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PLANNING BOARD
GRAFTON, MA

FILE

02/26/2016

Town Of Grafton
Attn: Joseph Laydon
Grafton Memorial Municipal Center
30 Providence Road
Grafton, MA 01519

Re: Request for Minor Modification Request Replace/Remove T-Mobile Equipment at 116 Worcester Street, Grafton, MA (T-Mobile Site #4DE4268D)

Dear Mr. Laydon:

The purpose of this letter is to provide you with a brief narrative of T-Mobile's proposed equipment modification at 116 Worcester Street in Grafton. T-Mobile was granted a Special Permit (SP2009-10 12/14/2009). T-Mobile is seeking a minor modification to this Special Permit.

Due to the increasing demand to improve coverage within the community, T-Mobile is proposing to install three (3) new antennas to the existing monopole along with three (3) associated RRUs and one cabinet swap. This minor modification will not increase the height or width of the existing monopole and will allow T-Mobile to utilize newer technology to the benefit of its customers. The new antennas are similar in size to the existing models and there will be no discernible difference to the facility once the new antennas are installed.

I have attached 7 sets of 11" x 17" plans for your reference and the (EFR) Eligible Facilities Request letter.

Please feel free to call/email me with any additional questions or concerns that you may have.

Very truly yours,

Ignacio Formoso,
Agent for T-Mobile

Tower Resource Management
16 Chestnut St, Suite 420
Foxboro, MA 02035
Email: iFormoso@TRMcom.com
Ph: 781-733-1623

Transmission Equipment Modifications to a Base Station

Agent for T-Mobile: Ignacio Formoso

Date: 2/26/2016

Site Address: 116 Worcester Street, Grafton, MA 01801

Dear Joseph Laydon:

Re: Eligible Facilities Request to Modify Transmission Equipment at an Existing Base Station located at 116 Worcester Street, Grafton, MA 01801

A. T-Mobile is Filing an Eligible Facilities Request

T-Mobile Northeast LLC, a Delaware limited liability company is submitting the attached Eligible Facilities Request application to add, remove, modify, or replace Transmission Equipment at an Existing Base Station located at 116 Worcester Street.

Because this jurisdiction has not yet developed an Eligible Facilities Request permit application form that complies with Section 6409 of the Middle Class Tax Relief and Job Creation Act of 2012, commonly known as the "Spectrum Act" (Pub. Law No. 112-96, 126 Stat 156) (codified at 47 U.S.C. § 1455), this Eligible Facilities Request is attached to the Building Permit Application form which was customarily used by this jurisdiction when reviewing requests to collocate or modify wireless telecommunications facilities. Because federal law now preempts many of the permit application requirements that this jurisdiction would previously have required from an applicant, this Eligible Facilities Request application provides only the information that federal law allows this jurisdiction to consider when reviewing an Eligible Facilities Request.

Section 6409(a) of the Spectrum Act mandates that state and local governments "*may not deny, and shall approve, any eligible facilities request for a modification of an existing wireless tower or base station that does not substantially change the physical dimensions of such tower or base station.*" Under Section 6409(a)(2)(A)-(C) an Eligible Facilities Request is any request to modify a Tower or Base Station that involves "collocations of new Transmission Equipment," "removal," or "replacement" of Transmission Equipment.

B. Why this Eligible Facilities Request Must Be Granted

This Eligible Facilities Request involves an effort to collocate, remove, modify, or replace Transmission Equipment at an existing Base Station operated by an FCC licensed wireless carrier. The FCC has defined Base Station as "the equipment and non-tower supporting structure at a fixed location that enable Commission-licensed or authorized wireless communications between user equipment and a communications network . . . the term includes equipment associated with wireless communications service including, but not limited to, radio transceivers, antennas, coaxial or fiber-optic cable, regular and backup power supply, and comparable equipment." The term existing base station also includes a structure that currently houses or

supports an antenna, transceiver or other associated equipment that constitutes part of a Base Station at the time the application is filed even if the structure was not built solely or primarily to provide such support. The existing Base Station in this application is sixteen feet (16') high and presently contains wireless facilities. The existing Base Station meets the Federal Communications Commission ("FCC") definition of a Base Station.

The list of equipment identified in the Eligible Facilities Request application that will be collocated, removed, or replaced at the Base Station also is Transmission Equipment as determined by the FCC. The FCC has defined Transmission Equipment as "any equipment that facilitates transmission for any Commission-licensed or authorized wireless communication service, including, but not limited to, radio transceivers, antennas and other relevant equipment associated with and necessary to their operation, including coaxial or fiber-optic cable, and regular and back-up power supply. This definition includes equipment used in any technological configuration associated with any Commission-authorized wireless transmission, licensed or unlicensed, terrestrial or satellite, including commercial mobile, private mobile, broadcast and public safety services, as well as fixed wireless services such as microwave backhaul or fixed broadband."

The FCC, in a Report and Order adopted on October 17, 2014, determined that any modification to an existing telecommunications Base Station that meets the following six criteria does not substantially change the physical dimensions of the existing Base Station and therefore is an Eligible Facilities Request which must be granted:

1. The modifications to the Transmission Equipment do not increase the height of the Base Station by more than 10 percent (10%) or ten (10) feet, whichever is greater.
2. The modifications to the Transmission Equipment do not protrude from the edge of the support structure by more than six (6) feet.
3. The modifications to the Transmission Equipment do not involve the installation of more than the standard number of equipment cabinets for the technology involved, not to exceed four.
4. The modifications to the Transmission Equipment do not entail any excavation or deployment outside of the Base Station site.
5. The modifications to the Transmission Equipment do not defeat any existing concealed or stealth-design.
6. The modifications to the Transmission Equipment comply with prior conditions of approval of the Base Station, unless the non-compliance is due to an increase in height, increase in width, addition of equipment cabinets, or new excavation that does not exceed the corresponding "substantial change" thresholds in numbers 1-4.

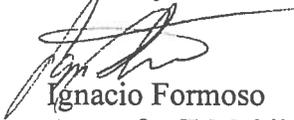
The modifications to the Transmission Equipment at the Base Station located at 116 Worcester Street contained in this Eligible Facilities Request fully conform to Section 6409(a) as enacted by Congress and as interpreted by the FCC. Accordingly, this Eligible Facilities Request must be approved within 60 days, as required by federal law and FCC implementing regulations.

C. Notice of Federal Law Expedited Permit Processing and Deemed Granted

Under federal law, an Eligible Facilities Request is deemed granted sixty (60) days after a complete application is filed with a local jurisdiction. If sixty days pass after the submission of T-Mobile's accompanying Eligible Facilities Request and the Town of Grafton has not acted to grant or deny the request, it will be deemed granted. At that time, the applicant may advise the Town of Grafton that the application has been deemed granted. If the Town of Grafton wishes to contest whether the Eligible Facilities Request has been deemed granted, the burden is on the Town of Grafton to file a lawsuit in a court of competent jurisdiction within 30 days after receipt of a written communication notifying it that the Eligible Facilities Request has been deemed granted. Failure to file a lawsuit in a timely manner may forever bar this jurisdiction from contesting that this Eligible Facilities Request has been deemed granted.

T-Mobile is committed to working cooperatively with you, and all jurisdictions around the country, to secure expeditious approval of requests to modify existing personal wireless service facilities. Please do not hesitate to contact me if you have questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ignacio Formoso', is written over the typed name.

Ignacio Formoso
Agent for T-Mobile