



City of Malden
City Council
110 Pleasant Street
Malden, MA 02148

March 28, 2018

RE: Petition of New Cingular Wireless PCS, LLC ("AT&T") for Grant of Location for Telecommunication Wires and Wireless Attachments and Appurtenances: **Project: Area4_133A: Location: 51 Pearl St, 42.425859 N, -71.076333 W, Utility Pole: #381**

Dear Honorable Members of the City Council:

Pursuant to Massachusetts General Laws Chapter 166, Sections 21, 22 and 25A, please find enclosed the petition (the "Petition") of New Cingular Wireless PCS, LLC ("AT&T") for a grant of location for telecommunication wires and wireless attachments and appurtenances to be attached to existing utility poles owned by National Grid within the City of Malden. Included with the Petition are detailed plans that identify the locations where AT&T's proposed attachments will be placed. This includes an area map of all locations as well as the utility pole profiles depicting the equipment attachment heights and specs.

AT&T requests that the City schedule a public hearing on this Petition, subject to the requirements of Chapter 166 of the Massachusetts General Laws. Those requirements prescribe that the City mail "written notice of the time and place of the hearing at least seven days prior to all owners of real estate abutting upon that part of the way upon, along, across or under which the line is to be constructed, as such ownership is determined by the last preceding assessment for taxation". It is my understanding that the City will be able to produce this list and I will work with the City Clerk to ensure the letters are sent per these requirements.

Project Description

AT&T proposes to deploy six (6) small cell sites in the City of Malden in order to deal with the rapidly increasing demand on AT&T's wireless network. All six (6) small cell sites will be mounted on existing National Grid utility poles located within the public rights of way. The small cell sites will work in conjunction with the existing macro sites installed on rooftops, towers and other structures in and around the City of Malden. This Petition specifically addresses the following location:

Project: Area4_133A: Location: 51 Pearl St, 42.425859 N, -71.076333 W, Utility Pole: #381

AT&T's radio frequency engineers targeted the proposed location due to the high traffic and data demands on AT&T's network. AT&T's existing macro cell sites are not providing adequate data capacity in this location due to increased population, vehicular and foot traffic, multiple wireless devices used by each person and other contributing factors. This small cell site will work to offload the demand on the macro sites and allow for increased data capacity and speed within the immediate vicinity of the proposed small cell site.

The small cell site will be installed using standard commercially accepted methods in accordance with all applicable federal, state and local laws and regulations. All proposed attachments are to existing poles owned and maintained by National Grid. AT&T has entered into a Pole Attachment Agreement with National Grid.

The small cell installation on each existing utility pole will include: fiber optic cable(s); remote nodes in a small equipment cabinet H32" x W18" x D12" mounted to the pole at least 8' above ground level; an unobtrusive pole top antenna measuring 24.7" long and 10" in diameter; conduits and cable protectors; and, an electrical meter with shutoff switch. Attached please find design sketches for each site showing the proposed location, pole height, mounting height, equipment specifications and utility plan.

The Telecommunications Act of 1996 (the "Act")

Without the installation, AT&T would be unable to provide specifically established coverage and capacity objectives. The utility pole is located within the limited geographic area whereby AT&T's radio frequency engineers determined that a wireless facility is required. The Act imposes substantial restrictions affecting the standard for granting the requested relief. The ACT provides that: no laws or actions by any local government or planning or zoning board may prohibit, or have the effect of prohibiting, the placement, construction, or modification of communications towers, antennas, or other wireless facilities in any particular geographic area, see 47 U.S.C. §332(c)(7)(B)(i); local government or planning or zoning boards may not unreasonably discriminate among providers of functionally equivalent services, see 47 U.S.C. §332(c)(7)(B)(ii); health concerns may not be considered so long as the emissions comply with the applicable standards of the FCC, see 47 U.S.C. §332(c)(7)(B)(iv); and, decisions must be rendered within a reasonable period of time, see 47 U.S.C. §332(c)(7)(B)(ii) and the FCC's Declaratory Ruling commonly referred to as the "shot clock".

We have attached to this petition a generic emissions report demonstrating that the low power antenna will comply with applicable FCC standards with respect to emissions.

For the convenience of the City Council, AT&T has provided a proposed Form of Order for your consideration.

Should you have any questions, or would like any additional information prior to the public hearing please do not hesitate to contact me at (508) 821-6509 or dford@clinellc.com. AT&T will be present at the public hearing to answer any questions you may have as well.

Thank you,



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PETITION FOR LOCATIONS FOR TELECOMMUNICATIONS WIRES AND WIRELESS ATTACHMENTS AND APPURTENANCES
To THE CITY COUNCIL OF THE CITY OF MALDEN, MASSACHUSETTS

Pursuant to Massachusetts General Laws, Chapter 166, Sections 21, 22 and 25A, and the City Ordinances of the City of Malden, Massachusetts, NEW CINGULAR WIRELESS PCS, LLC ("AT&T") requests that it be granted locations for and permission to construct and maintain telecommunications wires and wireless attachments and appurtenances, including fiber optic cable(s), remote nodes and pole top antennas to be attached to existing National Grid utility poles, located upon and along the following public ways within the City of Malden, as depicted on the attached plans. In addition, AT&T seeks permission to install conduit or direct bury cable(s) as depicted on the plans submitted.

Wherefore, AT&T requests that, after due notice and public hearing as provided by law, that it be granted locations for permission to construct the telecommunications wires and wireless attachments and appurtenances upon, along and under the public ways within the City of Malden as depicted on the plans filed herewith. AT&T also submitted additional information in support of this Petition.

Respectfully submitted,

NEW CINGULAR WIRELESS PCS, LLC ("AT&T")

By: David Ford
Project Manager – Small Cell
Centerline Communications, LLC

