



Inside Towers

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[NY Appeals Court Invokes Telecom Act, Clears East Fishkill Tower](#)

The U.S. Court of Appeals for the Second Circuit in New York on Tuesday handed the tower industry a significant victory by embracing a lower court's ruling earlier this year on an effective prohibition claim made by a tower company after a town denied its application to build a 150-foot cell tower for Verizon Wireless.

A three-judge Appeals Court panel denied an appeal by the town of East Fishkill, NY, after a lower court, the U.S. District Court for the Southern District of New York, ruled on January 30 the town's denial to Homeland was effectively prohibiting it from providing wireless services in violation of the Telecommunications Act of 1996. The landmark decision demands the town immediately issue Homeland Towers LLC and its tenant, Verizon Wireless, a permit to build the tower but it also sets a precedent for all similar cases going forward that courts will generally interpret the Spectrum Act in the same manner.

"We are thrilled that the Second Circuit adopted Homeland and Verizon's position regarding the significance of the service to be provided, looking at the gap's physical size, the number of wireless users affected by the gap, the location of the gap, drop call or failure rates and other real metrics associated with providing reliable wireless services to the public," Christopher Fisher, one of four attorneys with the New York-based firm of Cuddy + Feder, LLP, who represented the plaintiffs, said. "This is a critical advancement of the law, particularly when it comes to regulatory barriers to services being provided in all wireless infrastructure scenarios including towers, DAS, small cells, whether it be coverage or capacity situations." Continue reading [here](#).



Mobile Broadband Data Demand to Grow 'Thousandfold' by 2020



University of California-Santa Barbara researchers say there's a new wave coming to "conventional" wireless networks, and that's the stress that demand is placing on wireless capacity. EurekaAlert.org said that mobile broadband data demand will grow a "thousandfold" by 2020, and Upamanyu Madhow, a professor in UC Santa Barbara's Department of Electrical and Computer Engineering, said carriers and providers are trying to find a solution.

The culprits include multimedia applications, streaming services, games, cloud storage, web conferencing and remote desktop services. However, \$2.4 million has been allocated from the National Science Foundation to

research solutions. Madhow and other researchers from UCSB, Stanford and the University of Wisconsin-Madison have been researching “millimeter wave band,” an area of the electromagnetic spectrum that operates at a much higher frequency than the radio waves used in conventional wireless communications, UCSB said in a statement. Continue reading [here](#).

State College Borough Adds Small Cells

If Crown Castle has anything to do with it, Penn State alumni will experience improved cell service when they return to State College, PA, for a Nittany Lions event. The tower company submitted an application to the State College’s Borough Council of State College on November 9 to install a small cell network using a dozen antennas aimed at improving the local wireless data network.

Paul Gilbert, a representative for Crown Castle, told council members, “Crown is preparing to make a significant investment in the wireless network and wireless infrastructure in the borough of State College,” according to *Centre Daily Times*.

The antennas will be a part of a local small cell network designed to augment the larger wireless data network in the region. The end result will be more reliable service, with fewer service failures caused by high traffic volumes. Crown Castle would like to install the antennas on pre-existing structures, mostly streetlights, and would not have a major effect on the aesthetic appeal of local neighborhoods. The plan is not unlike similar small cell projects being undertaken in major cities such as San Francisco, Omaha and Baltimore.

The antennas could be used by all major wireless carriers, and Crown Castle plans to pay the borough \$1,200 annually for the agreement, as well the \$900 per structure. The council will vote on the final agreement at a later date.



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The advertisement features a red background with a white RFS logo on the left, which consists of the letters 'RFS' above three wavy horizontal lines. To the right of the logo, the text is in white and yellow. On the far right, there is a silhouette of a city skyline and a telecommunications tower with multiple antennas.

AT&T, PA Town Wrestle Over Tower Lease Rent, Length



North Coventry Township, in Pennsylvania, currently is locked in negotiations with AT&T over a communications tower the city is leasing to the carrier. The issue at stake is the ongoing revenue for the town created by the lease. The town was originally contacted by a representative of AT&T to renegotiate its previous agreement, which is up for renewal every five years until 2030. AT&T would like to guarantee the length of the lease till 2030, and in return receive a reduction in rent.

The new lease would guarantee the township, which is 45 miles northwest of Philadelphia, at least \$377,000 over the next fifteen years, but that amount would be substantially less than what the town could make if it refused to negotiate. At a meeting on Monday night (November 9), Township Manager Kevin Hennessey said, “My feeling is, no, it’s not a good deal,” reported the *Reading Eagle*.

In contrast, Tim Boddye, a representative of Black Dot Wireless involved in negotiating for AT&T, claimed in a conference call with city commissioners the town has no guarantee that the lease will be renewed in 2020.

According to the Eagle, Boddye said changes in technology could make the tower unnecessary for AT&T customers.

Board Chairman Jim Marks, was skeptical of Boddye's claim. "The best case I can find, we're at least five or six years from even being close to that. I don't see any motivation for us to accept that (offer)". Boddye plans to present a new offer to the city this week after conferring with AT&T.

New Canaan Still Improving Cell Service

Repercussions from a car fire that claimed the life of a local resident still are reverberating through the community of New Canaan, CT. The fire demonstrated the need for better cell coverage for all New Canaan residents in an area city commissioners have been working to improve for more than a decade.

The Silver Hill site in particular, which has taken more than 12 years to complete, has been the focal point of a strategy commissioners and officials have been working to improve to ensure the public safety of local residents. The delays in bringing the Silver Hill tower online have not been caused by the opposition of area residents to the potential risks normally associated with communication towers. Instead, the delays have been out of the hands of the town, and caused by problems with construction and providing power for the facility.

Commissioner Tom Tesluk proposed the town pass a comprehensive plan for installing towers in the future, and avoid the quagmire involved with the incremental plan they had previously taken, according to the *NC Advertiser*. The proposal was accepted and embraced and since then, Tesluk and Howard Freeman of the Utilities Commission, have identified more gaps in coverage in the town and surrounding areas. The town is now working with tower developers to find a public/private partnership to solve coverage issues in the near future.



Arizona's Prescott Valley Welcomes Improved Verizon Service



Viewpoint Park, AZ, Verizon customers should see improved cell service by the end of 2015. The Prescott Valley Town Council approved the antenna site lease for a cell tower in the spring, the tower went up, but Verizon has yet to finish the fiber connection, according to the *Prescott Valley Tribune*.

While the project hasn't had delays, Verizon spokeswoman Jenny Weaver told the *Tribune* it should be finished by the end of the year after fiber connections are complete. "The tower will be fitted to service only devices that carry Verizon's 4G LTE. Those Prescott Valley residents with cell phones that still operate using 3G LTE will not see a difference in their service."

Dunwoody Considers Agreements with Crown Castle, Mobilite

At a recent public meeting involving the Dunwoody City Council in Georgia, both old and new members of the City Council discussed agreements with two telecommunications businesses to install new cellular antennas on the city's streetlight and utility poles, and considered public opinions on the matter.

The two companies involved, Mobilite and Crown Castle, have offered to pay the town 15 miles northeast of Atlanta \$500 a year for each pole the antennas are installed on, if the City Council will pass the agreements. The Dunwoody Crier reports the agreement being discussed with Crown Castle is for an initial five year term, followed by three possible five year renewals. On the other hand, Mobilite is working toward signing a 15-year agreement, with renewals limited to three, five year terms.

While it is possible for the city to reject the proposals for due to safety and aesthetics concerns, contact with local residents is not required before the equipment is installed. Crown Castle provided diagrams of the equipment it plans to install, and Mobilite included a clause in its contract that enables them to trim back limbs and vegetation interfering with their equipment. At the hearing Monday night (November 9), both proposals were considered, and public comment was made. Approval of the agreements is set for a later date.

NATE Statement on Eiffel Tower Climber Video Footage

The National Association of Tower Erectors (NATE) denounces the recent online video footage that has surfaced that glorifies a daring late-night climb of the Eiffel Tower in Paris, France. While it is important to emphasize that this situation does not involve trained telecommunications tower industry personnel, the free-climbing and reckless daredevil tactics portrayed in the video sensationalizes dangerous behavior and runs counter to NATE's mission of fall protection advocacy and worker safety. NATE encourages media personnel and the online community to use appropriate discretion and restraint in the future in order to not call undeserving attention to dangerous acts similar to the Eiffel Tower climbing incident.



Tower Ticker

SYMBOL	TIME & PRICE	CHG & % CHG	DAY'S LOW & HIGH	VOLUME
★ AMT	04:00pm EST 97.35	↓0.27 ↓0.28%	96.95 98.27	1,682,993
★ CCI	04:01pm EST 84.15	↓0.48 ↓0.57%	83.92 84.84	1,000,650
★ SBAC	04:00pm EST 106.06	↓0.84 ↓0.79%	105.65 106.89	615,170
★ S	04:00pm EST 4.14	↑0.14 ↑3.50%	3.94 4.16	29,475,042
★ T	04:00pm EST 32.69	↓0.23 ↓0.70%	32.63 32.86	17,407,791
★ TMUS	04:00pm EST 37.97	↑0.57 ↑1.52%	37.01 38.20	4,316,131
★ VZ	04:01pm EST 44.83	↓0.49 ↓1.08%	44.77 45.09	11,041,853

Gabelli & Co. Said T-Mobile Could Be Worth \$83 Per Share in 2019

Investment house Gabelli & Co. said in *Barron's* yesterday T-Mobile could be worth \$83 a share in 2019. It believes the recent stock drop is "an overreaction" as the carrier still has significant operating momentum. T-Mobile shares (Nasdaq: TMUS) closed down 57 cents yesterday at \$37.93. "We view recent downward move in T-Mobile US shares as an overreaction, believe the company still has significant operating momentum and strategic optionality/value, and reiterate our "Buy" recommendation," Gabelli & Co. said.

"We continue to view T-Mobile as essentially the only way for a domestic or foreign company to enter the U.S. wireless market in a meaningful way. Potential acquirers of T-Mobile could include Dish Network, Comcast, Charter Communications/Time Warner Cable, Liberty Media, SoftBank Group [of Japan]/Sprint, foreign carriers and/or private equity. We calculate a 2016 private market value of \$49 per share, growing to \$83 per share in 2019."

Zoning & Moaning

West Hazleton Residents Fight New Verizon Tower

Residents of West Hazleton, PA, located near Scranton, are vowing to fight a new proposal for a wireless communications tower located in Luzerne County. The response follows the West Hazleton City Council decision on Tuesday (November 10) to permit Verizon Wireless to build a 67-foot tower on an empty lot. The spot is near businesses and residences.

Council members assured the public that Verizon met all the zoning regulations, clearing the way for the project to move forward. CBS/ABC affiliate WBRE-TV/Wilkes-Barre reported people living near the project are concerned about potential health risks and the economic impact of the tower. For those concerned about the health effects, attorney Richard Williams, representing Verizon, told Eyewitness News that the electromagnetic emissions are 100 times lower than the requirements set by the FCC. In addition, he said the tower would not negatively affect the neighborhood.

Company Profile

If you are interested in having your company featured here at no charge, please [email](#) us. We'll be happy to set up an interview.

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Tower Calendar

Protecting Spectrum Investments in Today's Hostile Urban Jungle

Webinar, November 17, 2 p.m. ET

The increasing reliance on wireless technologies makes it vital for spectrum users to monitor and control the RF operating environment. Interfering signals can degrade the capacity of communications networks, and illicit transmissions in the vicinity of prisons, national borders and critical infrastructure may represent security threats. Learn to protect your spectrum to assure a clean signal environment; to automate the process of interference detection, and how to geo-locate sources of interference or unwanted signals.

Host: Patrick Weisgarber - Business Development Manager, Anritsu

Register: <https://attendee.gotowebinar.com/register/7934497388689654273>

Get Smart About Smart Cities

Webinar, Wednesday, November 18, 2 p.m. ET



Andres Carvallo
Founder & CEO
CMG

Examine what smart services will mean to cities and municipalities as they take advantage of technological offerings such as the internet of things, smart devices and connected grids to increase communication and management. Understand what is available now, what is coming, and how it all works together.

Host: Andres Carvallo - Founder and CEO of CMG.

Registration Fee: \$99.00

To register, click [here](#).

Electrical Compliance & NFPA 70E Updates for the Workplace

Webinar, Thursday, December 3, 2 p.m. ET

Host: Brian McCauley - Honeywell - VP of Salisbury Assessment Solutions

Electrical safety is essential for all businesses and industries. Your company may be at risk for employee injury and death, as well as fines associated with non-compliance. Know your company's risks and prevent employee injuries and avoid heavy OSHA fines. Learn about recent changes from NFPA 70E for 2015. This event is geared toward all businesses regardless of industry and is presented by Salisbury by Honeywell and Occupational Health & Safety magazine.

To register, click [here](#).

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