



BEST BEST & KRIEGER 
ATTORNEYS AT LAW

Indian Wells
(760) 568-2611

Irvine
(949) 263-2600

Los Angeles
(213) 617-8100

Ontario
(909) 989-8584

2000 Pennsylvania Avenue, N.W., Suite 4300, Washington, DC 20006
Phone: (202) 785-0600 | Fax: (202) 785-1234 | www.bbklaw.com

Riverside
(951) 686-1450

Sacramento
(916) 325-4000

San Diego
(619) 525-1300

Walnut Creek
(925) 977-3300

Gerard Lavery Lederer
(202) 370-5304
gerard.lederer@bbklaw.com

May 8, 2014

BY ELECTRONIC FILING

Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20554

Re: WT Docket No. 13-238; WC Docket No. 11-59; RM-11688 (terminated);
WT Docket No. 13-32

Dear Secretary Dortch:

On May 6, 2014, on behalf of the Town of Apple Valley, California, Mayor Art Bishop, Councilmember Scott Nassif, Town Manager Frank Robinson, Administrative Analyst Jennifer Heim and the undersigned in his role as counsel for Apple Valley met with Jessica Almond, Peter Trachtenberg, Michael Smith and Won Kim of the Wireless Telecommunications Bureau to address the Town's concerns in the above identified dockets.

Our conversations focused on the Town's unblemished record of never rejecting a tower siting or collocation request, but often reaching agreement on locations and techniques for collocation that were not in the original application. The Town leaders also indicated that while they have a stated preference for locating towers on town owned property, they have never rejected an application that chose to locate a tower on private property.

The Town welcomed the invitation of the FCC professionals to offer greater detail on what would constitute a "substantial change" that takes into consideration more than a percentage change and which is limited to true wireless towers and base stations, not the expanded definitions offered by some parties. The Town made clear that what constitutes a "substantial change" in physical dimensions depends on the site itself. The Town also requested that any rules issued adopt a sensible approach that preserves local flexibility to meet local conditions such as the type of stealth deployment required and to preserve public safety; and supported local environmental and historic preservation efforts.



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Finally, the Town requested that the Commission pursue its earlier announced efforts to identify and share best practices for tower deployments and collocation accommodations.

Please direct any questions to the undersigned.

Sincerely,

A handwritten signature in black ink, appearing to read 'Gerard Lavery Lederer'.

Gerard Lavery Lederer
for BEST BEST & KRIEGER LLP

Attorney for the Town of Apple Valley, California

cc by email:

Jessica Almond (Jessica.Almond@fcc.gov)
Peter Trachtenberg (Peter.Trachtenberg@fcc.gov)
Michael Smith (Michael.Smith@fcc.gov)
Won Kim (Won.Kim@fcc.gov)

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