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Planning Services Division

Re: Use Permit Application U-19-01 (AT&T Mobility)

Dear Mr. Swarner:

We write to you with respect to the above-referenced application for a proposed wireless facility, filed January 7, 2019 (the "Application"). Federal law obligates Solano County to take final action on the Application within specified time periods, unless the time period is extended by mutual consent. The County believes this time period will expire before the County will be able to take a final action on the Application. When countersigned, this letter will confirm an agreement between AT&T Mobility and the County to extend the applicable time period for final County action on the Application under the federal Telecommunications Act to April 6, 2020.

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). Under rules adopted by the FCC in 2018, there is a legal presumption that a local government has violated this "reasonable period of time" requirement if it takes longer than 90 days to act on an application to collocate a wireless facility other than a Small Wireless Facility using an existing structure, or 150 days to act on an application to deploy a wireless facility other than a Small Wireless Facility using a new structure. See 47 CFR § 1.6003. This presumptively reasonable period of time for review of an application may be extended by written agreement between the applicant and the siting authority. 47 CFR § 1.6003(d).

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 April 6, 2020, and that no limitations period for any claim of unreasonable 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,

A handwritten signature in cursive script that reads "Matt Walsh".

Matt Walsh, Principal Planner

ACCEPTED AND AGREED TO:

AT&T Mobility

By:

A handwritten signature in cursive script that reads "Tom Swarner".

Printed name: Tom SWARNER

Date: 1/8/20

Title: SITE DEVELOPMENT MGR.