

# **Wireless Facilities Addendum**

to the

Governmental Pole Attachment License Agreement

Between

Georgia Power Company

and

City of Powder Springs, Georgia

## WIRELESS FACILITIES ADDENDUM

WHEREAS, Georgia Power Company (hereinafter “Georgia Power”) and City of Powder Springs, Georgia (hereinafter “Licensee”) have entered into a Pole Attachment License Agreement (hereinafter “Agreement”), dated \_\_\_\_\_; and

WHEREAS, Georgia Power and Licensee mutually desire to expand the scope of the Agreement to allow for the attachment of Wireless Facilities to the Poles of Georgia Power in consideration of the terms and conditions set forth in this Wireless Facilities Addendum (“Addendum”) to the Agreement;

NOW THEREFORE, in consideration of the mutual promises herein, Georgia Power and Licensee agree as follows:

1. The terms and conditions of the Agreement shall govern the attachment of Wireless Facilities to the Poles of Georgia Power, except as explicitly stated in this Addendum.
2. “Wireless Facilities” means, without limitation, antennas, feedlines, transmitters, receivers, power supplies and all other equipment used or useful in connection with Licensee’s provision of wireless communications services or the transmission or reception of radio frequency signals.
3. Licensee may not affix Wireless Facilities to any Pole until Licensee requests and receives written permission from Georgia Power, using the form prescribed by Georgia Power from time to time. Licensee should request the most current version of such form before submitting each request, in order to avoid delays in processing such request. Such request(s) for Permission to Attach Wireless Facilities shall include information as to the weight and dimensions of the Wireless Facilities, proposed location on the Pole of the Wireless Facilities, drawings and schematic diagrams of the structural design of the Wireless Facilities and any additional information requested by Georgia Power as necessary for Georgia Power to perform a pole loading analysis, and other necessary engineering analysis, of the proposed Wireless Facilities. A separate Request for Permission to Attach Wireless Facilities shall be submitted for each Pole to which attachments are proposed.
4. Upon request by Georgia Power, Licensee shall provide to Georgia Power prototypes or mock-ups of each new Wireless Facilities design for analysis and testing by Georgia Power. Such prototypes or mock-ups shall be delivered by Licensee to the place, and at the time, designated by Georgia Power.
5. Licensee shall notify third party entities, who already have attachments on Poles to which Licensee is seeking to attach, of Licensee’s intention to attach Wireless Facilities to the same Poles. Licensee shall make arrangements with such third party entities for any work to those entities’ equipment necessitated by Licensee’s proposed attachment of the Wireless Facilities.

6. Licensee's Wireless Facilities Attachments to Poles must be located in a space designated by Georgia Power. The Wireless Facilities Attachments must comply with: all NESC requirements, including, but not limited to, separation and clearance requirements; all FCC, OSHA and other state and federal agency requirements; and all Georgia Power construction standards and requirements. Licensee's Wireless Facilities Attachments to Poles must not physically or electronically interfere with or obstruct any other party's equipment on the Pole. All Wireless Facilities Attachments that are installed on Georgia Power's Poles must be labeled according to Georgia Power's specifications, as well as applicable rules and laws. Licensee shall periodically inspect its Wireless Facilities and replace the labels if necessary to ensure that the Wireless Facilities remain clearly labeled.

7. Georgia Power reserves the right to require written proof that Licensee holds any necessary FCC license, or that Licensee's Wireless Facilities Attachments are exempt from a license requirement and that all such Wireless Facilities comply with the FCC's equipment authorization requirements contained in Part 15 of the FCC's rules.

- a. Licensee is solely responsible for ensuring that the radio frequency ("rf") radiation emitted by its Wireless Facilities Attachments, alone and/or in combination with any and all sources of rf radiation in the vicinity, is within the limits permitted under all applicable governmental and industry standard safety codes for general population/uncontrolled exposure. Licensee acknowledges and agrees that this is the appropriate standard due to the need for access to the poles by workers for Georgia Power and other attaching entities and the location of Poles, often in residential and other populated areas.
- b. Licensee shall complete in writing and retain in Licensee's records any evaluation or analysis required by 47 C.F.R. § 1.1310 for each and every one of its Wireless Facilities Attachments and only proceed if the permissible limits stated therein are not exceeded. Licensee shall, upon request, provide Georgia Power with the results of its evaluation or analyses.
- c. Licensee shall provide Georgia Power, without request, the written certification, substantially in the form attached hereto as Exhibit A, of a professional engineer, acceptable to Georgia Power, that each proposed installation of Wireless Facilities meets the standard for permissible rf emissions. The installation shall be re-evaluated and re-certified using the same approval process as for an initial attachment whenever Licensee proposes to replace or modify any installed Wireless Facilities.
- d. Licensee agrees to install appropriate signage on the Pole(s) to which Wireless Facilities have been attached, to warn line workers or the general public of the presence of rf radiation and the need for precautionary measures. Licensee shall periodically inspect the signage and replace the signage if necessary to ensure that the signage, including text and warning symbols, remains clearly visible.
- e. This provision shall not apply to wireless camera Attachments provided that the wireless camera Attachment has a maximum output power of less than 5.6 Watts and (i) Licensee submits to Georgia Power the manufacturer specifications of said wireless camera Attachment and (ii) Licensee certifies in writing to Georgia

Power that the maximum output power of said wireless camera Attachment is less than 5.6 Watts and the antenna conforms to manufacturer's specification.

8. Due to the need for access to the poles by line workers and contractors for Georgia Power and other attaching entities, Licensee will install on each pole to which it has attached a transmitting antenna a switch that operates to disconnect power from the antenna. In ordinary circumstances, line workers and contractors will call Licensee's Network Operations Center ("NOC") to inform the NOC of the need for a temporary power shut-down. Licensee will power down its antenna remotely upon the call to its NOC provided that, for scheduled work, the power-down will occur during normal business hours and with 24 hours advance notice. After remote power-down by Licensee, workers or contractors for Georgia Power or other attaching entities may also operate the power disconnect switch in order to ensure that the antenna is not remotely re-energized while work on the pole is still in progress. In circumstances involving an imminent threat to the safety of life or property, the power-down will be with such advance notice as may be practicable under the circumstances. If circumstances warrant, workers and contractors for Georgia Power and other attaching entities may accomplish the power-down by operation of the power disconnect switch without advance notice to Licensee. In all instances, the Licensee's NOC will be informed when the work has been completed and Georgia Power or the contractor shall confirm that the power disconnect switch is in the connected position.

9. Licensee acknowledges and agrees that it is solely responsible for ensuring compliance with any and all FCC antenna registration requirements, Federal Aviation Administration ("FAA") air hazard requirements, or similar requirements with respect to the location of Licensee's Wireless Facilities on Georgia Power's Poles. Licensee acknowledges and agrees that Georgia Power's Poles are not "antenna support structures" within the meaning of the FCC's rules and that, accordingly, Georgia Power has no obligation of its own in this regard to register the Poles with the FCC, the FAA, or other agency.

10. Licensee further acknowledges and agrees that Georgia Power is under no obligation, either with respect to its own facilities or those of any other attaching entity, as to facilities now existing or in the future, to protect against harmful interference to the rf signals of the Licensee, as may emanate or arise from any source.

11. Licensee shall reimburse Georgia Power for any and all costs incurred by Georgia Power in connection with this Addendum consistent with the reimbursement terms in the Agreement.

***Signatures Commence on Next Page***

**LICENSEE:**

Adopted at \_\_\_\_\_, Georgia this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

**CITY OF POWDER SPRINGS, GEORGIA**

By: \_\_\_\_\_

Name:

Title:

Attest:

\_\_\_\_\_

Name:

Title:

Entered upon the Minutes, Minute Book \_\_\_\_\_, Page \_\_\_\_\_.

Date: \_\_\_\_\_

**GPC:**

**GEORGIA POWER COMPANY**

By: \_\_\_\_\_ (SEAL)

Fran Forehand, Power Delivery Senior Vice President

Date: \_\_\_\_\_

## Exhibit A

### Radio Frequency Emissions Certification

The Effective Isotropic Radiated Power (“EIRP”) of the Wireless Facilities shall comply with Part 15 of the FCC Rules and levels of radio frequency exposure shall comply with Section 1.1310 of the FCC’s Rules and with the FCC’s *OET Bulletin 65*, latest revisions.

Will the Wireless Facilities that are the subject of the accompanying Request for Permission to Attach Wireless Facilities, dated \_\_\_\_\_, as installed, comply fully with the radio frequency exposure limitations at all distances for General Population/Uncontrolled Environments as specified by the Federal Communications Commission at 47 C.F.R. §1.1310 (or its successor regulation), the FCC’s *OET Bulletin 65*, latest revision, and any applicable state radio frequency exposure standards?

\_\_\_\_ Yes

\_\_\_\_ No

#### Certification:

I certify that: (i) I am a registered professional engineer with experience regarding radio frequency emissions; (ii) I have performed the analysis specified in 47 C.F.R. § 1.1310 of the FCC’s rules and *OET Bulletin 65* for each and every one of the Wireless Facilities Attachments covered in the Request for Permission to Attach Wireless Facilities, dated \_\_\_\_\_, and (iii) the answer given above is true.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
License Number