

**Project Summary**  
**Proposed Modification to Existing Wireless Telecommunications Facility**  
**4584 Hodgen Road, Colorado Springs, CO 80908-APN: 61000-00-508**

**Project Description**

This project is an “Eligible Facilities Request” to review the proposed modification of the above referenced wireless facility and to determine that the proposal conforms to Section 6409(a) of the Middle Class Tax Relief and Job Creation Act of 2012, codified as 47 U.S.C. § 1455(a) (“Section 6409(a”). Generally, Section 6409(a) requires that local governments “may not deny, and shall approve,” certain requests to collocate with or modify an existing wireless tower or base station so long as that request will not “substantially change the physical dimensions”.

The existing wireless facility is located at 4584 Hodgen Road, Colorado Springs, CO 80908-APN: 61000-00-508, the property is current Zoned RR-5 and consists of an existing 170’ self-support tower (CMRS Facility, Freestanding) located within an existing fenced compound. The existing wireless facility has multiple carriers currently operating with tower and ground mounted equipment.

American Tower is proposing to add (1) new 80kw Emergency Backup Generator. The generator will provide power to the existing wireless facilities in the event of a commercial power outage. This proposal does not include the addition of any antennas, nor will it increase the height of the existing tower or the footprint of the existing equipment area.

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Property Owner Contact:	David Williams Jr 972-999-8901 david.williams@americantower.com
Applicant Name:	American Tower Corporation
Applicant Contact:	David Williams Jr 972-999-8901 david.williams@americantower.com

**Project Purpose**

The purpose of this project is to provide a source of emergency backup power in the event of a commercial power outage. This is a critical step in ensuring the existing wireless facility remains on air in the event of an emergency. Wireless coverage is critical to first responders and El Paso County residents and visitors alike. The proposed generator would only operate in times of a commercial power outage, allowing the wireless providers to remain on-air.

**Compliance Statement**

This section will describe how the proposed use is substantially compatible with uses permitted in the same general area, how the proposed use would not be materially detrimental to other

properties within the same area, and how the proposed installation will be compliant with federal regulations concerning the modification of existing facilities.

The proposed modifications to the existing facility are compatible with uses permitted in the same general area. This can be evidenced by the fact that as this proposal is for a modification to an already permitted wireless communication facility, this use has already been approved and established at this location and would not be materially detrimental to other properties within the same area.

The proposed modification will be consistent with the El Paso County Land Development Code as it relates to wireless communication facilities. Section 5.1.19. (Commercial Mobile Radio Service Facility (CMRS) Facilities) does not specifically have provisions for Backup power sources at existing communications facilities; however since the project consists of the installation of an Emergency Backup Generator to an existing wireless facility, the proposed generator will be located within the existing fenced boundary of the existing compound, the top proposed generator will be approximately 9.5' above grade, and there will be no additional lighting added to the existing facility as result of the project, all provisions of Section 5.1.19, as they relate to Design Standards for Freestanding CMRS Facilities, will be complied with

More importantly, Section 6409 of the Middle Class Tax Relief and Job Creation Act of 2012, which was signed into law February 22, 2012, mandates that state and local governments provide a nondiscretionary approval of an eligible facilities request for the modification of an existing wireless tower or base station that does not substantially change the physical dimensions of such tower or base station. The FCC defines substantial change as the mounting of a proposed antenna that would increase the existing height of the tower by more than 10%. American Tower's proposed modifications fall within the scope of this statute. For further clarification on Section 6409 of the Middle Class Tax Relief and Job Creation Act of 2012, please review the attached explanatory document included with this submittal, which includes links to all necessary materials.

### **Conclusion**

As evidenced by the text above and the supporting documents provided as part of this application, the proposed modifications are in compliance with the existing approvals for this facility, Federal regulations concerning the modification of an existing wireless communication facility, and FCC Rules and Regulations concerning RF Emissions.

I would like to thank you for your time and efforts in reviewing this application and look forward to any feedback you may have.

Sincerely,

Tanner Young  
On behalf of American Tower  
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