

**MACKENZIE & ALBRITTON LLP**

155 SANSOME STREET, SUITE 800  
SAN FRANCISCO, CALIFORNIA 94104

TELEPHONE 415/288-4000  
FACSIMILE 415/288-4010

April 18, 2018

**VIA EMAIL**

Bernadette Curry, Esq.  
County Counsel  
Solano County  
675 Texas Street, Suite 6600  
Fairfield, California 94533

Re: Verizon Wireless Application No. U-17-09  
Telecommunications Facility, Marshview Road and Goodyear Road  
APN 0046-110-280  
FCC Shot Clock Tolling Agreement: July 6, 2018

Dear Bernadette:

We write to you on behalf of our client Cellco Partnership dba Verizon Wireless (“Verizon Wireless”) with respect to the above-referenced application for a proposed wireless facility filed November 3, 2017 (the “Application”). Federal law requirements obligate Solano County (the “County”) to take final action on Verizon Wireless’s application within specified time periods unless the time period is extended by mutual consent. Verizon Wireless believes this time period will expire prior to conclusion of an appeal period following a public hearing on the Application. When countersigned, this letter will confirm an agreement between Verizon Wireless and the County to extend the applicable time period for review of the Application under the federal Telecommunications Act to July 6, 2018.

The federal Telecommunications Act requires that local governments act on wireless siting applications “within a reasonable period of time.” *See* 47 USC § 332(c)(7)(B)(ii). In a 2009 declaratory ruling, the Federal Communications Commission established a legal presumption that a local government has violated this requirement if it takes longer than 90 days to act on an application to collocate a wireless facility or 150 days to act on any other type of wireless facility application. *See In Re: Petition for Declaratory Ruling to Clarify Provisions of Section 332(c)(7)(B) to Ensure Timely Siting Review, Etc.*, FCC 09-99 (FCC November 18, 2009) (the “Ruling”).<sup>1</sup> The Ruling further permits the period for review of an application to be extended by mutual consent. Ruling, ¶ 49.

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<sup>1</sup> The Ruling was upheld by the United States Supreme Court on May 20, 2013. *See City of Arlington v. Federal Communications Commission*, 133 S. Ct. 1863 (U.S. 2013).

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In order to allow the County to act on the application in an orderly manner, without either party risking the loss of important rights, the parties agree that the time period within which the County may take final action on the Application shall be extended through July 6, 2018, and that no limitations period for any claim of unreasonable or unlawful delay in processing the Application shall commence to run before said date.

If you agree, this letter agreement may be executed in counterparts, and scanned or facsimile signatures shall be deemed equivalent to original signatures. I will appreciate your returning a countersigned copy to me.

Sincerely,



Paul B. Albritton

cc: Karen Avery

**ACCEPTED AND AGREED TO:**

**Solano County**

By: 

Printed name: James Laughlin

Title: Deputy County Counsel

19 April 2018