

**City of Federal Way  
Franchise Application**  
For Location of Telecommunications  
Facilities Within City Right-of-Way

**IMPORTANT:** THIS APPLICATION CAN NOT BE SUBMITTED UNLESS ACCOMPANIED BY A FRANCHISE APPLICATION FEE DEPOSIT OF \$5,000 CONSISTENT WITH FWRC 4.22.040. THIS DEPOSIT IS TO COVER ACTUAL ADMINISTRATIVE EXPENSES INCURRED BY THE CITY (INCLUDING STAFF AND ATTORNEY/CONSULTANT RELATED TIME) ASSOCIATED WITH THE REVIEW OF THIS FRANCHISE APPLICATION AND ASSOCIATED FRANCHISE NEGOTIATIONS. THIS IS ONLY AN INITIAL DEPOSIT AND ADDITIONAL FEES MAY APPLY IF ADDITIONAL STAFF AND ATTORNEY/CONSULTANT RELATED TIME IS NECESSARY.

Applicants may attach additional pages to further explain and supplement the answers below. If you have any questions related to filling out this Franchise Application Form please contact the Right-of-Way Permit Desk at:  
rowpermits@cityoffederalway.com or (253) 835-2725.

<b>General Information</b>		
<b>Name of Applicant:</b> Seattle SMSA Limited Partnership, a Delaware limited partnership, d/b/a Verizon Wireless		
<b>Address:</b> 180 Washington Valley Road		
<b>City:</b> Bedminster	<b>Zip Code:</b> 07921	<b>Telephone:</b> 425-216-2682
<b>State:</b> NJ		<b>Email:</b> Devendra.maharaj@verizonwireless.com
<b>Has the Applicant obtained a City business license?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Business License Submitted concurrently.		
<b>PLEASE NOTE:</b> All telecommunication carriers and service providers engaged in the business of transmitting, supplying, or furnishing telecommunications service of any kind originating or terminating in the City of Federal Way shall apply and obtain a Business Registration from the City pursuant to Chapter 12.05 FWRC.		
<b>Name of Person Filing this Application:</b> Devendra Maharaj		
<b>Title:</b> Small Cell Strategy Specialist		
<b>Company:</b> Verizon Wireless		
<b>Address:</b> 3245 158 <sup>th</sup> Ave SE		
<b>City:</b> Bellevue	<b>Zip Code:</b> 98008	<b>Telephone:</b> 425-219-2682
<b>State:</b> WA		<b>Email:</b> <a href="mailto:Devendra.maharaj@verizonwireless.com">Devendra.maharaj@verizonwireless.com</a>
<b>Are you serving as agent for the above named applicant?</b>		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<b>If yes, please attach proof of agency.</b>		

**Property and Facility Information**

**Is this an application for:**

**(i) New franchise? Yes  No**

**(ii) Renewal/amending an existing franchise? Yes  No**

**If Yes, provide the current franchise ordinance number.**

**(iii) Transfer of a franchise? Yes  No**

**If Yes, identify who currently holds the franchise:**

**If you are renewing/amending an existing franchise, has your franchise otherwise expired?**

**Yes  No**

**If not, what is the expiration date of your current franchise?**

**Describe the telecommunications services that will be offered over the telecommunications facilities.**

Small Cell wireless facilities located within the ROW

**Please answer the following questions.**

**Are you proposing to install facilities for personal wireless services? Yes  No**

**Are you proposing to install small cell facilities in the right-of-way (as that term is defined in RCW 80.36.375)? Yes  No**

**Are you proposing to install wireline facilities? Yes  No**

**Are you proposing to install only one facility in the right-of-way? Yes  No**

**Are you proposing to operate cable service or other video programming service? Yes  No**

**Are you proposing to install a wireless communications tower in the right-of-way? Yes  No**

**Are you proposing to install new poles in the right-of-way? Yes  No**

**Are you proposing to install replacement poles in the right-of-way? Yes  No**

**If you are proposing to install replacement poles in the right-of-way, will these poles be over 60 feet? Yes  No**

**Are you proposing to install ground equipment in the right-of-way? Yes  No**

**Are you proposing to install facilities in environmentally critical areas, as defined in Chapter 19.145 FWRC? Yes  No**

**If Yes, have you contacted the City of Federal Way Community Development Department regarding the installation? Yes  No  N/A**

**Are you proposing to install facilities in shoreline management areas, as defined in Chapter 15.05 FWRC? Yes  No**

**If Yes, have you applied for a Substantial Development Permit, a Conditional Use Permit, a Variance, and/or Shoreline Exemptions? Yes  No**

**If Yes, please provide the application number(s): N/A**

**Describe the telecommunications facilities and/or other equipment (including personal wireless services and wireless communications facilities) proposed to be located within the right-of-way. Please provide a photo simulation of the proposed facilities, which shall include a description of any interconnection and electrical requirements.**

Antennas will be installed pole top and an ancillary equipment cabinet will be installed based on the new Federal Way Wireless Code and in conjunction with the Public Works Department. Photo simulations are attached for typical installed based on pole type.

**Describe the transmission medium that will be used to provide telecommunications.**

Small cells will use fiber and antenna's to transmit wireless service.

**Describe the areas of the City that are anticipated to be served. What is the expected build-out schedule for these areas? If the City is already built out, describe if there are any expected construction projects.**

Verizon anticipates approximately 10-15 small cells to be built out in the City in the next few years. In an effort to partner with the City, Verizon would like to execute a Franchise Agreement first and then submit site specific locations to the Public Works Department. A preliminary map of Verizon's anticipate initial deployment is attached. Please note that the 11 locations (called Nodes) are located within Verizon desired initial target area (red polygon).

**What alternate routes and/or locations for the proposed facilities have been evaluated? Explain why this site is the best alternative.**

This information can be provided at the time of site specific small cell applications.

**Describe your site access policies.**

Verizon will adhere to all City Construction Management policies and procedures.

**Are any proposed facility locations within a Bonneville Power Administration Easement?**

Yes  No

**If Yes, you must apply for and receive a permit from the Bonneville Power Administration and provide the permit to the City.**

**Do you have an existing pole attachment or lease agreement with owners of poles in the right-of-way?**  
Yes  No

**Have you commenced coordination with pole owners regarding usage of their facilities and their requirements for leases/pole attachments?** Yes  No

**Is the applicant requesting to locate on City-owned poles (note: if applicant requests usage of a City-owned pole it will need to enter into a separate lease agreement with the City)?** Yes  No

Verizon, at this time, does not have a plan to locate small wireless facilities on City-Owned poles. Please see tentative service map for preliminary locations.

**Is electrical power to your facilities needed?** Yes  No

**If electrical power is needed, please describe how the facilities will receive electrical power.**  
Verizon will prepare a utility coordination plan with the local electrical utility provider.

**Have you commenced coordination with the local electrical utility about their requirements to provide electrical power to your facilities?** Yes  No

**Is backhaul infrastructure to your facilities needed?** Yes  No

**Is the backhaul infrastructure provided by a third party?** Yes  No

**If backhaul is needed, please describe how the facilities will receive backhaul.**  
Verizon Fiber will provide a fiber plan for each small cell and will submit with the small cell application.

**Have you commenced coordination with backhaul providers regarding their requirements to provide backhaul services to your facility?** Yes  No

**If the facilities are using microwave technologies for backhaul, are there existing macro facilities within the City (or neighboring jurisdictions) to support this technology?**

N/A

**Please describe if your facilities will need any additional interconnection with existing telecommunications facilities or carriers.**

Not Required

**Indicate what licenses, certificates, and authorizations are required from the Federal Communications Commission, the Washington Utilities and Transportation Commission and any other federal or state agency with jurisdiction over the proposed activities. Have all such licenses, certificates and authorizations been obtained? Please attach your registration with the Washington Utilities and Transportation Commission.**

Verizon is licensed with the FCC. Please see attached.

**Describe in detail the services that you expect to provide within the City, including whether the provision of services will be to commercial and/or residential customers.**

Small cells located in the public right of way will be used to provide wireless connectivity for the residents and businesses in the City of Federal Way.

**Provide a summary of all utility taxes the proposed activities, facilities, and other equipment will be subject to. In doing so, provide an estimate of income/revenues that can be used to calculate estimated future utility taxes. Should the applicant believe it is not subject to any utility taxes, provide the basis for such belief.**

Pursuant to FCC Order FCC-2018-133 Paragraph 79

79. Based on our review of the Commission's pole attachment rate formula, which would require fees below the levels described in this paragraph, as well as small cell legislation in twenty states, local legislation from certain municipalities in states that have not passed small cell legislation, and comments in the record, we presume that the following fees would not be prohibited by Section 253 or Section 332(c)(7): (a) \$500 for non-recurring fees, including a single up-front application that includes up to five Small Wireless Facilities, with an additional \$100 for each Small Wireless Facility beyond five, or \$1,000 for non-recurring fees for a new pole (i.e., not a collocation) intended to support one or more Small Wireless Facilities; and (b) \$270 per Small Wireless Facility per year for all recurring fees, including any possible ROW access fee or fee for attachment to municipally-owned structures in the ROW.<sup>233</sup>

Based on this ruling, \$270 is the safe harbor rate for all the fees associated with pole attachments and right of way access. Therefore, the Franchise Utility Tax, as such, is prohibitive to small cell deployment and should not be used for a small cell Franchise Agreement.

**Explain whether the Internet Tax Freedom Act does or does not apply to the services being provided.**

The Internet Tax Freedom Act does not apply to wireless network services. Federal and local taxes are applied though alternative tax laws.

**Provide a list of all cities or towns in which the applicant holds a franchise.**

Please see attached list.

*The City of Federal Way reserves the right to ask additional questions on a case by case basis.*

**Certification**

I certify that the information and any attachment herewith submitted are true and correct to the best of my knowledge and that I have the authority to file this application and act on behalf of the above named telecommunications provider or carrier.

  
Signature

Devendra Maharaj  
Please Print Name

7/24/2019  
Date

<b>Submit to:</b>	Public Works Right-of-Way Permit Technician City of Federal Way 33325 8th Avenue S Federal Way, WA 98003-6325	
<b>Received By:</b>		
Signature	Please Print Name	Date

**SUBMIT WITH THIS COMPLETED APPLICATION FORM:**

A map of the area to be covered by the franchise including specific locations of initial build-out and, if known, proposed future build-out locations. Identify which facilities will be underground, ground based and aerial.

The location proposed for new ducts, conduits, or poles, and evidence that there is sufficient capacity within the public rights-of-way for the proposed telecommunications facilities. *Note: Applicants seeking to install new poles must follow the procedures outlined in the Federal Way Revised Code. Applicant should not presume that requests to install new poles will be approved.*

Evidence of registration in the one-number locator service, as described in Chapter 19.122 RCW.

Evidence of registration with the National Joint Utilities Notification System.

Financial statements prepared in accordance with generally accepted accounting principles demonstrating the applicant's financial ability to construct, operate, maintain, relocate and remove the facilities.

An 11"x17" set of preliminary engineering plans, specifications, and a map with sufficient detail to identify the following items:

- The location and route requested for the applicant's proposed telecommunications facilities;
- The location of applicant's overhead and underground public utility, telecommunication, cable, water, sewer drainage and other lines and equipment in the public ways along the proposed route.

- The specific trees, structures, improvements, facilities, lines and equipment and obstructions, if any, that applicant proposes to temporarily or permanently remove or relocate;

- All associated equipment ground or aerial (any back haul) required to operate system.

A preliminary construction schedule and anticipated completion date.

Complete submittals of any other necessary environmental or construction permits including, but not limited to, shorelines, SEPA, etc.

Description of any zoning or land use permits that have been applied for or obtained from the City, as applicable.

Copies of any other permits or approvals required by this form, and other federal, state, and local regulations.

A check for \$5,000.

**NOTE:**

Approval of the franchise agreement does not imply any approval for construction. All associated land use approvals and required right-of-way use permits must be obtained from the City of Federal Way prior to any construction. All proposed telecommunications facilities must meet all applicable zoning and land use codes as required.