

**WIRELESS ADDENDUM**

**TO**

**STANDARD POLE ATTACHMENT LICENSE AGREEMENT**

**BETWEEN**

**GRAND HAVEN BOARD OF LIGHT & POWER**

**AND**

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**DATED:**

Click here to enter a date.

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## **PREAMBLE**

In addition to the terms agreed to in the Standard Pole Attachment License Agreement dated \_\_\_\_\_, Licensee, when colocating small cell wireless facilities on Electric Utility poles, agrees to adhere to the following non-discriminatory procedures and specifications in accordance with the small wireless communications facilities deployment act.

## **ARTICLE I – EXPLANATION OF TERMS**

- A. “Antenna” means communications equipment that transmits or receives electromagnetic radio frequency signals used in the provision of wireless services.
- B. “Colocate” means to install, mount, maintain, modify, operate, or replace wireless facilities on or adjacent to a wireless support structure or utility pole. “Collocation” has a corresponding meaning. Colocate does not include make-ready work or the installation of a new utility pole or new wireless support structure.
- C. “Electric Utility” refers to the signatory organization of this addendum or any contractor or subcontractor working on behalf.
- D. “Licensee” refers to the signatory organization of this addendum or any “wireless provider,” “wireless infrastructure provider,” “wireless services provider” (as defined in the small wireless communications facilities deployment act), or other contractor or subcontractor working on behalf of the Licensee.
- E. “Make-ready work” means work necessary to enable an authority pole or utility pole to support collocation, which may include modification or replacement of utility poles or modification of lines.
- F. “Micro wireless facility” means a small cell wireless facility that is not more than 24 inches in length, 15 inches in width, and 12 inches in height and that does not have an exterior antenna more than 11 inches in length.
- G. “Rate” means a recurring charge.
- H. “Small cell wireless facility” means a wireless facility that meets both of the following requirements:
  - a) Each antenna is located inside an enclosure of not more than 6 cubic feet in volume or, in the case of an antenna that has exposed elements, the antenna and all of its exposed elements would fit within an imaginary enclosure of not more than 6 cubic feet.
  - b) All other wireless equipment associated with the facility is cumulatively not more than 25 cubic feet in volume. The following types of associated ancillary equipment are not included in the calculation of equipment volume: electric meters, concealment elements, telecommunications demarcation boxes, grounding equipment, power transfer switches, cut-off switches, and vertical cable runs for the connection of power and other services.
- I. “Wireless facility” means equipment at a fixed location that enables the provision of wireless services between user equipment and a communications network, including, but not limited to, radio transceivers, antennas, coaxial or fiber-optic cable, regular and backup power supplies, and comparable equipment, regardless of technological configuration. Wireless facility includes a small cell wireless facility. Wireless facility does not include any of the following:
  - a) The structure or improvements on, under, or within which the equipment is colocated.
  - b) A wireline backhaul facility.
  - c) Coaxial or fiber-optic cable between utility poles or wireless support structures or that otherwise is not immediately adjacent to or directly associated with a particular antenna.

## **ARTICLE II – GENERAL CONDITIONS AND PROCEDURES**

- A. The Licensee is responsible for responding to any and all community concerns or complaints related to Antennas, Micro Wireless Facilities, or Small Cell Wireless Facilities, including aesthetic appearance, health concerns due to radio frequency emissions, etc.
- B. The Licensee will independently obtain all authorizations, permits, and approvals from all Municipal, State, and Federal authorities to the extent required by law for the Licensee's proposed service and all easements, licenses, rights-of way and permits necessary for the proposed use of Electric Utility's poles.
- C. The Electric Utility must approve all pole locations selected for antenna placement.

- D. The Electric Utility must approve the design and mounting requirements for all pole-top, and other type Antennas, Micro Wireless Facilities and Small Cell Wireless Facilities.
- E. All Antennas, Micro Wireless Facilities and Small Cell Wireless Facilities to be installed in or above the Communication Worker Safety Zone will be installed by the Electric Utility or a contractor approved by the Electric Utility.
  - a) Electric Utility is not a guarantor of any approved contractors. Electric Utility, whether by making available a list of approved contractors or by other methods, has not made and makes no representations or warranties of any nature, directly or indirectly, express or implied, as to performance of the contractors. Selection of which approved contractor to perform the specified work is the sole decision of the Licensee.
- F. If Licensee is required to relocate Antennas, Micro Wireless Facilities or Small Cell Wireless Facilities collocated on an Electric Utility pole, it shall do so in accordance with the nondiscriminatory terms set by the Electric Utility.
- G. Notwithstanding any conditions herein, equipment must be installed in accordance with the National Electrical Safety Code and the Electric Utility's construction standards.

### **ARTICLE III – RADIO FREQUENCY**

- A. Where required, two radio frequency (RF) warning signs must be installed. One RF warning sign must be placed at eye level, a second sign must be placed at the pole top, just beyond where the safe approach distance ends. The sign must include the Electric Utility's name, Licensee name, Electric Utility contact number, Licensee contact number, and the approach distance of the Antenna.
- B. The Licensee must provide the Electric Utility with documentation that confirms all RF emissions comply with applicable laws governing RF exposure levels.

### **ARTICLE IV – ESTABLISHING ATTACHMENT TO POLES**

- A. Licensees seeking to attach pole-top Antennas, Micro Wireless Facilities or Small cell wireless facilities must follow the procedure delineated in Article 6 of the underlying Standard Pole Attachment License Agreement and must provide the Electric Utility with the following:
  - a) Permit form, including associated maps, drawing and other requested information, as provided in Appendix A of the underlying Pole Attachment License Agreement;
  - b) Spec sheets (including typical attachment drawings) and design information for the equipment proposed for attachment.
- B. Poles selected for pole-top Antennas, Micro Wireless Facilities or Small cell wireless facilities must meet the following criteria:
  - a) Proposed pole-top locations must have adequate pole space and not exceed the pole's maximum loading.
  - b) Only one attachment will be allowed on a pole-top;
  - c) Must be a tangent pole;
  - d) Poles selected must not have existing equipment (regulators, gang switches, capacitors, etc.);
  - e) Pole must be readily accessible by bucket truck;
  - f) Minimum of a class 3 pole;
  - g) Attachment must be a minimum of 5 feet above the highest electric attachment;
    - i) Pole extensions are not permitted;
    - ii) Attachment above primary conductors and equipment should be avoided.
  - h) A new ground rod is required at all pole-top attachment locations.
- C. Riser cables and grounds must be installed in a minimum of Schedule 40 conduit not larger than 2 inches.
- D. All Antenna, Micro Wireless Facility, or Small Cell Wireless Facility power sources must have a lockable disconnect installed, to allow for the power source and any back-up power sources to be disconnected. The Licensee must provide the Electric Utility with access to the disconnect by providing keys or combination to the lock. Disconnect and/or meter boxes must be installed according to Electric Utility's standards.

- E. Licensees seeking to attach to Electric Utility-owned streetlight poles must conform to the following conditions:
  - a) All Antennas, Micro Wireless Facilities or Small Cell Wireless Facilities must clamp to the streetlight arm. Holes drilled in the arm or bracket will not be permitted.
  - b) Antennas, Micro Wireless Facilities and Small cell wireless facilities to be installed on a decorative streetlight must match the aesthetics of the existing Electric Utility pole.

#### **ARTICLE V – FEES AND CHARGES**

- A. Licensee is solely responsible for all costs associated with Make-Ready Work needed to bring the pole into compliance, including the cost of the pole-loading analysis and other required engineering. A good-faith estimate established by Electric Utility for any make-ready work shall include pole replacement if necessary. All make-ready costs shall be based on actual costs, with detailed documentation provided.
- B. All fees, charges and Annual Rental will be administered in accordance with Article XIII of the Standard Pole Attachment License Agreement, except for the following:
  - a) The Rate to Colocate Antennas, Micro Wireless Facilities or Small Cell Wireless Facilities on the Electric Utility's pole is \$50 per pole annually. Every 5 years after the effective date of the small wireless communications facilities deployment act (March 12, 2019), the Rate shall be increased by 10% and rounded to the nearest dollar.
  - b) The fee to process requests by Licensee to Colocate Antennas, Micro Wireless Facilities or Small Cell Wireless Facilities on Electric Utility poles is \$100 per pole. There will be an additional fee of \$100.00 per pole for processing the request, if a modification or maintenance of the colocation requires an engineering analysis. Every 5 years after the effective date of the small wireless communications facilities deployment act (March 12, 2019), the Rate shall be increased by 10% and rounded to the nearest dollar.

In witness whereof the parties hereto, have caused these presents to be executed in two (2) counterparts, each of which shall be deemed an original and their corporate seals to be affixed thereto by their respective officers thereunto duly authorized, as of the Effective Date.

Electric Utility

By:

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Printed Name

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Title

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Date

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Licensee

By:

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Printed Name

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Title

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Date

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