SHOWN ON THE POWER, GROUNDING AND TELCO PLAN DRAWING.

9. THE SUBCONTRACTOR SHALL PROTECT EXISTING IMPROVEMENTS, PAVEMENTS, CURBS, LANDSCAPING AND STRUCTURES. ANY DAMAGED PART SHALL BE REPAIRED AT UBCONTRACTOR'S EXPENSE TO THE SATISFACTION OF OWNER

10. SUBCONTRACTOR SHALL LEGALLY AND PROPERLY DISPOSE OF ALL SCRAP MATERIALS SUCH AS COAXIAL CABLES AND OTHER ITEMS REMOVED FROM THE EXISTING FACILITY. ANTENNAS REMOVED SHALL BE RETURNED TO THE OWNER'S DESIGNATED LOCATION

11. SUBCONTRACTOR SHALL LEAVE PREMISES IN CLEAN CONDITION.

#### APPLICABLE BUILDING CODES AND STANDARDS:

SUBCONTRACTOR'S WORK SHALL COMPLY WITH ALL APPLICABLE NATIONAL, STATE, AND LOCAL CODES AS ADOPTED BY THE LOCAL AUTHORITY HAVING JURISDICTION (AHJ) FOR THE LOCATION. THE EDITION OF THE AHJ ADOPTED CODES AND STANDARDS IN EFFECT ON THE DATE OF CONTRACT AWARD SHALL GOVERN THE DESIGN.

ALL WORK AND MATERIALS SHALL BE PERFORMED AND INSTALLED IN ACCORDANCE WITH THE CURRENT EDITIONS OF THE FOLLOWING CODES AS ADOPTED BY THE LOCAL GOVERNING AUTHORITIES. NOTHING IN THESE PLANS IS TO BE CONSTRUED TO PERMIT WORK NOT CONFORMING TO THE LATEST EDITIONS OF THE FOLLOWING CODES:

1. INTERNATIONAL BUILDING CODE 5. NATIONAL ELECTRICAL CODE 2. INTERNATIONAL MECHANICAL CODE 6. LOCAL BUILDING CODE 3. INTERNATIONAL RESIDENTIAL CODE 7. STATE BUILDING CODE 4.UNIFORM PLUMBING CODE 8. CITY/COUNTY ORDINANCES

UnderWriter Laboratories Approved Electrical Products Life Safety Code NFPA - 101

SUBCONTRACTOR'S WORK SHALL COMPLY WITH THE LATEST EDITION OF THE FOLLOWING;

AMERICAN CONCRETE INSTITUTE (ACI) 318. BUILDING CODE REQUIREMENTS FOR STRUCTURAL

AMERICAN INSTITUTE OF STEEL CONSTRUCTION (AISC), MANUAL OF STEEL CONSTRUCTION, ASD

TELECOMMUNICATIONS INDUSTRY ASSOCIATION (TIA) EIA-222-F, STRUCTURAL STANDARD FOR STRUCTURAL ANTENNA OWER AND ANTENNA SUPPORTING STRUCTURES

INSTITUTE FOR ELECTRICAL AND ELECTRONICS ENGINEERS (IEEE) 81. GUIDE FOR MEASURING EARTH RESISTIVITY GROUND IMPEDANCE, AND EARTH SURFACE POTENTIALS OF A GROUND SYSTEM

IEEE 1100 (2005) RECOMMENDED PRACTICE FOR POWERING AND GROUNDING OF ELECTRONIC

IEEE C62.41, RECOMMENDED PRACTICES ON SURGE VOLTAGES IN LOW VOLTAGE AC POWER CIRCUITS (FOR LOCATION CATEGORY "C3" AND "HIGH SYSTEM EXPOSURE")

TIA 607 COMMERCIAL BUILDING GROUNDING AND BONDING REQUIREMENTS FOR TELCORDIA GR-1503 COAXIAL CABLE

FOR ANY CONFLICTS BETWEEN SECTIONS OF LISTED CODES AND STANDARDS REGARDING MATERIAL, METHODS OF CONSTRUCTION, OR OTHER REQUIREMENTS, THE MOST RESTRICTIVE REQUIREMENT SHALL GOVERN. WHERE THERE IS CONFLICT BETWEEN A GENERAL REQUIREMENT AND A SPECIFIC REQUIREMENT, THE SPECIFIC REQUIREMENT SHALL ON THE REQUIREMENT AND A SPECIFIC REQUIREMENT. THE SPECIFIC REQUIREMENT SHALL GOVERN. WHERE THERE IS A REAL OF A REAL REQUIREMENT AND A SPECIFIC REQUIREMENT. THE SPECIFIC REQUIREMENT SHALL GOVERN. WHERE THERE IS THE REAL REAL REQUIREMENT AND A SPECIFIC REQUIREMENT. GOVERN

#### ABBREVIATIONS AND SYMBOLS

	ABB	REVIATIONS					SYMBOLS	
A	GL A	BOVE GRADE LEVEL				S/G	SOLID GROUND BUS BAR	
В	TS B/	ASE TRANSCEIVER STATION				S/N	SOLID NEUTRAL BUS BAR	
	·	ISTING INIMUM			_	0 0	SUPPLEMENTAL GROUND CONDUCTOR	
	I.T.S.	NOT TO SCALE				P	2-POLE THERMAL-MAGNETIC CIRCUIT BREAKER	
R	F	RADIO FREQUENCY TO BE DETERMINED				6	SINGLE-POLE THERMAL-MAGNETIC CIRCUIT BREAKER	
	.B.R.	TO BE RESOLVED					CHEMICAL GROUND ROD	
т	ΥP	TYPICAL				ŏ	GROUND ROD	
R	EQ	REQUIRED				ŏ	DISCONNECT SWITCH	
E	GR	EQUIPMENT GROUND RING					METER	
А	WG	AMERICAN WIRE GAUGE				$\odot$	METER	
Ν	/GB	MASTER GROUND BUS					CADWELD TYPE CONNECTION	
E	G	EQUIPMENT GROUND				•	COMPRESSION TYPE CONNECTION	
В	BCW	BARE COPPER WIRE	_				GROUNDING WIRE	
S	SIAD	SMART INTEGRATED ACCESS DEVICE						
G	EN	GENERATOR						
IC	GR	INTERIOR GROUND RING (HALO)						
R	BS	RADIO BASE STATION						
							SHEET C-5	
								+
18/22	-	ALL TOWER HEIGHT	RJH	MM	MM		GENERAL NOTES	
	ISSUE						DRAWING NUMPER	-
G IC R	GEN GR BS	GENERATOR INTERIOR GROUND RING (HALO) RADIO BASE STATION	RJH TLR BY	MM MM CHK	MM MM APP'D			

22359002

DRAWN BY: TLR



STRUCTURAL STEEL NOTES:

TOUCHED UP

UNLESS NOTED OTHERWISE



SKAALEN

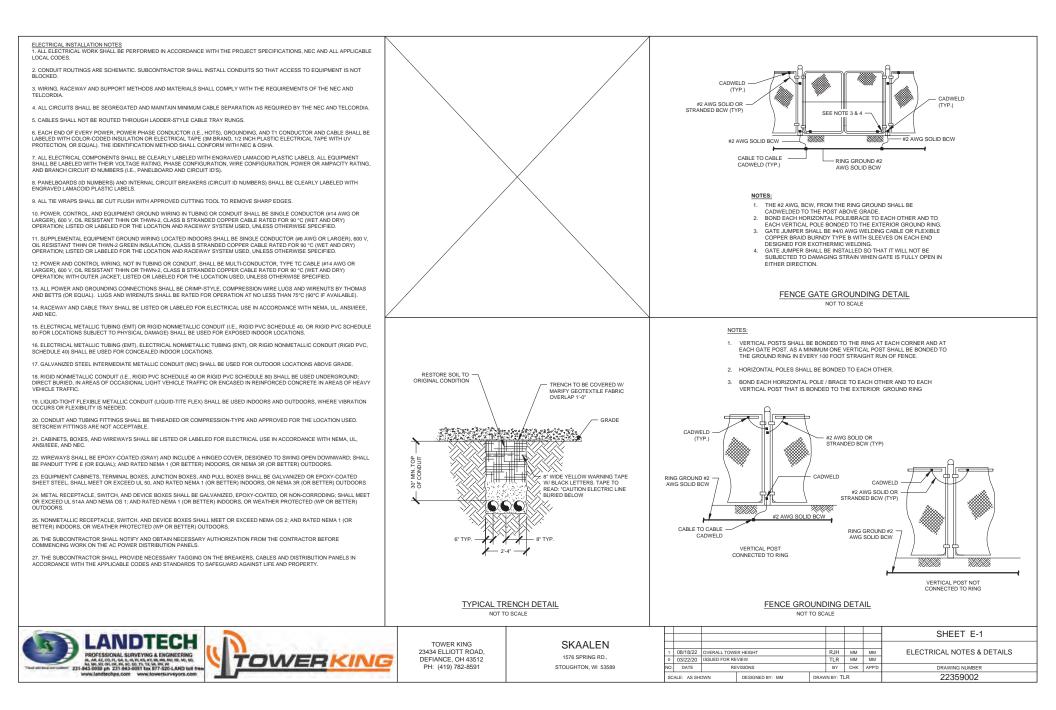
1576 SPRING RD STOUGHTON, WI 53589 08/1

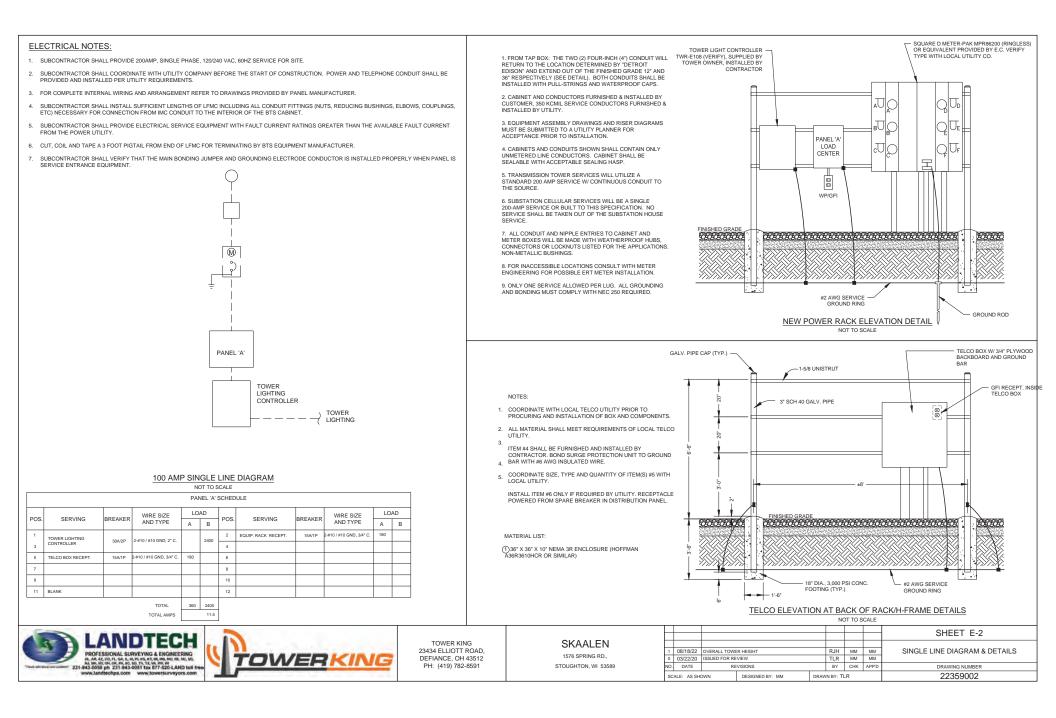
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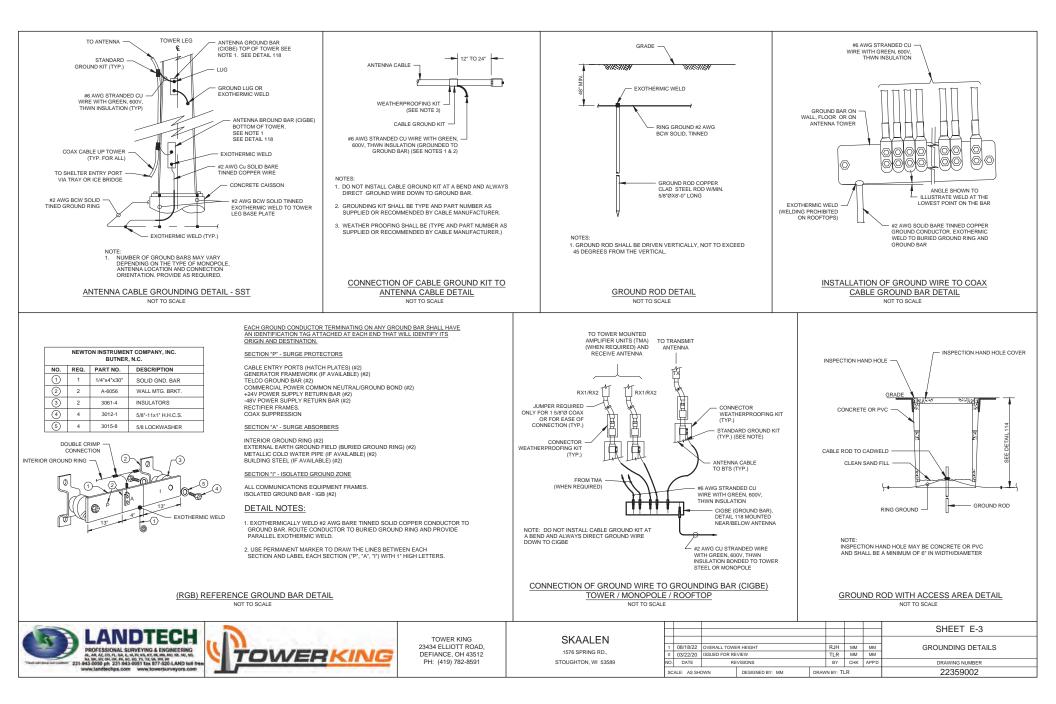
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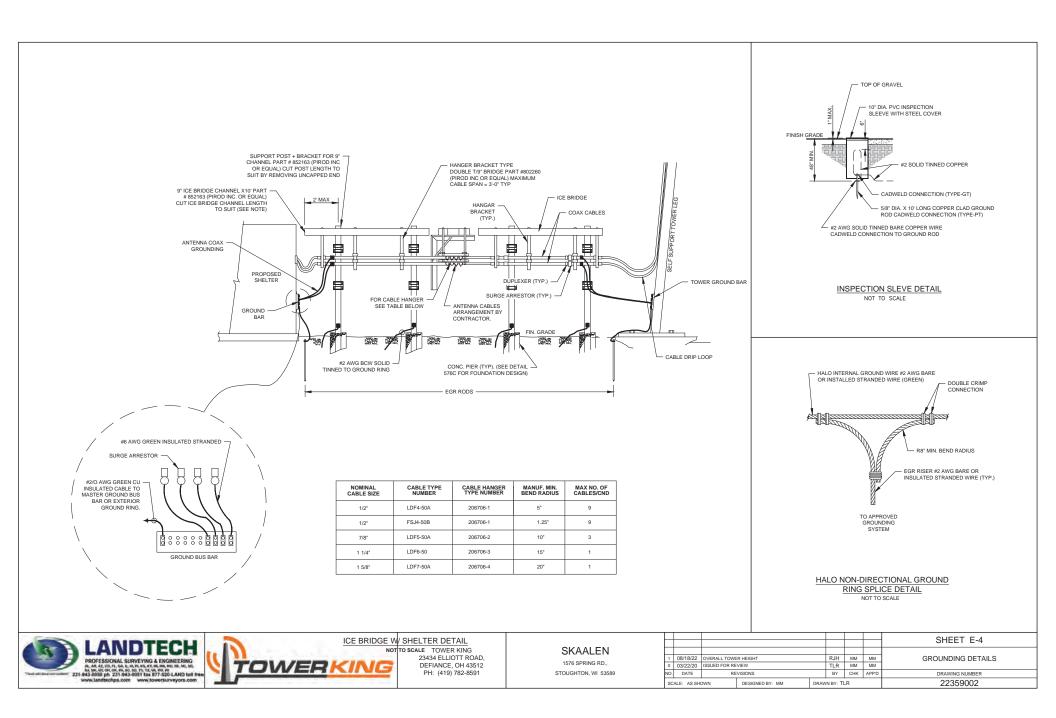
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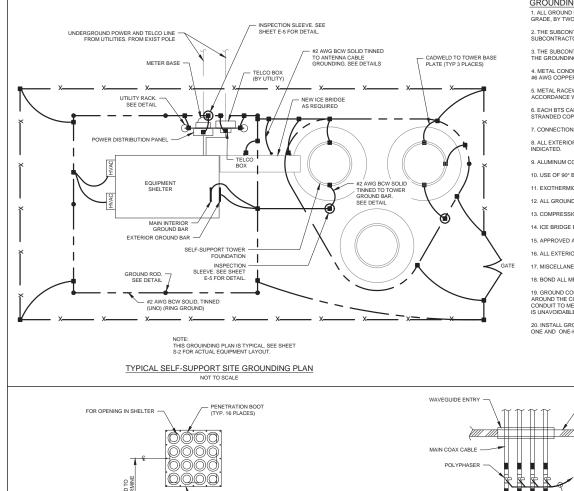
NO.











#### GROUNDING NOTES

ALL GROUND ELECTRODE SYSTEMS (INCLUDING TELECOMMUNICATION, RADIO, LIGHTNING PROTECTION, AND AC POWER GESS) SHALL BE BONDED TOGETHER, AT OR BELOW GRADE, BY TWO OR MORE COPPER BONDING CONDUCTORS IN ACCORDANCE WITH THE NEC.

2. THE SUBCONTRACTOR SHALL PERFORM IEEE FALL-OF-POTENTIAL RESISTANCE TO EARTH TESTING (PER IEEE 1100 AND 81) FOR GROUND ELECTRODE SYSTEMS. THE SUBCONTRACTOR SHALL FURNISH AND INSTALL SUPPLEMENTAL GROUND ELECTRODES AS NEEDED TO ACHIEVE A TEST RESULT OF 10 OHMS OR LESS.

3. THE SUBCONTRACTOR IS RESPONSIBLE FOR PROPERLY SEQUENCING GROUNDING AND UNDERGROUND CONDUIT INSTALLATION AS TO PREVENT ANY LOSS OF CONTINUITY IN THE GROUNDING SYSTEM OR DAMAGE TO THE CONDUIT.

4. METAL CONDUIT AND TRAY SHALL BE GROUNDED AND MADE ELECTRICALLY CONTINUOUS WITH LISTED BONDING FITTINGS OR BY BONDING ACROSS THE DISCONTINUITY WITH #6 AWG COPPER WIRE UL APPROVED GROUNDING TYPE CONDUIT CLAMPS.

5. METAL RACEWAY SHALL NOT BE USED AS THE NEC REQUIRED EQUIPMENT GROUND CONDUCTOR. STRANDED COPPER CONDUCTORS WITH GREEN INSULATION, SIZED IN ACCORDANCE WITH THE NEC, SHALL BE FURNISHED AND INSTALLED WITH THE POWER CIRCUITS TO BTS EQUIPMENT.

6. EACH BTS CABINET FRAME SHALL BE DIRECTLY CONNECTED TO THE MASTER GROUND BAR WITH GREEN INSULATED SUPPLEMENTAL EQUIPMENT GROUND WIRES, 6 AWG STRANDED COPPER OR LARGER FOR INDOOR BTS; 2 AWG STRANDED COPPER FOR OUTDOOR BTS.

7. CONNECTIONS TO THE GROUND BUS SHALL NOT BE DOUBLED UP OR STACKED. BACK TO BACK CONNECTIONS ON OPPOSITE SIDES OF THE GROUND BUS ARE PERMITTED.

8. ALL EXTERIOR GROUND CONDUCTORS BETWEEN EQUIPMENT/GROUND BARS AND THE GROUND RING, SHALL BE #2 AWG SOLID TINNED COPPER UNLESS OTHERWISE INDICATED.

9. ALUMINUM CONDUCTOR OR COPPER CLAD STEEL CONDUCTOR SHALL NOT BE USED FOR GROUNDING CONNECTIONS.

10. USE OF 90° BENDS IN THE PROTECTION GROUNDING CONDUCTORS SHALL BE AVOIDED WHEN 45° BENDS CAN BE ADEQUATELY SUPPORTED.

11. EXOTHERMIC WELDS SHALL BE USED FOR ALL GROUNDING CONNECTIONS BELOW GRADE.

12. ALL GROUND CONNECTIONS ABOVE GRADE (INTERIOR & EXTERIOR) SHALL BE FORMED USING HIGH PRESS CRIMPS.

13. COMPRESSION GROUND CONNECTIONS MAY BE REPLACED BY EXOTHERMIC WELD CONNECTIONS.

14. ICE BRIDGE BONDING CONDUCTORS SHALL BE EXOTHERMICALLY BONDED OR BOLTED TO THE BRIDGE AND THE TOWER GROUND BAR.

15. APPROVED ANTIOXIDANT COATINGS (I.E., CONDUCTIVE GEL OR PASTE) SHALL BE USED ON ALL COMPRESSION AND BOLTED GROUND CONNECTIONS.

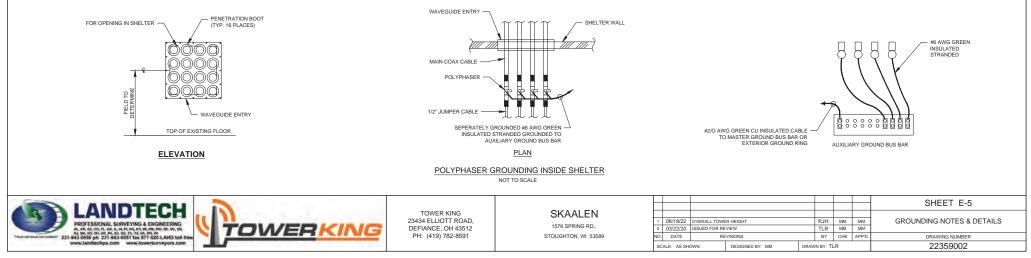
16. ALL EXTERIOR GROUND CONNECTIONS SHALL BE COATED WITH A CORROSION RESISTANT MATERIAL

17. MISCELLANEOUS ELECTRICAL AND NON-ELECTRICAL METAL BOXES, FRAMES AND SUPPORTS SHALL BE BONDED TO THE GROUND RING, IN ACCORDANCE WITH THE NEC.

18. BOND ALL METALLIC OBJECTS WITHIN 6 FT OF MAIN GROUND WIRES WITH 1-#2 AWG TIN-PLATED COPPER GROUND CONDUCTOR

19. GROUND CONDUCTORS USED IN THE FACILITY GROUND AND LIGHTNING PROTECTION SYSTEMS SHALL NOT BE ROUTED THROUGH METALLIC OBJECTS THAT FORM A RING AROUND THE CONDUCTOR, SUCH AS METALLIC CONDUITS, METAL SUPPORT CLIPS OR SLEEVES THROUGH WALLS OR FLOORS. WHEN IT IS REQUIRED TO BE HOUSED IN CONDUIT TO MEET CODE REQUIREMENTS OR LOCAL CONDITIONS, NON-METALLIC MATERIAL SUCH AS PVC PLASTIC CONDUIT SHALL BE USED. WHERE USE OF METAL CONDUIT IS UNAVIONABLE (E.G., NON-METALLIC CONDUIT PROHIBITED BY LOCAL CODE) THE GROUND CONDUCTOR SHALL BE BONDED TO EACH END OF THE METAL CONDUIT.

20. INSTALL GROUND RODS FOR THE NEW GROUND RING. SEPARATION BETWEEN GROUND RODS SHOULD NOT BE LESS THAN THE LENGTH OF THE RODS. NOR BE MORE THAN ONE AND ONE-HALF TIMES THE LENGTH OF THE RODS. CONNECT THE NEW RING TO EXISTING GROUND RING IN AT LEAST TWO SEPARATE PLACES.





Mail Processing Center Federal Aviation Administration Southwest Regional Office Obstruction Evaluation Group 10101 Hillwood Parkway Fort Worth, TX 76177 Aeronautical Study No. 2021-AGL-21429-OE Prior Study No. 2013-AGL-12309-OE



Issued Date: 08/17/2021

Andrew Smith RESCOM Environmental Corp PO Box 361 Petoskey, MI 49770

## **\*\* DETERMINATION OF NO HAZARD TO AIR NAVIGATION \*\***

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure:	Antenna Tower Skaalen
Location:	Pleasant Sprint, WI
Latitude:	42-56-09.86N NAD 83
Longitude:	89-10-31.53W
Heights:	944 feet site elevation (SE)
	199 feet above ground level (AGL)
	1143 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

Based on this evaluation, marking and lighting are not necessary for aviation safety. However, if marking/ lighting are accomplished on a voluntary basis, we recommend it be installed in accordance with FAA Advisory circular 70/7460-1 M.

This determination expires on 02/17/2023 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.
- (c) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD. This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power, except those frequencies specified in the Colo Void Clause Coalition; Antenna System Co-Location; Voluntary Best Practices, effective 21 Nov 2007, will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA. This determination includes all previously filed frequencies and power for this structure.

If construction or alteration is dismantled or destroyed, you must submit notice to the FAA within 5 days after the construction or alteration is dismantled or destroyed.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

A copy of this determination will be forwarded to the Federal Communications Commission (FCC) because the structure is subject to their licensing authority.

If we can be of further assistance, please contact our office at (816) 329-2525, or natalie.schmalbeck@faa.gov. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2021-AGL-21429-OE.

### Signature Control No: 490707366-491653926

(DNE)

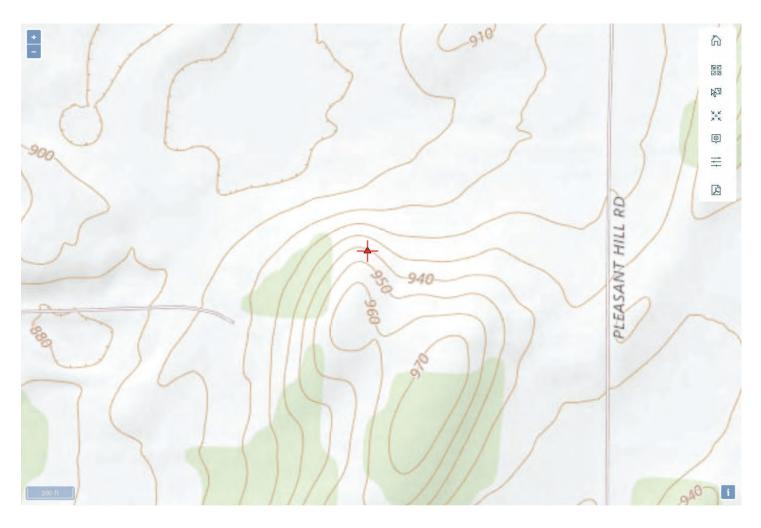
Natalie Schmalbeck Technician

Attachment(s) Frequency Data Map(s)

cc: FCC

## Frequency Data for ASN 2021-AGL-21429-OE

LOW	HIGH	FREQUENCY		ERP
FREQUENCY	FREQUENCY	UNIT	ERP	UNIT
_	_	~~~		
6	7	GHz	55	dBW
6	7	GHz	42	dBW
10	11.7	GHz	55	dBW
10	11.7	GHz	42	dBW
17.7	19.7	GHz	55	dBW
17.7	19.7	GHz	42	dBW
21.2	23.6	GHz	55	dBW
21.2	23.6	GHz	42	dBW
614	698	MHz	1000	W
614	698	MHz	2000	W
698	806	MHz	1000	W
806	901	MHz	500	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
929	932	MHz	3500	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
1670	1675	MHz	500	W
1710	1755	MHz	500	W
1850	1910	MHz	1640	W
1850	1990	MHz	1640	W
1930	1990	MHz	1640	W
1990	2025	MHz	500	W
2110	2200	MHz	500	W
2305	2360	MHz	2000	W
2305	2310	MHz	2000	W
2345	2360	MHz	2000	W
2496	2690	MHz	500	W



# **EXHIBIT D**

## Skaalen

Towerking Proposed Self Support Tower - Photo Location Map



CelluSite, LLC ~ 103 Wilshire Court, Noblesville, IN 46062





Photo Location North {Before}



Photo Location North {After}





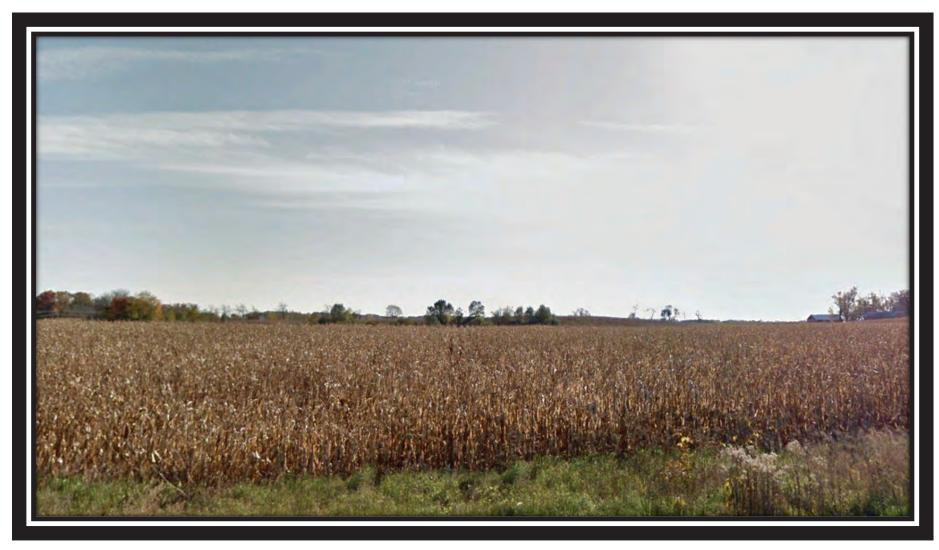
Photo Location Directly West - {After}

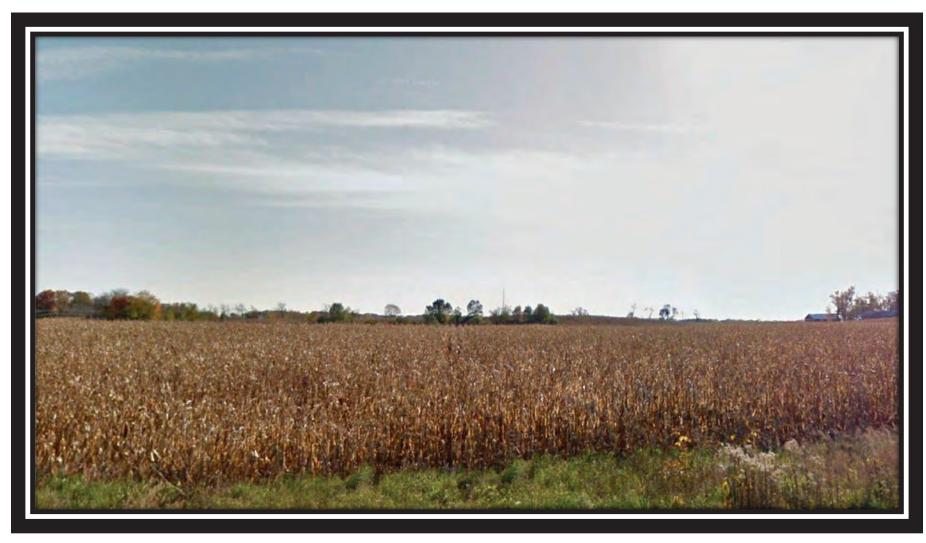


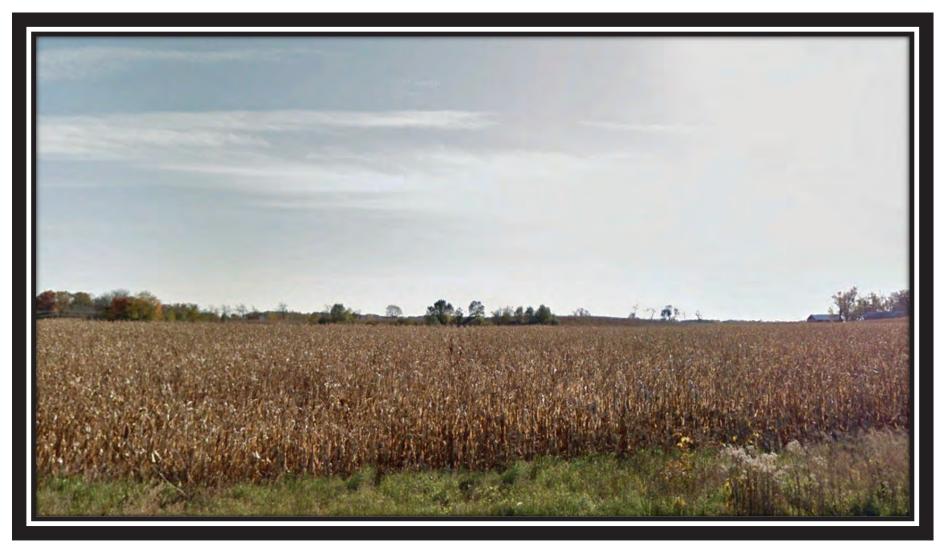
CelluSite, LLC  $\sim 103$  Wilshire Court, Noblesville, IN  $\ 46062$ 

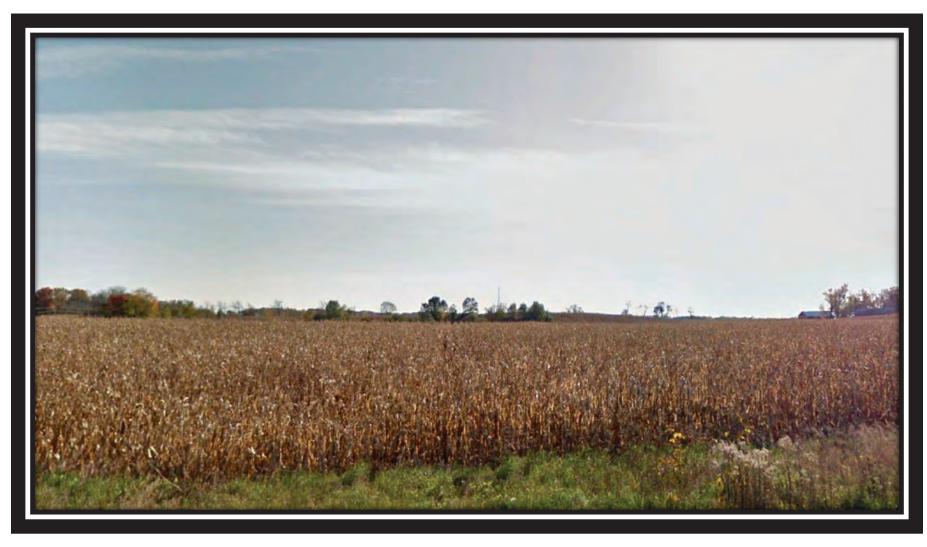


















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		al Communica Vireless Telecomm			<u>E</u> )	<u>KHIBIT E</u>
	RA	ADIO STATION A	UTHORIZAT	TION		
LICENSEE: GAMMA	ACQUISI	FION L.L.C.				
ATTN: ALISON MINEA			[	<b>Call Sig</b> T0604301		File Number
GAMMA ACQUISITIO 1110 VERMONT AVEN WASHINGTON, DC 200	IUE NW S	SUITE 750			S-4 (20	Service 00-2020 MHz and 00 MHz)
FCC Registration Number (FR			1		1	
<b>Grant Date</b> 03-07-2013		Effective Date 09-11-2020	Expiratio 06-14-			Print Date
Market Number BEA104		Channe	el Block	ock Sub-Market Designator		
		<b>Market</b> Madison, W				
<b>1st Build-out Date</b> 03-07-2017	2nd	Build-out Date 06-14-2023	3rd Build-(	out Date	4t	h Build-out Date
Waivers/Conditions:				C		
<b>Conditions:</b> Pursuant to §309(h) of the Confollowing conditions: This lice frequencies designated in the li- license nor the right granted th 1934, as amended. See 47 U.S the Communications Act of 19	ense shall icense bey ereunder s S.C. § 310(	not vest in the licensee yond the term thereof no shall be assigned or othe (d). This license is subj	any right to opera or in any other man erwise transferred ect in terms to the	te the station n nner than author in violation of	or any r orized h the Cor	ight in the use of the erein. Neither the nmunications Act of
This license may not authorize of To view the specific geographic under the Market Tab of the lice homepage at http://wireless.fcc.	area and	spectrum authorized by d in the Universal Licer	this license, refernsing System (UL	to the Spectru S). To view th	im and M ie licens	Market Area information e record, go to the ULS

search for license information.

Call Sign: T060430104

#### File Number:

**Print Date:** 

Special Condition 1: This license document as first issued on March 7, 2013, reflects the Order of Modification and Authorization (DA 13-231) to existing Mobile Satellite Service ("MSS") call sign E060430 to add Part 27 rights and obligations for Advanced Wireless Service-4 ("AWS-4") terrestrial operating authority with all of the attendant rights, limitations, and obligations associated with the AWS-4 service rules adopted in WT Docket No. 12-70 (FCC 12-151), and any subsequent orders. The license document issued on March 7, 2013, is not a separate authorization in and of itself. The parameters reflected in the International Bureau Filing System for the MSS authorization of the license (call sign E060430) together with the parameters reflected in the Universal Licensing System for the standalone terrestrial authorization of the license. Except as otherwise ordered, a licensee of AWS-4 operating authority is permitted to partition, disaggregate, and lease AWS-4 spectrum as provided under the FCC's rules. See, e.g., FCC 19-103; 47 CFR Parts 1, 27. The partition, disaggregation, or lease of AWS-4 spectrum does not encompass the MSS authorization.

Special Condition 2: A licensee of AWS-4 operating authority shall comply with the specific Global Positioning System ("GPS") protection limits set forth in the September 27, 2012 letter agreement between DISH Network Corporation (parent corp. of the AWS-4 licensee under this license as issued on March 7, 2013) and the U.S. GPS Industry Council, as detailed in FCC Order 12-151. See Service Rules for Advanced Wireless Services in the 2000-2020 MHz and 2180-2200 MHz Bands, WT Docket Nos. 12-70, 04-356, ET Docket No. 10-142, Report and Order and Order of Proposed Modification, 27 FCC Rcd 16102, 16151-53, at Paras. 118-122 (2012) (AWS-4 Report and Order), citing Letter from Jeffrey H. Blum, Deputy General Counsel, DISH Network Corporation, and F. Michael Swiek, Executive Director, The U.S. GPS Industry Council, to Marlene H. Dortch, Sec'y, Federal Communications Commission, WT Docket Nos. 12-70, 04-356, ET Docket No. 10-142 (filed Sept. 27, 2012) (a copy of this letter is attached). Further, as detailed in the AWS-4 Report and Order, an AWS-4 license shall remain subject to this Special Condition 2 in the event that the licensee assigns or otherwise transfers the license to a successor-in-interest or assignee. Id. at 16152-53, Para. 121.

Special Condition 3A: A licensee of AWS-4 operating authority shall protect Federal operations in the 2200-2290 MHz band as specified in Section 27.1134(e) of the Commission's rules and in FCC Order 12-151. 47 C.F.R. § 27.1134(e); Service Rules for Advanced Wireless Services in the 2000-2020 MHz and 2180-2200 MHz Bands, WT Docket Nos. 12-70, 04-356, ET Docket No. 10-142, Report and Order and Order of Proposed Modification, 27 FCC Rcd 16102, 16148-51, at Paras. 107-117 (2012) (AWS-4 Report and Order).

## Licensee Name: GAMMA ACQUISITION L.L.C.

**Call Sign:** T060430104

#### File Number:

**Print Date:** 

Special Condition 3B: In December 2012, DISH Network Corporation (parent corp. of the AWS-4 licensee under this license as issued on March 7, 2013) and federal users of the 2200-2290 MHz band entered into an operator-to-operator agreement. Letter from Karl B. Nebbia, Associate Administrator, Office of Spectrum Management, National Telecommunications and Information Administration, to Julius Knapp, Chief, Office of Engineering and Technology, Federal Communications Commission, WT Docket Nos. 12-70, 04-356, ET Docket No. 10-142, at Attachment ("Operator-to-Operator Agreement between New DBSD Satellite Services G.P. and Gamma Acquisition L.L.C. and United States Federal Government Agencies Operating Earth Stations and/or Aeronautical Mobile Telemetry (AMT) Stations in the 2200-2290 MHz Band") (Dec. 11, 2012) (a copy of this letter is attached). As detailed in FCC Order 12-151, a licensee of AWS-4 operating authority shall comply with this agreement with regard to the permissible AWS-4 emissions into the 2200-2290 MHz band and/or the maximum actual AWS-4 emissions to be received at the specified sites of Federal operations in the 2200-2290 MHz band. AWS-4 Report and Order, 27 FCC Rcd at 16148-51, Paras. 107-117.

Special Condition 3C: As detailed in Section 27.1134(e)(2) of the Commission's rules and in FCC Order 12-151, a licensee of AWS-4 operating authority who is a party to a private contractual agreement between it and a Federal government entity(ies) operating in the 2200-2290 MHz band must maintain a copy of the agreement in its station files and disclose it, upon request, to prospective AWS-4 assignees, transferees, or spectrum lessees, to Federal operators, and to the Commission. 47 C.F.R. § 27.1134(e)(2); AWS-4 Report and Order, 27 FCC Rcd at 16149-50, at Para. 112.

Special Condition 4A: This license is subject to the terms of the Memorandum Opinion and Order, DA 13-2409, in WT Docket No. 13-225.

Special Condition for AU/name change (6/4/2016): Grant of the request to update licensee name is conditioned on it not reflecting an assignment or transfer of control (see Rule 1.948); if an assignment or transfer occurred without proper notification or FCC approval, the grant is void and the station is licensed under the prior name.

Special Condition 4B: On June 1, 2016, DISH Network Corporation, parent corp. of the AWS-4 licensee under this license (as issued on March 7, 2013, and to date), stated unequivocally its election applicable to all AWS-4 licenses of terrestrial downlink-not terrestrial uplink-operations at 2000-2020 MHz. See WT Docket No. 13-225, Letter from Jeffrey H. Blum, Senior Vice President & Deputy General Counsel, DISH Network Corporation, to Marlene H. Dortch, Secretary, FCC (filed Jun. 1, 2016). See also modification applications granted 6/7/2016 (Lead Call Sign T060430001/File No# 0007289841). This one-time election is binding on all AWS-4 licensees and licenses including any AWS-4 licenses issued subsequently. Use of the Lower AWS-4 Band for terrestrial downlink operations is subject to any rules that are generally applicable to AWS downlink operations except to the extent expressly waived by Memorandum Opinion and Order, DA 13-2409, in WT Docket No. 13-225. By way of reference and not limitation, see Memorandum Opinion and Order, DA 13-2409, at para. 25 for list of rules waived for downlink operations, and id. at para. 47 for list of requirements for downlink operations.



## Licensee Name: GAMMA ACQUISITION L.L.C.

Call Sign: T060430104

#### File Number:

**Print Date:** 

Special Condition 5 (9/11/2020): Licensee is an indirect, wholly owned subsidiary of DISH Network Corporation (DISH). This license is subject to licensee's compliance with the conditions and restrictions imposed by the Commission in MO&O, Declaratory Ruling and Order of Proposed Modification, FCC 19-103 and the commitments made by DISH in its July 26, 2019 Commitments Letter including Attachment A thereto (see, e.g., FCC 19-103 at App. H), as modified by the Commission, both of which are incorporated by reference into and made operative by Order of Modification and Extension of Time to Construct, DA 20-1072 (WTB Sept. 11, 2020). These conditions, restrictions and commitments include, but are not limited to, the following (see FCC 19-103 and DA 20-1072 for further information):

Special Condition 5a (9/11/2020): DISH is obligated to provide 5G Broadband Service over this license. DISH has waived its rights to use this license under the Commission's flexible-use policies and this license is expressly conditioned on DISH building, deploying, and offering 5G Broadband Service, which means at least 3GPP Release 15 capable of providing Enhanced Mobile Broadband (eMBB) functionality. 5G is defined as the 5G New Radio interface standard as described in 3GPP Release 15, available at https://www.3gpp.org/release-15, or 3GPP Release 16 within 3 years of 3GPP final approval. This condition does not preclude DISH from providing IoT as a service in addition to the 5G Broadband Service, but DISH is precluded from relying on IoT (or any other non-5G Broadband Service) operations to satisfy its buildout requirements and commitments.

Special Condition 5b (9/11/2020): Final Buildout Requirement. Licensee shall provide terrestrial 5G Broadband Service coverage and offer terrestrial 5G Broadband Service by 6/14/2023 to at least seventy (70) percent of the population in the license area in the 2000-2020 MHz and 2180-2200 MHz bands. If licensee fails to establish that it meets this Final Buildout Requirement in the license area in the 2000-2020 MHz and 2180-2200 MHz and 2180-2200 MHz bands, its authorization for this license area shall terminate automatically without Commission action. Failure to meet this Final Buildout Requirement in an EA shall also result in the MSS protection rule in 47 CFR § 27.1136 no longer applying in this license area. See generally 47 CFR § 27.14(q)(2),(4)-(6).

Special Condition 5c (9/11/2020): Contingent extension: The Final Buildout Requirement in special condition 5b shall be extended to 6/14/2025 if licensee establishes that it is offering 5G Broadband Service with respect to its AWS-4 licenses in the 2000-2020 MHz and 2180-2200 MHz bands to 50% or more of the U.S. population by 6/14/2023.

Special condition 5d (9/11/2020): DISH has committed to make significant payments to the U.S. Treasury if it does not meet its deployment commitments and that commitment is a condition of the waiver/extension grant and modification of this license in DA 20-1072. These commitments include, but are not limited to, mandatory monetary payments for failure to meet deployment commitments (that are separate from the final buildout requirements), status reports, and verification metrics. If DISH fails to meet the conditions of these grants, it must make the payments required. In addition to mandatory monetary payments (and license cancellations), DISH continues to be subject to all of the Commission's other enforcement and regulatory powers for failing to meet an y condition of the grants and modifications made on 9/11/2020.



## Licensee Name: GAMMA ACQUISITION L.L.C.

Call Sign: T060430104

#### File Number:

**Print Date:** 

Special Condition 5e (9/11/2020): Until September 11, 2026, licensee shall not (1) sell this license without the advance approval of both the FCC and the U.S. Department of Justice or (2) in any 12-month period provide in the Economic Area of this license more than 35% of the capacity of its 5G network to any of the three largest wireless facilities-based providers (alone or in combination) without prior FCC approval. Sell means (i) to transfer, assign, or dispose of this license in any manner either directly or indirectly; or (ii) to transfer control of an entity holding this license; or (iii) to enter into a lease arrangement or any other arrangement that results in the transfer of de jure or de facto control of this license.

Call Sign: T060430104		File Number:	Pr	rint Date:	
700 MHz Relicensed A	rea Information:				
Market	Market Name	Buildout Dea	dline Buildout	Notification	Status

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STATED STATES	Federal Communi Wireless Telecom	munications Bu	reau		
C C C C C C C C C C C C C C C C C C C	RADIO STATION	AUTHORIZAT	TION		
LICENSEE: MANIFES	T WIRELESS L.L.C.				
ATTN: ALISON MINE			Call Sign WQJZ246		File Number
MANIFEST WIRELESS 1110 VERMONT AVEN WASHINGTON, DC 20	IUE, NW, SUITE 750		WY - 700 M	Radio S Hz Low B &	ver Band (Blocks A,
FCC Registration Number (FR	<b>N):</b> 0017173121			1	
<b>Grant Date</b> 02-20-2009	<b>Effective Date</b> 09-11-2020	<b>Expiratio</b> 06-14-			Print Date
Market Number BEA104	Char	nnel Block E	S	ub-Mar	<b>ket Designator</b> 0
		<b>et Name</b> I, WI-IA-IL			
<b>1st Build-out Date</b> 03-07-2017	<b>2nd Build-out Date</b> 06-14-2023	3rd Build-	out Date	4tl	h Build-out Date
Waivers/Conditions: If the facilities authorized herein services, the licensee must seek	-	-	•		

If the facilities authorized herein are used to provide broadcast operations, whether exclusively or in combination with other services, the licensee must seek renewal of the license either within eight years from the commencement of the broadcast service or within the term of the license had the broadcast service not been provided, whichever period is shorter in length. See 47 CFR §27.13(b).

Special Condition for AU/name change (6/4/2016): Grant of the request to update licensee name is conditioned on it not reflecting an assignment or transfer of control (see Rule 1.948); if an assignment or transfer occurred without proper notification or FCC approval, the grant is void and the station is licensed under the prior name.

## **Conditions:**

Pursuant to §309(h) of the Communications Act of 1934, as amended, 47 U.S.C. §309(h), this license is subject to the following conditions: This license shall not vest in the licensee any right to operate the station nor any right in the use of the frequencies designated in the license beyond the term thereof nor in any other manner than authorized herein. Neither the license nor the right granted thereunder shall be assigned or otherwise transferred in violation of the Communications Act of 1934, as amended. See 47 U.S.C. § 310(d). This license is subject in terms to the right of use or control conferred by §706 of the Communications Act of 1934, as amended. See 47 U.S.C. §606.

This license may not authorize operation throughout the entire geographic area or spectrum identified on the hardcopy version. To view the specific geographic area and spectrum authorized by this license, refer to the Spectrum and Market Area information under the Market Tab of the license record in the Universal Licensing System (ULS). To view the license record, go to the ULS homepage at http://wireless.fcc.gov/uls/index.htm?job=home and select "License Search". Follow the instructions on how to search for license information.

Call Sign: WQJZ246

#### File Number:

**Print Date:** 

Special Condition 1 (9/11/2020): Licensee is an indirect, wholly owned subsidiary of DISH Network Corporation (DISH). This license is subject to licensee's compliance with the conditions and restrictions imposed by the Commission in MO&O, Declaratory Ruling and Order of Proposed Modification, FCC 19-103 and the commitments made by DISH in its July 26, 2019 Commitments Letter including Attachment A thereto (see, e.g., FCC 19-103 at App. H), as modified by the Commission, both of which are incorporated by reference into and made operative by Order of Modification and Extension of Time to Construct, DA 20-1072 (WTB Sept. 11, 2020). These conditions, restrictions and commitments include, but are not limited to, the following (see FCC 19-103 and DA 20-1072 forfurther information):

Special Condition 1a (9/11/2020): DISH is obligated to provide 5G Broadband Service over this license. DISH has waived its rights to use this license under the Commission's flexible-use policies and this license is expressly conditioned on DISH building, deploying, and offering 5G Broadband Service, which means at least 3GPP Release 15 capable of providing Enhanced Mobile Broadband (eMBB) functionality. 5G is defined as the 5G New Radio interface standard as described in 3GPP Release 15, available at https://www.3gpp.org/release-15, or 3GPP Release 16 within 3 years of 3GPP final approval. This condition does not preclude DISH from providing IoT as a service in addition to the 5G Broadband Service, but DISH is precluded from relying on IoT (or any other non-5G Broadband Service) operations to satisfy its buildout requirements and commitments.

Special Condition 1b (9/11/2020): Final Buildout Requirement. Licensee shall provide 5G Broadband Service coverage and offer 5G Broadband Service by 6/14/2023 to at least seventy (70) percent of the population in the license area of this license. If licensee fails to establish that it meets this Final Buildout Requirement in the license area of this license, its authorization for unserved areas shall terminate automatically without Commission action. See Public Notice, DA 19-77 (licensee keeps the areas of the license that it serves and the remaining unserved areas are returned to FCC's inventory for relicensing).

Special Condition 1c (9/11/2020): Contingent extension: The Final Buildout Requirement in Special Condition 1b shall be extended to 6/14/2025 if licensee establishes that it is offering 5G Broadband Service with respect to its Lower 700 MHz E Block licenses to 50% or more of the U.S. population covered by DISH's Lower 700 MHz E Block licenses by 6/14/2023.

Special Condition 1d (9/11/2020): DISH has committed to make significant payments to the U.S. Treasury if it does not meet its deployment commitments and that commitment is a condition of the waiver/extension grant and modification of this license in DA 20-1072. These commitments include, but are not limited to, mandatory monetary payments for failure to meet deployment commitments (that are separate from the final buildout requirements), status reports, and verification metrics. If DISH fails to meet theconditions of these grants, it must make the payments required. In addition to mandatory monetary payments (and automatic license terminations), DISH continues to be subject to all of the Commission's other enforcement and regulatory powers for failing to meet any condition of the grants and modifications made on 9/11/2020.



Call Sign: WQJZ246		File Number:	Print Date:	
700 MHz Relicensed A	rea Information:			
Market	Market Name	<b>Buildout Deadline</b>	<b>Buildout Notification</b>	Status
		_		

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STITED STATES		al Communica /ireless Telecomm			sion	
	RA	DIO STATION A	UTHORIZA	ΓΙΟΝ		
LICENSEE: AMERICA	N H BLC	CK WIRELESS L.L.C				
ATTN: OFFICE GEN. C					C <b>all Sign</b> QTX303	File Number
PO BOX 6663	AMERICAN H BLOCK WIRELESS L.L.C. PO BOX 6663 ENGLEWOOD, CO 80155-6663 AH - AWS-H Block (at 1915-1920 MHz and 1995-2000 MHz)					Block (at 1915-1920 MHz
FCC Registration Number (FF	<b>RN):</b> 0023	125057				
<b>Grant Date</b> 04-29-2014	I	<b>Effective Date</b> 09-11-2020	<b>Expirati</b> 06-14			Print Date
Market Number BEA104		Channel BlockSub-Market DesignatorH0				8
		<b>Market</b> Madison, V				
<b>1st Build-out Date</b> 04-29-2018	2nd	<b>Build-out Date</b> 06-14-2023	3rd Build-	out Date	e	4th Build-out Date
Waivers/Conditions: Special Condition 1 (9/11/2020) license is subject to licensee's co Declaratory Ruling and Order of	mpliance Proposed	with the conditions and Modification, FCC 19-	restrictions impo 103 and the comm	sed by th mitments	ne Comm s made by	ission in MO&O, DISH in its July 26, 2019

Commitments Letter including Attachment A thereto (see, e.g., FCC 19-103 at App. H), as modified by the Commission, both of which are incorporated by reference into and made operative by Order of Modification and Extension of Time to Construct, DA 20-1072 (WTB Sept. 11, 2020). These conditions, restrictions and commitments include, but are not limited to, the following (see FCC 19-103 and DA 20-1072 for further information):

### **Conditions:**

Pursuant to §309(h) of the Communications Act of 1934, as amended, 47 U.S.C. §309(h), this license is subject to the following conditions: This license shall not vest in the licensee any right to operate the station nor any right in the use of the frequencies designated in the license beyond the term thereof nor in any other manner than authorized herein. Neither the license nor the right granted thereunder shall be assigned or otherwise transferred in violation of the Communications Act of 1934, as amended. See 47 U.S.C. § 310(d). This license is subject in terms to the right of use or control conferred by §706 of the Communications Act of 1934, as amended. See 47 U.S.C. §606.

This license may not authorize operation throughout the entire geographic area or spectrum identified on the hardcopy version. To view the specific geographic area and spectrum authorized by this license, refer to the Spectrum and Market Area information under the Market Tab of the license record in the Universal Licensing System (ULS). To view the license record, go to the ULS homepage at http://wireless.fcc.gov/uls/index.htm?job=home and select "License Search". Follow the instructions on how to search for license information.

## Licensee Name: AMERICAN H BLOCK WIRELESS L.L.C.

Call Sign: WQTX303

#### File Number:

**Print Date:** 

Special Condition 1a (9/11/2020): DISH is obligated to provide 5G Broadband Service over this license. DISH has waived its rights to use this license under the Commission's flexible-use policies and this license is expressly conditioned on DISH building, deploying, and offering 5G Broadband Service, which means at least 3GPP Release 15 capable of providing Enhanced Mobile Broadband (eMBB) functionality. 5G is defined as the 5G New Radio interface standard as described in 3GPP Release 15, available at https://www.3gpp.org/release-15, or 3GPP Release 16 within 3 years of 3GPP final approval. This condition does not preclude DISH from providing IoT as a service in addition to the 5G Broadband Service, but DISH is precluded from relying on IoT (or any other non-5G Broadband Service) operations to satisfy its buildout requirements and commitments.

Special Condition 1b (9/11/2020): Final Buildout Requirement. With respect to this H Block license, licensee shall provide 5G Broadband Service coverage and offer 5G Broadband Service by 6/14/2023 to at least seventy (75) percent of the population in thelicense area. If licensee fails to establish that it meets this Final Buildout Requirement with respect to this H Block license, this authorization shall terminate automatically without Commission action. See § 27.14(r)(3).

Special Condition 1c (9/11/2020): Contingent extension: The Final Buildout Requirement in special condition 1b shall be extended to 6/14/2025 if licensee establishes that it is offering 5G Broadband Service with respect to its AWS H Block licenses to 50% or more of the U.S. population by 6/14/2023.

Special Condition 1d (9/11/2020): DISH has committed to make significant payments to the U.S. Treasury if it does not meet its deployment commitments and that commitment is a condition of the waiver/extension grant and modification of this license in DA 20-1072. These commitments include, but are not limited to, mandatory monetary payments for failure to meet deployment commitments (that are separate from the final buildout requirements), status reports, and verification metrics. If DISH fails to meet the conditions of these grants, it must make the payments required. In addition to mandatory monetary payments (and license cancellations), DISH continues to be subject to all of the Commission's other enforcement and regulatory powers for failing to meet any condition of the grants and modifications made on 9/11/2020.

Call Sign: WQTX303	File Number:	Print Date:	
700 MHz Relicensed Area Information	.:		
700 MHz Relicensed Area Information Market Market Name			Status

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	Federal Communica Wireless Telecomm			
	RADIO STATION A	UTHORIZAT	TION	
LICENSEE: PARKERB	.COM WIRELESS L.L.C.			
ATTN: JEFFREY BLUM			Call Sig WQZM34	
PARKERB.COM WIRE PO BOX 6663 ENGELWOOD, CO 8013			W	<b>Radio Service</b> Γ - 600 MHz Band
FCC Registration Number (FR	N): 0025268459			
<b>Grant Date</b> 06-14-2017	<b>Effective Date</b> 09-11-2020	Expiration 06-14-		Print Date
Market Number PEA122	Chann	el Block A	S	ub-Market Designator 0
	Market Madiso			
1st Build-out Date	<b>2nd Build-out Date</b> 06-14-2025	3rd Build-	out Date	4th Build-out Date
Waivers/Conditions:	Licensee is an indirect wholly o	owned subsidiary	of DISH Netwo	rk Corporation (DISH) This

Special Condition 1 (9/11/2020): Licensee is an indirect, wholly owned subsidiary of DISH Network Corporation (DISH). This license is subject to licensee's compliance with the conditions and restrictions imposed by the Commission in MO&O, Declaratory Ruling and Order of Proposed Modification, FCC 19-103 and the commitments made by DISH in its July 26, 2019 Commitments Letter including Attachment A thereto (see, e.g., FCC 19-103 at App. H), as modified by the Commission, both of which are incorporated by reference into and made operative by Order of Modification and Extension of Time to Construct, DA 20-1072 (WTB Sept. 11, 2020). These conditions, restrictions and commitments include, but are not limited to, the following (see FCC 19-103 and DA 20-1072 for further information):

## **Conditions:**

Pursuant to §309(h) of the Communications Act of 1934, as amended, 47 U.S.C. §309(h), this license is subject to the following conditions: This license shall not vest in the licensee any right to operate the station nor any right in the use of the frequencies designated in the license beyond the term thereof nor in any other manner than authorized herein. Neither the license nor the right granted thereunder shall be assigned or otherwise transferred in violation of the Communications Act of 1934, as amended. See 47 U.S.C. § 310(d). This license is subject in terms to the right of use or control conferred by §706 of the Communications Act of 1934, as amended. See 47 U.S.C. §606.

This license may not authorize operation throughout the entire geographic area or spectrum identified on the hardcopy version. To view the specific geographic area and spectrum authorized by this license, refer to the Spectrum and Market Area information under the Market Tab of the license record in the Universal Licensing System (ULS). To view the license record, go to the ULS homepage at http://wireless.fcc.gov/uls/index.htm?job=home and select "License Search". Follow the instructions on how to search for license information.

## Licensee Name: PARKERB.COM WIRELESS L.L.C.

Call Sign: WQZM344

# File Number:

**Print Date:** 

Special Condition 1a (9/11/2020): DISH is obligated to provide 5G Broadband Service over this license. DISH has waived its rights to use this license under the Commission's flexible-use policies and this license is expressly conditioned on DISH building, deploying, and offering 5G Broadband Service, which means at least 3GPP Release 15 capable of providing Enhanced Mobile Broadband (eMBB) functionality. 5G is defined as the 5G New Radio interface standard as described in 3GPP Release 15, available at https://www.3gpp.org/release-15, or 3GPP Release 16 within 3 years of 3GPP final approval. This condition does not preclude DISH from providing IoT as a service in addition to the 5G Broadband Service, but DISH is precluded from relying on IoT (or any other non-5G Broadband Service) operations to satisfy its buildout requirements and commitments.

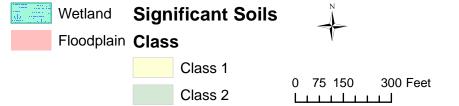
Special Condition 1b (9/11/2020): Final Buildout Requirement. With respect to this 600 MHz Band license, licensee shall provide 5G Broadband Service coverage and offer 5G Broadband Service by 6/14/2025 to at least seventy (75) percent of the population in the license area. If licensee fails to establish that it meets this Final Buildout Requirement with respect to this 600 MHz Band license, this authorization shall terminate automatically without Commission action. See § 27.14(t)(4).

Special Condition 1c (9/11/2020): DISH has committed to make significant payments to the U.S. Treasury if it does not meet its deployment commitments and that commitment is a condition of the waiver/extension grant and modification of this license in DA 20-1072. These commitments include, but are not limited to, mandatory monetary payments for failure to meet deployment commitments (that are separate from the final buildout requirements), status reports, and verification metrics. If DISH fails to meet theconditions of these grants, it must make the payments required. In addition to mandatory monetary payments (and license cancellations), DISH continues to be subject to all of the Commission's other enforcement and regulatory powers for failing to meet any condition of the grants and modifications made on 9/11/2020.

Special Condition 1d (9/11/2020): Until September 11, 2026, licensee shall not (1) sell this license without the advance approval of both the FCC and the U.S. Department of Justice or (2) in any 12-month period provide in the Partial Economic Area of thislicense more than 35% of the capacity of its 5G network to any of the three largest wireless facilities-based providers (alone or in combination) without prior FCC approval. Sell means (i) to transfer, assign, or dispose of this license in any manner either directly or indirectly; or (ii) to transfer control of an entity holding this license; or (iii) to enter into a lease arrangement or any other arrangement that results in the transfer of de jure or de facto control of this license.

Call Sign: WQZM344	F	ile Number:	Print Date:	
700 MHz Relicensed A	rea Information:			
Market	Market Name	Buildout Deadlin	ne Buildout Notificat	ion Status





CUP 02578 BRETT LUNDE

# **CUP Legal Description**

Lot 1 of CSM 11696