

**In the Matter of the**

**Amendment to the Comprehensive Plans for Cellular and Personal  
Communications Service to include AT&T Wireless  
PCS of Philadelphia, LLC and its affiliates for Wireless  
Communications Facilities in the Pinelands**

**[In Conformance with N.J.A.C. 7:50-5.4]**

Submitted by: AT&T Wireless PCS of Philadelphia, LLC  
And its Affiliates; Prepared by Judith A. Babinski, Esq.

Dated: 10/28/03

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## I. PLAN INTRODUCTION

In 1995, the Pinelands Commission amended N.J.A.C. 7:50-5.4 to permit local communications facilities to exceed the 35 foot height limit if a Comprehensive Plan for the entire Pinelands was prepared and approved by the Pinelands Commission. The regulations recognized that : (i) local communications systems rely on a network of facilities to receive and transmit radio signals; and (ii) the location of each cell within this network has an effect on the other locations of other cells; and (iii) a well designed and integrated network can avoid the proliferation of towers throughout the entire Pinelands Area. Comprehensive Plans for both cellular and personal communications services (PCS) for wireless communications facilities were adopted by the Pinelands Commission. At the time of submissions and adoption of the Comprehensive Plans, AT&T Wireless PCS of Philadelphia and its affiliates (“AT&T Wireless”) were not actively developing their wireless communications system in the Pinelands and did not participate in the adoption of the Comprehensive Plans. AT&T Wireless is now building out its wireless communications system in the Pinelands and submits the within amendment to the Cellular and PCS Comprehensive Plans (“Amended Plan”). This Amended Plan is not proposed to supercede the Comprehensive Plans but is in addition to and incorporates all documents that have been approved by the Pinelands Commission in regard to the Comprehensive Plans.

AT&T Wireless has attempted to design its network utilizing existing and approved structures as requested by the Pinelands Commission with a minimum number of proposed new structures. It is a concise and accurate representation of the facilities necessary for the provision of adequate reliable wireless service by AT&T Wireless throughout the planned build-out area in the Pinelands during the next five (5) to ten (10) years.

The Amended Plan, as prepared and submitted, includes:

- ?? Description of the joint use of facilities by AT&T Wireless.
- ?? Map showing the locations of Pineland Commission approved facilities to be utilized by AT&T Wireless and AT&T Wireless' proposed new sites. (Attached Map)
- ?? Spreadsheet identifying AT&T Wireless Proposed Use of Pineland Facilities. (Attached Schedule A)

AT&T Wireless presents this Amended Plan as part of the required process to allow for the provision and expansion of AT&T Wireless' service within the Pinelands. Such service is required pursuant to AT&T Wireless' FCC license and by its customers. Currently, a significant number of wireless customers reside in the Pinelands and additional customers travel through the region each day. The customers use wireless service for both convenience and out of necessity. As the price of wireless communication service continues to decline, more and more people use wireless services for accessibility. More importantly, safety and security are the top reasons listed by customers for purchasing a phone. If service does not exist, calls whether for convenience or necessity, do not go through. The New Jersey Pinelands Commission has

jurisdiction over one million (1,000,000) acres of property. Currently, much of this area is not covered by AT&T Wireless thereby compromising the safety and security of those customers of AT&T Wireless living in or traveling through the Pinelands area. AT&T Wireless believes the Amended Plan strikes a balance between the growing demand for AT&T Wireless services and the continued protection and public enjoyment of one of New Jersey's greatest treasures.

The Amended Plan is presented in a form that will facilitate ease of use by the Pinelands Commission staff, emergency service providers, and any future and/or alternate wireless service providers.

## **II. COMPREHENSIVE MAP SUMMARY**

### **A. AT&T WIRELESS MAP SUMMARY**

The Pinelands Comprehensive Management Plan (CMP) requires any communication company that proposes a communication facility outside of the “unrestricted” area of the Pinelands to prepare a Comprehensive Plan for all of the existing and proposed facilities within the Pinelands in accordance with Section 7:50-5.4(c)6 of the Pinelands CMP. Therefore, AT&T Wireless is submitting this Amendment to the Comprehensive Plan, in accordance with Section 7:50-5.4(c)6 of the Pinelands CMP. This Amended Plan outlines AT&T Wireless' development plan for communication facilities within the Pinelands.

The Pinelands CMP effectively divides the New Jersey Pinelands into three regions governing the development of communication facilities. The first region, covering the Regional Growth and Pinelands Town Areas, is, effectively “unrestricted.” This region allows other carriers and AT&T Wireless to build facilities with associated structures to any height necessary to meet radio frequency design requirements, with no defined height limit or no limit on the number of structures in the region.

The second region, covering the Agricultural Production Area, Regional Development Area, and Select Villages, is defined as “height restricted.” This region requires the carriers and AT&T Wireless to meet certain siting criteria for proposed facilities, verify that no existing suitable structure exists within the immediate vicinity of the proposed facility, as well as submit a “Comprehensive Plan” of all existing and proposed facilities within the Pinelands, for approval by the Commission.

The third region, covering the Preservation Area, Forest Area, Special Agricultural Production Area, and Select Villages, is defined as “height and least number of structures restricted.” This region requires that the above mentioned siting criteria be met, that the other carriers and AT&T Wireless demonstrate that the least number of structures in this region is proposed, and that a “Comprehensive Plan of all existing and proposed facilities within the Pinelands be submitted for approval by the Commission.

The facilities shown on the AT&T Wireless Site Classification Map have been divided into four (4) groups having the following designations:

Group 1 denoted by red circles on the map, representing existing approved cellular communication facilities.

Group 2 denoted by blue circles on the map, represents existing approved PCS communication facilities.

Group 3 denoted by green squares on the map, represents existing structures.

Group 4 denoted by brown diamonds on the map, represents raw land sites.

**B. EXISTING PCS FACILITIES IN WHICH AT&T WIRELESS PROPOSES TO LOCATE:**

PCS Plan

**Facility 007:**

This facility is located in Atlantic County (Hamilton Township). This facility matches Facility 17 in the comprehensive Cellular Plan. It is in the “height restricted” area and is required for coverage.

PCS Plan

**Facility 010:**

This facility is located in Atlantic County (Hammonton Township). Facility 13 in the Comprehensive Cellular Plan is in the vicinity of this facility. It is in the “unrestricted” area and is required for coverage.

PCS Plan

**Facility 011:**

This facility is located in Atlantic County (Hamilton Township). This facility matches Facility 34 in the Comprehensive Cellular Plan. It is in the “height and least number of structure restricted” area and is required for coverage. The original proposal by both Comprehensive Plans contemplated the use of an existing lattice tower. That tower is not approved by the Pinelands Commission. Therefore, AT&T Wireless proposes the use of a fire observation tower which would require a rebuild or replacement of the fire tower due to structural issues. The use of the fire tower is contingent upon the State of New Jersey (“State”) releasing a bid, AT&T Wireless being the successful bidder and the State entering into an agreement with AT&T Wireless. If all of the above does not occur, then a new tower will be proposed at the site of an existing municipal fire company.

PCS Plan

**Facility 013**

This facility is located in Atlantic County (Folsom Borough). It is in the “height restricted” area and is required for coverage.

PCS Plan

**Facility 014:**

This facility is located in Atlantic County (Hamilton Township). It is in the “height and least number of structure restricted” area and is required for coverage.

This facility is proposed in the area of the Great Egg Harbor River, one of the special areas that the Pinelands Commission regulations seek to protect from visual intrusions. This facility does not appear to be one that can be relocated nor does it deem likely to be relocated on an existing structure. AT&T Wireless recognizes its obligation to minimize the visual impact and will pursue locations and design features to mitigate the impact to the maximum extent practicable.

PCS Plan

**Facility 015:**

This facility is located in Atlantic County (Hamilton Township). It is in the “height and least number of structure restricted” area and is required for coverage.

This facility is proposed in the area of the Great Egg Harbor River, one of the special areas that the Pinelands Commission regulations seek to protect from visual intrusions. This facility does not appear to be one that can be relocated nor does it deem likely to be relocated on an existing structure. AT&T Wireless recognizes its obligation to minimize the visual impact and will pursue locations and design features to mitigate the impact to the maximum extent practicable.

PCS Plan

**Facility 018:**

This facility is located in Burlington County (Pemberton Township). This facility matches with facility 39 in the Comprehensive Plan. It is in the “unrestricted” area and is required for coverage.

PCS Plan

**Facility 019:**

This facility is located in Burlington County (Southampton Township). It is in the “height and least number of structure restricted” area and is required for coverage.

PCS Plan

**Facility 022:**

This facility is located in Burlington County (Woodland Township). The facility matches Facility 41 in the comprehensive Cellular Plan. Notwithstanding the above, there is a County owned lattice tower also in the vicinity which may be used for coverage in lieu of the above. Both sites are located in the “height and least number of structures restricted” area and one of the above is required for coverage.

PCS Plan

**Facility 023:**

This facility is located in Burlington County (Shamong Township). This facility matches Facility 11 in the Comprehensive Cellular Plan. It is in the “height and least number of structures restricted” area and is required for coverage.

PCS Plan

**Facility 024:**

This facility is located in Atlantic County (Mullica Township). It is in the “height and least number of structures restricted” area is required for coverage.

PCS Plan

**Facility 027:**

This facility is located in Burlington County (Medford Township). This facility matches with Facility 8 in the Comprehensive Cellular Plan. It is in the “unrestricted” area and is required for coverage.

PCS Plan

**Facility 028:**

This facility is located in Burlington County (Evesham Township). This facility matches with Facility 9 in the Comprehensive Cellular Plan. It is in the “height restricted” area and is required for coverage.

PCS Plan

**Facility 029:**

This facility is located in Burlington County (Washington Township). This facility matches with Facility 25 in the Comprehensive Cellular Plan. It is in the “height and least number of structures restricted” area and is required for coverage.

PCS Plan

**Facility 031:**

This facility is located in Atlantic County (Mullica Township). This facility matches with Facility 16 in the Comprehensive Cellular Plan. It is in the “height and least number of structures restricted” area and is required for coverage.

This facility is proposed in the area of the Mullica River, one of the special areas that the Pinelands Commission regulations seek to protect from visual intrusions. This facility does not appear to be one that can be relocated nor does it deem likely to be relocated on an existing structure. AT&T Wireless recognizes its obligation to minimize the visual impact and will pursue locations and design features to mitigate the impact to the maximum extent practicable.

PCS Plan

**Facility 032:**

This facility is located in Atlantic County (Weymouth Township). This facility matches with Facility 35 in the Comprehensive Cellular Plan. It is in the “heights and least number of structures restricted” area and is required for coverage.

PCS Plan

**Facility 033:**

This facility is located in Ocean County (Manchester Township). This facility matches with Facility 3 in the Comprehensive Cellular Plan. It is in the “unrestricted” area and is required for coverage.

PCS Plan

**Facility 034:**

This facility is located in Ocean County (Barnegat Township). This facility matches with Facility 4 in the Comprehensive Cellular Plan. It is in “unrestricted” area and is required for coverage.

PCS Plan

**Facility 038:**

This facility is located in Burlington County (Pemberton Township). This facility matches with Facility 2 in the Comprehensive Cellular Plan. It is in the “height and least number of structures restricted” area and is required for coverage.

PCS Plan

**Facility 040:**

This facility is located in Atlantic County (Estell Manor Township). It is in the “height and least number of structures restricted” area and is required for coverage.



This facility is proposed in the area of the Jackson Creek, one of the special areas that the Pinelands Commission regulations seek to protect from visual intrusions. This facility does not appear to be one that can be relocated nor does it seem likely to be relocated on an existing structure. AT&T Wireless recognizes its obligation to minimize the visual impact and will pursue locations and design features to mitigate the impact to the maximum extent practicable.

PCS Plan

**Facility 041:**

This facility is located in Burlington County (Tabernacle Township). This facility matches with Facility 6 in the Comprehensive Cellular Plan. It is in the “height and least number of structures restricted” area and is required for coverage.

PCS Plan

**Facility 042:**

This facility is located in Burlington County (Bass River Township). It is in the “height restricted” area and is required for coverage.

PCS Plan

**Facility 043:**

This facility is located in Atlantic County (Hamilton Township). It is in the “height restricted” area and is required for coverage.

PCS Plan

**Facility 047:**

This facility is located in Camden County (Waterford Township). It is in the “unrestricted” area and is required for coverage.

PCS Plan

**Facility 050:**

This facility is located in Camden County (Winslow Township). It is in the “height restricted” area and is required for coverage.

PCS Plan

**Facility 052:**

This facility is located in Atlantic County (Hamilton Township). It is in the “height restricted” area and is required for coverage.

PCS Plan

**Facility 053:**

This facility is located in Atlantic County (Hamilton Township). It is in the “height restricted” area and is required for coverage.

PCS Plan

**Facility 055:**

This facility is located in Atlantic County (Egg Harbor Township). It is in the “unrestricted” area and is required for coverage.

PCS Plan

**Facility 058:**

This facility is located in Ocean County (Barnegat Township). It is in the “unrestricted” area and is required for coverage.

PCS Plan

**Facility 061:**

This facility is located in Ocean County (Barnegat Township). It is in the “unrestricted” area and is required for coverage.

PCS Plan

**Facility 062:**

This facility is located in Burlington County (Woodland Township). It is in the “height and least number of structures restricted” area and is required for coverage.

This facility is proposed in the area of the Pine Plains, one of the special areas that the Pinelands Commission regulations seek to protect from visual intrusions. This facility does not appear to be one that can be relocated nor does it deem likely to be relocated on an existing structure. AT&T Wireless recognizes its obligation to minimize the visual impact and will pursue locations and design features to mitigate the impact to the maximum extent practicable.

PCS Plan

**Facility 065:**

This facility is located in Ocean County (Little Egg Harbor Township). It is in the “height and least number structures restricted” area and is required for coverage.

**C. EXISTING APPROVED CELLULAR FACILITIES ON WHICH  
AT&T WIRELESS PROPOSES TO LOCATE**

Cell Plan

**Facility 301:**

This facility is located in Atlantic County (Buena Vista Township). This facility matches with Facility 20 in the Comprehensive Cellular Plan. It is in the “height restricted” area and is required for coverage.

Cell Plan

**Facility 310:**

This facility is located in Atlantic County (Buena Vista Township). This facility matches with Facility 14 in the Comprehensive Cellular Plan. It is in the “height restricted” area and is required for coverage.

This facility is proposed in the area of the Great Egg Harbor River, one of the special areas that the Pinelands Commission regulations seek to protect from visual intrusions. This facility does not appear to be one that can be relocated nor does it deem likely to be relocated on an existing structure. AT&T Wireless recognizes its obligation to minimize the visual impact and will pursue locations and design features to mitigate the impact to the maximum extent practicable.

Cell Plan

**Facility 320:**

This facility is located in Atlantic County (Hammonton Township). This facility matches with Facility 53 in the Comprehensive Cellular Plan. It is in the “unrestricted” and is required for coverage.

Cell Plan

**Facility 326:**

This facility is located in Burlington County (North Hanover Township). This facility matches with Facility 38 in the Comprehensive Cellular Plan. It is in the Federal or Military Facility and is required for coverage.

Cell Plan

**Facility 331:**

This facility is located in Burlington County (Tabernacle Township). This facility matches with Facility 26 in the Comprehensive Cellular Plan. It is in the “unrestricted” area and is required for coverage.

Cell Plan

**Facility 338:**

This facility is located in Burlington County (Evesham Township). This facility matches with Facility 44 in the Comprehensive Cellular Plan. It is in the “height restricted” area and is required for coverage.

Cell Plan

**Facility 350:**

This facility is located in Cape May County (Woodbine Township). This facility matches with Facility 23 in the Comprehensive Cellular Plan. It is in the “unrestricted” area and is required for coverage.

Cell Plan

**Facility 352:**

This facility is located in Cape May County (Upper Township). This facility matches with Facility 51 in the Comprehensive Cellular Plan. It is in the “height restrictive” area and is required for coverage.

Cell Plan

**Facility 354:**

This facility is located in Cumberland County (Maurice River Township). This facility matches with Facility 22 in the Comprehensive Cellular Plan. It is in the “height and least number of structures restricted” area and is required for coverage.

This facility is proposed in the area of the Tuckahoe River, one of the special areas that the Pinelands Commission regulations seek to protect from visual intrusions. This facility does not appear to be one that can be relocated nor does it deem likely to be relocated on an existing structure. AT&T Wireless recognizes its obligation to minimize the visual impact and will pursue locations and design features to mitigate the impact to the maximum extent practicable.

Cell Plan

**Facility 356:**

This facility is located in Gloucester County (Monroe Township). This facility matches with Facility 15 in the Comprehensive Cellular Plan. It is in the “height restricted” area and is required for coverage.

Cell Plan

**Facility 359:**

This facility is located in Ocean County (Jackson Township). This facility matches with Facility 36 in the comprehensive Cellular Plan. It is in the “height restricted” area and is required for coverage.

Cell Plan

**Facility 360:**

This facility is located in Ocean County (Manchester Township). This facility matches with Facility 1 in the Comprehensive Cellular Plan. It is in the “height and least number of structures restricted” area and is required for coverage.

Cell Plan

**Facility 362:**

This facility is located in Ocean County (Jackson Township). This facility matches with Facility 37 in the Comprehensive Cellular Plan. It is in the “height restricted” area and is required for coverage.

Cell Plan

**Facility 372:**

This facility is located in Cumberland County (Maurice River). This facility matches with Facility 21 in the Comprehensive Cellular Plan. It is in the “height and least number of structures restricted” area and is required for coverage.

**D. EXISTING STRUCTURES ON WHICH AT&T WIRELESS PROPOSES TO LOCATE**

**Facility 300:**

This facility is located in Atlantic County (Egg Harbor Township). It is in the “unrestricted” area and is required for coverage.

**Facility 302:**

This facility is located in Atlantic County (Hamilton Township). It is in the “unrestricted” area and is required for coverage.

**Facility 303:**

This facility is located in Atlantic County (Egg Harbor Township). It is in the “unrestricted” area and is required for coverage.

**Facility 304:**

This facility is located in Atlantic County (Egg Harbor Township). It is in the Federal or Military Facility and is required for coverage.

**Facility 305:**

This facility is located in Atlantic County (Egg Harbor Township). It is in the “unrestricted” area and is required for coverage.

**Facility 307:**

This facility is located in Atlantic County (Egg Harbor Township). It is in the “unrestricted” area and is required for coverage.

**Facility 309:**

This facility is located in Atlantic County (Hamilton Township). It is in the “height and least number of structures restricted” area and is required for coverage.

**Facility 311:**

This facility is located in Atlantic County (Mullica Township). It is in the “height and least number of structures restricted” area and is required for coverage.

**Facility 315:**

This facility is located in Atlantic County (Galloway Township). It is in the “unrestricted” area and is required for coverage.

**Facility 324:**

This facility is located in Atlantic County (Folsom Township). It is in the “height and least number of structures restricted” area and is required for coverage.

**Facility 325:**

This facility is located in Atlantic County (Galloway Township). It is in the “unrestricted” area and is required for coverage.

**Facility 327:**

This facility is located in Burlington County (Tabernacle Township). It is in the “unrestricted” area and is required for coverage.

**Facility 328:**

This facility is located in Burlington County (Pemberton). It is in the “unrestricted” area and is required for service.

**Facility 330:**

This facility is located in Burlington County (Medford Township). It is in the “unrestricted” area and is required for coverage.

**Facility 339:**

This facility is located in Burlington County (Bass River Township). It is in the “height and least number of structures restricted” area and is required for coverage.

**Facility 346:**

This facility is located in Camden County (Winslow Township). It is in the “height and least number of structures restricted” area and is required for coverage

**Facility 347:**

This facility is located in Camden County (Winslow Township). It is in the “height and least number of structures restricted” area and is required for service.

**Facility 353:**

This facility is located in Cumberland County (Maurice River Township). It is in the “unrestricted” area and is required for coverage.

**Facility 355:**

This facility is located in Gloucester County (Monroe Township). It is in the “unrestricted” area and is required for coverage.

**Facility 357:**

This facility is located in Ocean County (Berkeley Township). It is in the “height and least number of structures restricted” area and is required for coverage..

**Facility 364:**

This facility is located in Burlington County (Tabernacle Township). It is in “the height restricted” area and is required for coverage.

**Facility 367:**

This facility is located in Ocean County (Lakehurst Township). It is in the “unrestricted” area and is required for coverage.

**Facility 368**

This facility is located in Ocean County ( South Toms River Borough). It is in the “unrestricted” area and is required for coverage.

**Facility 370:**

This facility is located in Atlantic County (Egg Harbor City). It is in the “unrestricted” area and is required for coverage.

**Facility 371:**

This facility is located in Atlantic County (Egg Harbor Township). It is located in the “unrestricted” area and is required for coverage.

**Facility 373:**

This facility is located in Atlantic County (Folsom River). It is located in the “height and least number of structures restricted” area and is required for coverage.

**Facility 374:**

This facility is located in Gloucester County (Monroe Township). It is in the “height restricted” area and is required for coverage.

**Facility 375:**

This facility is located in Ocean County (Lacey Township). It is in the “height and least number of structures restricted” area and is required for coverage.

**E. RAW LAND SITES PROPOSED TO BE CONSTRUCTED BY AT&T WIRELESS**

**Any sites built by AT&T Wireless shall be constructed for co-location. AT&T Wireless shall use its best efforts in working with other wireless communication carriers so that other carriers can co-locate on AT&T Wireless structures.**

**Facility 322:**

This facility is located in Atlantic County (Hamilton Township). It is in the “height restricted” area and is required for coverage.

**Facility 323:**

This facility is located in Atlantic County (Galloway Township). It is in the “unrestricted” area and is required for coverage.



**Facility 334:**

This facility is located in Burlington County (Pemberton Township) on municipal property. It is in the “unrestricted” area and is required for coverage.

**Facility 336:**

This facility is located in Burlington County (Pemberton Township). It is in the “unrestricted” area and is required for coverage.

**Facility 358:**

This facility is located in Ocean County (Berkeley Township). It is in the “height and least number restricted” area and is required for coverage.

**Facility 363:**

This facility is located in Atlantic County (Mullica Township). It is in the “unrestricted” area and is required for coverage.

**F. AT&T WIRELESS SITES ALREADY ON AIR**

On Air Site

**Facility 001**

This facility is located in Gloucester County (Monroe County). It is in the “unrestricted” area and is required for coverage.

On Air Site

**Facility 002:**

This facility is located in Camden County (Winslow Township). It is in the “height restricted” area and is required for coverage.

On Air Site

**Facility 020:**

This facility is located in Burlington County (Woodland Township). It is in the “height and least number of restricted” area and is required for coverage.

On Air Site

**Facility 030:**

This facility is located in Atlantic County (Hammonton Township). This facility matches with Facility 12 in the Comprehensive Cellular Plan. It is in the “height and least number of structure restricted” area and is required for coverage.

On Air Site

**Facility 035:**

This facility is located in Ocean County ( Barnegat Township). This facility matched with Facility 5 in the Cellular Comprehensive Plan. It is in the “height and least number of structures restricted” area and is required for coverage.

On Air Site

**Facility 039:**

This facility is located in Ocean County (Manchester Township). This facility matches with Facility 24 in the Comprehensive Cellular Plan. It is in “unrestricted” area and is required for coverage.

On Air Site

**Facility 048:**

This facility is located in Atlantic County (Hammonton Township). It is in the “unrestricted” area and is required for coverage.

On Air Site

**Facility 059:**

This facility is located in Ocean County (Stafford Township). It is in the “unrestricted” area and is required for coverage.

On Air Site

**Facility 308:**

This facility is located in Atlantic County (Hamilton Township). This facility matches with Facility 50 in the Comprehensive Cellular Plan. It is in the “unrestricted” area and is required for coverage.

On Air Site

**Facility 313:**

This facility is located in Atlantic County (Hamilton Township). It is in the “unrestricted” area and is required for coverage.

On Air Site

**Facility 332:**

This facility is located in Burlington County (Woodland Township). This facility matches with Facility 7 in the Comprehensive Cellular Plan. It is in the “height and least number of structures restricted” area and is required for coverage.

On Air Site

**Facility 337:**

This facility is located in Burlington County (Medford Township). This facility matches with Facility 28 in the Comprehensive Cellular Plan. It is in the “height restricted” area and is required for coverage.

On Air Site

**Facility 340:**

This facility is located in Burlington County (Bass River Township). It is in the “height and least number of structure restricted” area and is required for coverage.

On Air Site

**Facility 343:**

This facility is located in Camden County (Berlin Township). It is in the “unrestricted” area and is required for coverage.

On Air Site

**Facility 344:**

This facility is located in Camden County (Waterford Township). This facility matches with Facility 29 in the Comprehensive Cellular Plan. It is in the “unrestricted” area and is required for coverage.

On Air Site

**Facility 348:**

This facility is located in Camden County (Winslow Township). It is in the “unrestricted” area and is required for coverage.

On Air Site

**Facility 366:**

This facility is located in Camden County (Chesilhurst Borough). It is in the “unrestricted” area and is required for coverage.

## G. SITES NOT INCLUDED IN PROPOSED OR ADOPTED PLANS

### Facility 21:

This facility is located in Burlington County ( Pemberton ) and is in a problem area. AT&T Wireless has deleted this site from its plan, however, this site is needed by AT&T Wireless and other carriers. It is located in the “height and least number of structures restricted” area and is required for coverage.

## III. SIGNAL PROPAGATION MAP

This Amended Plan includes a signal propagation map which demonstrates that AT&T Wireless has designed its network to utilize the least number of facilities in the Pinelands . Please note that on the propagation map a few of the numbers include the letter “c”. The “c” represents corrected. The latitudes and longitudes used by AT&T Wireless were the original latitudes and longitudes utilized on the Comprehensive Plans. Since the adoption of the Comprehensive Plans many sites have been built. A few of the sites were built slightly off of the original latitude and longitude designation. Thus AT&T Wireless used the letter c to show the exact location of the structures which deviate from the original latitudes and longitudes.

Also, the propagation map distinguishes between -85dBm and -95dBm. Residential coverage is identified at -85dBm while Outdoor coverage is identifies as -95dBm. Please note that -85dBm has a stronger signal strength than -95dBm. When a signal passes through a any type of material it loses strength. If a -85dBm signal passes through a window or wall the remaining signal strength would be in the range of -93dBm to -95dBm, thus the customer would be able to receive or make a call in his/her home. Whereas, if -95dBm were to pass through a window or wall the coverage in a building would be -103dBm to -105dBm and the likelihood of receiving or initiating a call would be difficult. Signal strengths of -103dBm and higher are very weak and service would be unreliable. AT&T Wireless identified -85dBm as Residential because the signal could be received in a home whereas -95dBm is generally acceptable coverage for the outdoors.

## IV. CODE COMPLIANCE

PLAN COMPLIANCE WITH CODE – N.J.A.C. 7:50-5.4

Pursuant to N.J.A.C. 7-50 - 5.4, the plan shall include:

1. Five (5) and ten (10) year horizons (N.J.A.C. 7:50-5.4 (c) (6))

The Amended Plan, as submitted, does include such horizons as outlined in AT&T Wireless Map Summary Plan. It is AT&T Wireless' intent to develop all sites as quickly as possible, with the majority of the site being built within the next five (5) years however this is AT&T Wireless five (5) to ten (10) year projection of required sites.

2. The approximate location of all proposed facilities (N.J.A.C. 7:50-5.4 (c) (6))

The Amended Plan, as submitted, does include PCS and Cell Plan numbers as well as latitude and longitude. (See attached Spread Sheet identified at Exhibit A).

3. Demonstration that the facilities to be located in the Preservation Area District, Forest Area, Special Agricultural Production Area and certain Pinelands Villages are the least number necessary to provide adequate service, taking into consideration the location of facilities outside the Pinelands that may influence the number and location of facilities needed within the Pinelands [N.J.A.C. 7:505.4 (c) (6)].

AT&T Wireless worked to determine the least number of towers necessary within the Preservation Area District, the Forest Area, the Special Agricultural Production Area and Pinelands Villages. AT&T Wireless designed its network in the Pinelands region "from the outside in" as requested by the Pinelands Commission. That is, AT&T Wireless attempted to design its networks so as to provide coverage for as much of the Pinelands as possible from facilities located outside the Pinelands and only designated facilities within the Pinelands to the extent necessary to complete the network and provide adequate service to the Pinelands.

This Amended Plan represents a network that when completed should provide adequate coverage for those areas within the Pinelands included in the AT&T Wireless planned coverage area while keeping the number of new towers in the most sensitive zones of the Pinelands to a minimum. In summary, the Commission can be assured that the least number criteria has been met. AT&T Wireless will not exceed four (4) new towers within the Regional Growth Area and Pinelands Town Areas, and one (1) in the Rural Development Area, and one (1) in the Forest Management, Preservation and Pineland Village Areas, and one (1) in the Federal or Military Facilities.

4. Demonstration of need for the facility to serve the local communication needs of the Pinelands, including those related to public, health and safety, as well as demonstration of the need to locate the facility in the Pinelands in order to provide adequate service to meet those needs [N.J.A.C. 7:50-5.4 (c) (1)]

The proposed facilities are needed to provide adequate coverage to the Pinelands pursuant to AT&T Wireless' FCC licenses, AT&T Wireless' current coverage plan and customer requirements. The Telecommunications Act of 1996 ("TCA") is the federal law which governs the regulation of the placement, construction, and modification of personal wireless service

facilities by any State or local government. Specifically, the TCA, 47 U.S.C. § 332(c)(7)(B) provides in part:

(i) The regulation of the placement, construction, and modification of personal wireless service facilities by any State or local government or instrumentality thereof ;

(ii) shall not unreasonably discriminate among providers of functionally equivalent services; and

(iii) shall not prohibit or have the effect of prohibiting the provision of personal wireless services.

(iv) Any State or local government or instrumentality thereof shall act on any request for authorization to place, construct or modify personal wireless service facilities within a reasonable period of time after the request is duly filed with such government or instrumentality, taking into account the nature and scope of such request.

(v) Any decision by a State or local government or instrumentality thereof to deny a request to place, construct, or modify personal wireless service facilities shall be in writing and supported by substantial evidence contained in a written record.

(vi) No State or local government or instrumentality thereof may regulate the placement, construction, and modification of personal wireless service facilities on the basis of the environmental effects of radio frequency emissions to the extent that such facilities comply with the Commission's regulations concerning such emissions.

(vii) Any person adversely affected by any final action or failure to act by a State or local government or any instrumentality thereof that is inconsistent with this subparagraph may, within 30 days after such action or failure to act, commence an action in any court of competent jurisdiction. The court shall hear and decide such action on an expedited basis. Any person adversely affected by an act or failure to act by a State or local government or any instrumentality thereof that is inconsistent with clause (iv) may petition the Commission for relief.

The TCA further provides at § 253(a):

No State or local statute or regulation, or other State or local legal requirement, may prohibit or have the effect of prohibiting the ability of any entity to provide any interstate or intrastate telecommunications service.

The Superior, Appellate and Supreme Courts of New Jersey recognize the need for these types of facilities. The New Jersey Supreme Court has recognized the need for wireless service in its recent decision, Smart SMR of New York Inc. d/b/a Nextel Communications vs. Borough of Fair Lawn Board of Adjustment. The Court noted that “[I]n today's world, prompt and reliable information is essential to the public welfare....” To this end, the Court was satisfied that a proposed “facility, including the monopole, is a necessary part of an increasingly public service. In fact, the Court noted that a Federal Commission (FCC) license will suffice to establish that the use serves the general welfare. Regarding placement of such facilities, the Court, in agreement with the telecommunications Act of 1996, stated that municipal boards may not altogether prohibit (mobile communication facilities) from being constructed within the municipality.” It went on to say that its “goal in making these suggestions is to facilitate the decision of cases involving the location of telecommunication facilities“ (emphasis added).

Further, although enhanced and beneficial to everyone, the fact that wireless service is utilized by Emergency Medical Services, Police and Firefighters greatly increases this need. In fact, the Federal Government has recognized the need for such communications and has made wireless communications a priority as evidenced by the enactment of the Telecommunications Act of 1996.

5. Demonstration that the antenna utilizes an existing communications or other suitable structure to the extent practicable. [N.J.A.C. 7:50-5.4 (e) (3)]

Wherever possible, AT&T Wireless has utilized existing structures or sought to site at locations approved under the PCS and CP Plans where the CPs and PCS' carriers will likely be constructing structures in the future. AT&T Wireless will further address the use of existing structures at the time that an application for site approval is made to the Pinelands Commission.

It shall be noted that existing structures are not considered practicable for use until and unless:

- ?? There is an agreement in place to use the structure with the land owner and/or the structure owner;
- ?? The property meets the Pinelands Site criteria for the placement of AT&T Wireless' equipment shelter; and
- ?? Access and utilities to the site are available.

To ensure that existing structures were indeed utilized to the greatest extent possible, AT&T Wireless conducted extensive field research in the vicinity of each proposed location and reviewed the Location of Existing CP and PCS Facility Structures and the lists of existing structures in the Pinelands. AT&T Wireless reviewed the lists with respect to identifying any existing structures that could be used to site its facilities. Where such structures were identified, AT&T Wireless designed its network so as to make use of such existing structures.

It should be noted that all information research about existing structures not developed during AT&T Wireless field research was provided to AT&T Wireless by outside sources and, therefore, AT&T Wireless does not certify its accuracy or completeness. In the future, any existing structure found to be in close proximity to a proposed facility at the time that an application is made to the Pinelands will be evaluated to determine if such structure might meet the technical needs of the proposed service area and AT&T Wireless will make every effort to use any additional existing structures identified that meet the technical network requirements.

6. Demonstration, or indication of the need to demonstrate when the actual siting of facilities is proposed, that the supporting structure is designed to accommodate the needs of any other local communications provider which has identified a need to locate a facility within an overlapping service area. [N.J.A.C. 7:50-5.4, (2)]

AT&T Wireless acknowledges that all new structures will be constructed so that they can be extended, if need be, to a height of 200 feet for the purposes of co-location. Particular design criteria will be addressed at the time application for a Certificate of Filing is made.

7. Demonstration, or indication of the need to demonstrate when the actual siting of facilities is proposed, that, if an existing communications or other suitable structure cannot be utilized, the antennas and any necessary supporting structure is located such that it meets all siting criteria per the code. [N.J.A.C. 7-50-5.4 (c) (4)]

AT&T Wireless acknowledges that compliance with siting criteria as outlined in the Code is required. Such criteria will be addressed for each individual facility at the time that an application for site approval is made to the Pinelands Commission.

In addition, AT&T Wireless further certify that any facilities which may have a visual impact as outlined in NJAC. 7:50-5.4 (c)(4) will be designed to minimize or avoid such impact to the maximum extent practicable.

8. Demonstration, or indication of the need to demonstrate when the actual siting of facilities is proposed, that the antenna and any supporting structure does not exceed 200 feet in height, but, if of a lesser height, shall be designed so that the height can be increased to 200 feet if necessary to accommodate other local communications facilities in the future [N.J.A.C. 7:50-5.4 (c) 5]



AT&T Wireless acknowledges that all new structures will be designed and constructed so that they can be extended, if need be, to a height of 200 feet for the purposes of co-location. Particular design criteria will be addressed at the time of a Certificate of Filing is made.

9. Demonstration that, where more than one entity is providing the same type of service or has a franchise for the area in questions, the Amended Plan shall be agreed to and submitted by all such providers where feasible, and shall provide for the joint construction and use of the least number of facilities that will provide adequate service by all providers for the local communication system intended. Shared service between entities, unless precluded by Federal law or regulation, shall be part of the Amended Plan when such shared services will reduce the number of facilities to be otherwise developed [N.J.A.C. 7:50-5.4 (c) 6]

The Amended Plan signatory is a current CP and PCS provider, providing the same type of service (fully duplexed voice and data service in the 800-850; and 1850-1990 range), licensed by the Federal Communications Commission (FCC) to provide such service throughout southern New Jersey including the New Jersey Pinelands, and is ready, willing and able to participate in preparation of such an Amended Plan. The Amended Plan, as submitted, provides for the joint construction and use of the least number of facilities that will provide adequate service under the current build out plan of the signatory provider.

## **V. PUBLIC NEED**

Pursuant to N.J.A.C. 7:50-5.4 (c)(1), AT&T Wireless must demonstrate the need for the facility to serve the local communication needs of the Pinelands, including those related to public health and safety. The proposed facilities are needed to provide adequate coverage to the Pinelands pursuant to AT&T Wireless' FCC licenses, AT&T Wireless' current coverage plan and customer requirements. In fact, the Federal Government has made wireless communications a priority as evidenced by the enactment of the Telecommunications Act of 1996. Reliable coverage is necessary for calls of convenience and, more importantly, calls of necessity. Over 57 million 9-1-1 calls are made each year in the US from wireless phones. This benefits not only those who have phones, but also other individuals who may be in need and benefit from a wireless customer making a call for them. Calls are also made to other "Emergency Services" such as Coast Guard Boater's Assistance, Assistance on Major State Roadways, and the State Police. Wireless service has also been utilized during disaster situations such as the Edison gas leak, Hurricanes Fran, Andrew, and others; San Francisco Earthquake; the Oklahoma Bombing; and the World Trade Center tragedy. Wireless service is widely used by Emergency Medical Services, Police, and Firefighters.

## **VI. CO-LOCATION**

In an effort to work with the communities of the New Jersey Pinelands to minimize the impact of wireless facilities, AT&T Wireless has made a commitment to promote co-location. To the extent possible, AT&T Wireless will design and make all of its owned future

structures available for use by other FCC-licensed wireless providers (WPs) in accordance with the policies set for in this Section.

As a threshold matter, AT&T Wireless, including the Commission, recognize that a lessee can grant no more rights than it has under a lease. The AT&T Wireless' co-location policies under this Amended Plan are as follows, subject always to this basic limiting principle.

#### **A. Equal Access**

1. Space on existing and proposed tower structures will be made available to other WPs in accordance with the process described.
2. Request for co-location will be considered in a timely manner.
3. No reciprocal agreements (e.g. *quid pro quo* access to another structure owned by the party requesting co-location) will be required to make an application eligible for co-location.
4. To facilitate initial and future co-locations, master agreements are encouraged.
5. With respect to proposed tower structures, AT&T Wireless will attempt to ensure that the lease allows for co-location by proposing and advocating lease agreement language that permits subleasing. Where the lessor does not permit subleasing, AT&T Wireless agrees to be supportive of potential users in their attempts to work with the lessor.
6. Notice of construction of new structures will be provided in accordance with any relevant Pinelands Comprehensive Management Plan regulations.

#### **B. Market Value Pricing**

Co-location will be provided at fair market value rental rates. These rates will take into account rates in comparable leases for similar sites, and any site development costs incurred by the structure owner/operator during the site design, approvals, construction and maintenance stages for the site in question.

### **C. Design of Tower Structures**

Tower structures will be designed to allow sufficient room for cable, antennas and equipment of future co-locators and to support the anticipated weight and wind load of their future additional facilities. Space for ground level maintenance, equipment shelter, and switching facilities will be reserved for future co-locators to the extent practical.

The tower structure will be designed to allow antenna attachment and independent maintenance at various heights.

The tower structure will be designed so as to easily expandable to a height of 200 feet above ground level.

Relocation of existing antennas on a tower structure to accommodate a new co-locator will be permitted, if the new location(s) meet the existing co-locator's needs and the cost of the relocation is borne by the new co-locator. The relocation plans and schedules must be coordinated with AT&T Wireless and in compliance with the lease agreement.

If any modification (lease, structure, ground space, etc.) are required for an existing structure, AT&T Wireless will attempt, at the time such modification is made, to make the site and structure suitable for co-location, both within the existing lease and otherwise.

### **D. Access and Utilities**

Each co-locator will be responsible for independently obtaining and maintaining their respective required electric and telephone utilities services so long as the underlying ground lease allows for same. The tower structure owner or first tower user shall inform the telephone and electric companies, at the time of its utility installation, of the fact that the site may be occupied by other users in the future.

Co-locators, if allowed by the underlying ground lease, will have: (1) a non-exclusive right of access for ingress and egress, seven (7) days a week, twenty four (24) hours a day, for the installation and maintenance of utility wires, poles, cables, conduits and pipes either over or underground, extending from the most appropriate public right of way to the tower structure area, and (2) access privileges to the tower facility area for all authorized personnel of co-locators for the maintenance and operation of their respective facilities.

## **E. Co-location Procedures**

### 1. Application

When a WP has identified a need for service in an area where there is an existing or proposed AT&T Wireless tower structure, the WP may contact AT&T Wireless and request the exact location, geographical coordinates, heights and available ground space within the structure lease area, etc. Contact information will be provided to the Pinelands Commission when determined.

If the WP decides to pursue co-location on the structure, a formal application that contains information about the WPs radio frequency requirements, antenna specification, equipment shelter dimensions, height of antennas, etc. will be provided to AT&T Wireless. The application will be reviewed by AT&T Wireless for any potential radio frequency interference issues, tower structural conflicts, electrical concerns, security or access issues, space availability, and lease term and regulatory compliance.

### 2. Approval

The application will be approved if there are no service disruptions or service affecting interference with existing signals, site operations or lease terms, regulatory conditions and lack of structural analysis failure issues. Existing site restrictions and technical incompatibility may not always permit co-location.

Should a structural analysis prove that the tower structure will not hold the additional antennas and equipment requested, the WP may investigate with AT&T Wireless the possibility/feasibility and cost of modifying the tower structure or extending the height up to 200 feet, and relocating all existing users as necessary to accommodate the WP needs as well as the existing facilities and possible future co-locators. If the WP desires to pursue such reconstruction and/or relocation of antennas, and same is feasible, AT&T Wireless will allow it provided such action does not cause unreasonable service disruptions or service affecting interference with existing signals, or cause interference with site operations, lease terms, regulatory conditions or future needs of AT&T Wireless. AT&T Wireless retains all rights previously held, including, but not limited to, those regarding tower ownership, unless otherwise negotiated in the agreement with WP.

Reasons for any denial of co-location request will be provided to the applicant by the tower structure owner in writing

### 3. Contract & Site Development

Once AT&T Wireless approves the co-location application, a “co-location package” shall be supplied to the WP including site plans and tower drawings. Concurrently, a license, sublease or other appropriate agreement, will be prepared, reviewed and executed by the parties.

Once an agreement for the specific site has been executed, site development and design will be coordinated between AT&T Wireless and the applicant. Right of Way access will be provided in accordance with the agreement.

The WP will also contract with a design firm to prepare site plans and construction drawings as required by the WP and AT&T Wireless. The WP will prepare the application for all required regulatory site plan approvals. When the WP has secured permits, a pre-construction meeting will be scheduled with the WP to ensure that all guidelines are followed in the planning and construction process with an emphasis on safety and security. Once construction is completed, access privileges to the secured lease area will be provided for all authorized personnel of the users of the facility for maintenance and operation in accordance with the agreement.

### 4. Application Period; Emergency Services; Compliance with Law

Application to co-locate will continue to be accepted by AT&T Wireless for that site as long as support structure space and ground space are still available. If sufficient ground space is not available under current lease terms, AT&T Wireless will support efforts to retain additional ground space. Applications will be accepted on a first come first serve basis until the support structure can no longer hold additional facilities without compromising the service of existing co-locators or the structural integrity of the tower structure.

Co-location opportunities may be provided to emergency service providers utilizing the same procedures outlined in this section.

All WPs must operate in compliance with all applicable local, state or federal, laws, rules and regulations.

## **VII. LEVEL OF SERVICE**

With regard to the level of service on which this plan is based, N.J.A.C. 7:50-5.4 effectively provides that the Pinelands Commission’s goal for the wireless facilities plan is to provide adequate service that serves the local communication needs of the Pinelands. The facilities proposed by AT&T Wireless in this plan are indeed those that are needed to provide

adequate service to the Pinelands pursuant to AT&T Wireless' FCC licenses, the current coverage plan and customer requirements.

Currently, portions of the Pinelands receive either inadequate or no wireless telephone service. In some cases, these may represent rather large geographic areas, many of which are located in the less populated portions of the region. In others, stretches along highway arteries are not adequately served, leaving coverage gaps that lead to dropped calls or to a customer's inability to receive or make a call.

In evaluating the need for service, AT&T Wireless relied upon three widely recognized parameters that help to define service levels. These are uniformly used by AT&T Wireless inside and outside the Pinelands and consist of :

1. Signal to Interference ratio at audio

This parameter describes the ratio of the power of the intended (desired) audio signal in the customer audio band (typically 30 – 3,400 MHz) to the power level of interference from all other sources in the same frequency band. In wireless radio, interference is typically the result of other signals in the same (RF) frequency band, present due to the practice of frequency re-use in other cells.

2. Dropped call rate

This parameter represents the ratio of dropped calls to the total number of active calls in a service area. The “dropped call” rate is measured over a period of time. A “dropped call” is a previously active call, which was ended due to non-availability of wireless communication services to customers in the service area. For purpose of this plan, “non-availability” in the “service area” refers to customers (and equipment that serves customers) who are physically present inside the Pinelands, and is limited to services and equipment of the provider to the Pinelands customer. Specifically, a call dropped due to non-availability of service (or non-availability of equipment) to a customer who is outside the Pinelands is not considered a “dropped call” for purposes of assessing the “dropped call” rate in the Pinelands.

3. Blocked call rate

This parameter represents the ratio of the number of blocked calls to the number of all dialed calls made in a service area. The “block call” rate is measured over a unit of time (order of magnitude of a minute). A “blocked call” is a dialing attempt from the service area that does not result in an active call due to non-availability of wireless phone service or equipment to the service area calling party. The probability of a “block call” can increase in the event of a public emergency located in an area of inadequate service. For the purpose of this plan, “non-availability” in the “service area” refers to customers (and equipment that serves customers) who are physically present inside the Pinelands, and is limited to services and equipment of the provided to the Pinelands customer. Specifically, a “block call” due to non-availability of

service (or non-availability of equipment) to a customer who is outside the Pinelands is not considered a “block call “ for purposes of assessing the “block call” rate in the Pinelands.

AT&T Wireless firmly believes that each of the currently proposed facilities is needed to provide minimum adequate service under their current build out plan. AT&T Wireless has developed this plan to meet its anticipated service needs for the next five years, however, any modification in technical standards may require evaluation changes to be used in the future.

### **VIII. FUTURE TECHNOLOGY**

The Amended Plan takes into account AT&T Wireless’ emerging technology towards third generation wireless. The sites proposed by AT&T Wireless will provide coverage for its current and near future needs.

The Pinelands Commission has asked AT&T Wireless to generally address a new technology referred to as “Distributed Antenna Systems.” This system is not utilized by AT&T Wireless or other carriers in the Pinelands for many reasons as set forth at a recent meeting with all of the carriers. Some of the issues that were discussed was the fact that the antennas are placed at a low height on structures very close in proximity. The radio frequency coverage is directed along roadways in a small oval shaped pattern. This technology would only cover a roadway and a very small area to the north and south of the roadway, not a complete circular area of approximately a two (2) mile radius covered by a “standard” site around the roadway. In fact it would take from eight (8) to sixteen (16) Distributed Antenna Sites to cover one (1) “standard” site and the quality of coverage by the Distributed Antenna System would vary greatly depending upon whether or not the antennas are placed above the tree line. The result is an unacceptable level of coverage which does not meet AT&T Wireless’ required coverage area pursuant to its license. This also causes unacceptable coverage for public safety reasons. Only those customers traveling on the designated roadway would have coverage, none of the homes or people traveling away from the roadway would have service. Thus required emergency services such as fire, evacuation or search and rescue would fail.

If the Pinelands Commission chooses a particular stealth technology in a specific area then AT&T Wireless would evaluate the specific technology based upon its operational and business aspects. Each proposed area would have to be evaluated on a site by site basis. AT&T Wireless cannot give a general opinion on whether or not it would use stealth technology when the exact location and technology has not been determined. The providing of wireless communications is very technical and a blanket statement on stealth technology cannot be made. However AT&T Wireless will work with the Commission in regard to this issue.

## **IX. SHARED FREQUENCIES**

Under AT&T Wireless' federal license, it is required to provide services to its customers. AT&T Wireless will provide its own service pursuant to its license. In connection with shared frequencies, AT&T Wireless does not currently plan to have the Pinelands covered by another carrier's frequency, however, if there is a change, AT&T Wireless will notify the Commission.

## **X. CONCLUSION**

In summary, this Amended Plan constitutes an accurate representation of the existing and proposed communication facilities necessary to provide adequate, reliable AT&T Wireless service to the New Jersey Pinelands region now and for the near future. AT&T Wireless has attempted to design its network in the Pinelands region "from the outside in" as requested by the Pinelands Commission. AT&T Wireless has attempted to provide coverage for as much of the Pinelands as possible from facilities located outside the Pinelands and only designated facilities within the Pinelands to the extent they are necessary to complete the network and provide adequate service throughout the AT&T Wireless build out area in the Pinelands. The high level of time and resources that AT&T Wireless has devoted to the design of its networks in the Pinelands, has yielded a network plan that successfully limits the number of new structures required in the Pinelands and directs those new structures, that are required, to sites most appropriate for those structures.



**EXHIBIT A**

SEE ATTACHED SPREAD SHEET