

FILE COPY

In the Matter of the

**Comprehensive Plan for PCS Communications
Facilities in the Pinelands**

[In Conformance with N.J.A.C. 7:50-5.4 (c) 6]

Submitted by: Sprint Spectrum L.P. and
Omnipoint PCS Entrepreneurs, Inc.

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I. PLAN INTRODUCTION

In conformance with N.J.A.C. 7:50-5.4(c)6 (the Code), as adopted by the New Jersey Pinelands Commission in August of 1995, this "Comprehensive Plan for Personal Communications Service (PCS) Communications Facilities in the Pinelands" (the Plan) has been prepared and submitted to provide an overview of the PCS communications facilities proposed within the Pinelands in areas other than the Regional Growth and Pinelands Town management areas. It is submitted by communications providers of like services that are identified for the purposes of this Plan as the PCS Providers (PCSs). The PCSs are defined as those carriers providing fully duplexed voice and data service in the 1850-1990 MHz range. The Plan signatories are those current PCSs, licensed by the Federal Communications Commission (FCC) to provide such service throughout southern New Jersey including the New Jersey Pinelands, as are ready, willing and able to participated in preparation of such a plan. The entities holding PCS licenses were identified by International Transcription Services, Inc. (ITS), the official contractor for search, retrieval and duplication of FCC file materials, from official FCC records. The signatories are as follows: Sprint Spectrum L.P. (Sprint) and Omnipoint PCS Entrepreneurs, Inc. (Omnipoint). Broadband PCS licenses within southern New Jersey are also held by ATT Wireless PCS, Inc., PCS Primeco, L.P., Comcast PCS Communications, Inc., Nextwave Power Partners Inc. and Rivgam Communicators, L.L.C. however these entities are not signatories to this plan either because they do not currently provide service under said license or because they have not participated in the plan drafting process. This plan is intended to comport with, supplement and enhance the document previously submitted by the Cellular Providers (CPs) known as the "Comprehensive Plan for Wireless Communications Facilities in the Pinelands" (CP's Plan).

The PCSs have attempted to design their network in the Pinelands region "from the outside in" as requested by the Pinelands Commission. That is, the PCSs have attempted to provide coverage for as much of the Pinelands as possible from facilities located outside the Pinelands and only designated facilities within the Pinelands to the extent necessary to complete the PCS current network plan and provide adequate service to the Pinelands. However, it is important to note that the Plan, as such, does not include particulars about specific sites, but, rather, sets forth a framework under which the PCSs and the Pinelands staff can ensure that the "least number" criteria is satisfied. It is also important to note that while the "least number" criteria, as defined by the Code, includes only those facilities located in the Preservation Area District, the Forest Area, the Special Agricultural Production Area and certain specific Pinelands Villages, the PCSs have produced a Plan which ensures the "least number" of new facilities throughout the Pinelands.

In addition to the above, the Code requires that a five (5) and ten (10) year projections of facilities required by all the PCSs be incorporated in the Plan. The Code further requires that all the PCSs employ joint use of facilities wherever possible. In order to meet all requirements of the Code the total number of proposed facilities within the Pinelands was determined by establishing the least number of facilities necessary to provide adequate reliable service in the Pinelands for each participating PCS under its current build-out plan. The PCSs considered alternate technologies that may be available in the near future as well any service provided in the Pinelands by facilities located outside of the Pinelands while making their collective determination.

The Plan, as prepared and submitted, includes:

- Description of the joint use of facilities (Sec. III - Code Compliance),
- A map outlining the locations of proposed and existing facilities (Sec. II (B) - PCS Map),
- Provision for new structures to be used by future carriers (Sec. III (C) - Code Compliance),
- Consideration of alternative future technologies (Sec. III (B) - Code Compliance),
- Demonstration of use of existing structures where practical (Sec. III - Code Compliance),
- Demonstration of consistency with the code siting criteria or a note to demonstrate same at the time of filing for the individual facility involved (Sec. III - Code Compliance), and
- Further description of compliance with the requirements of 7:50-5.4 (c) 6 (Sec. III - Code Compliance).

The PCSs present this Plan as part of the required process to allow for the provision and expansion of PCS service within the Pinelands. Such service is required pursuant to each of the PCSs FCC licenses and by their respective customers. Currently, a significant number of wireless customers reside in the Pinelands and many more customers travel through the region each day. The customers use wireless service for both for convenience and out of necessity. As the price of wireless communication service continues to decline, more and more people use wireless services for accessibility. More importantly, safety and security are the top reasons listed by customers for purchasing a phone. Over six hundred thousand (600,000) 9-1-1 calls are made each year in the US from wireless phones. This benefits not only those who have phones, but also other individuals who may be in need and benefit from a wireless customer making a call for them. If service does not exist, calls - whether for convenience or necessity - do not go through. The New Jersey Pinelands Commission has jurisdiction over one million (1,000,000) acres of property. Currently, much of this area is not adequately covered and some is not covered at all thereby compromising the safety and security of those in or traveling through the Pinelands area. The PCSs believe the Plan strikes a balance between the growing demand for wireless service and the continued protection and public enjoyment of one of New Jersey's greatest treasures.

The Plan is presented in a form that will facilitate ease of use by the Pinelands Commission staff, the PCSs, emergency communication service providers, and any future and/or alternate wireless service providers. It is a concise and accurate representation of the facilities necessary for the provision of adequate reliable wireless service by all the PCSs throughout the PCS's planed buildout area in the Pinelands during the next ten (10) years.

II. "COMPREHENSIVE MAP"

A. PCS MAP SUMMARY

The Pinelands Comprehensive Management Plan (CMP) requires any communication company that proposes a communication facility outside of the "unrestricted" area of the Pinelands to prepare a "Comprehensive Plan" for all of the existing and proposed facilities within the Pinelands in accordance with Section 7:50-5.4(c)6 of the Pinelands CMP. As a result of the Personal Communication Services providers' (PCSs) needs to provide for communication facilities outside of the "unrestricted" regions of the Pinelands, this comprehensive "PCS Plan", in accordance with Section 7:50-5.4(c)6 of the Pinelands CMP, outlining the PCSs development plan for communication facilities within the Pinelands, has been submitted to the Pinelands Commission. The following summary outlines the content of the comprehensive "PCS Map" submitted by the PCSs for approval as part of the above PCS Plan.

The PCS Map prepared by the PCSs builds on the Cellular Provider (CP) Comprehensive Map (CP Map) and provides the greatest detail when consulted in conjunction with the previously approved CP Map. Said CP Map is reprinted herein at Sec. II (D).

Section 7:50-5.4 of the Pinelands CMP effectively divides the New Jersey Pinelands into three regions governing the development of communication facilities.

The first region, covering the Regional Growth and Pinelands Town Areas, is effectively "unrestricted". This region allows the PCSs to build facilities with associated structures to any height necessary to meet radio frequency design requirements, with no defined height limit or no limit on the number of structures in the region. This region is shown on the CP Map, previously submitted by the CPs and included here with at Sec II (D), as the red shaded areas.

The second region, covering the Agricultural Production Area, Regional Development Area, and Select Villages, is defined as "height restricted". This region requires the PCSs to meet certain siting criteria for proposed facilities, verify that no existing suitable structure exists within the immediate vicinity of the proposed facility, as well as submit a "Comprehensive Plan" of all existing and proposed facilities within the Pinelands, for approval by the Commission. This region is shown on the CP Map as the blue shaded areas.

The third region, covering the Preservation Area, Forest Area, Special Agricultural Production Area, and Select Villages, is defined as "height and least number of structures restricted". This region requires that the above mentioned siting criteria be met, that the PCSs demonstrate that the least number of structures in this region is proposed, and that a "Comprehensive Plan" of all existing and proposed facilities within the Pinelands be submitted for approval by the Commission. This region is shown on the CP Map as the green shaded areas.

The facilities shown on the PCS provider's "Comprehensive Map" have been divided into six (6) groups having the following designations:

Group 1, denoted by red circles on the map, represent existing PCS communication facilities. At the present time there are twenty-seven (27) PCS facilities located or approved for construction within the Pinelands Area.

Group 2, denoted by blue circles on the map, represent proposed PCS communication facilities to be located on existing structures. Based upon pending agreements, it is feasible for the PCS providers to formally propose that these facilities will be located on existing structures. This Plan designates sixteen (16) PCS communication facilities that are proposed to be located on existing structures.

Group 3, denoted by green triangles on the map, represent proposed PCS communication facilities which the PCS providers anticipate will be located on existing structures. Although formal agreements with the structure/land owners are not in place, general surveys mentioned in the Comprehensive Cellular Plan suggest that these facilities may be able to be located on an existing suitable structure. PCS operators, unlike the CPs, will not have the ability to locate a site five miles away from the designated target area. A radius of a one-half (1/2) of a mile is more realistic for PCS operators. Therefore, it is likely that existing structures located more than a half of a mile from the target location will not be usable by the PCS operators. A final decision will be made when the facility application is pursued and will be based upon the structure's location in relation to the geographic area in need in service, the feasibility of utilizing the structure from the standpoint of access, availability of utilities, conformance with siting criteria, etc., as well as the ability of the PCS operators to negotiate with the structure/land owner. If the use of an existing structure is not feasible, the facility will be proposed on a site which will satisfy the service need and comply with the requirements of the Pinelands Management Plan. This Plan designates seven (7) PCS communication facilities that the PCS providers anticipate will be located on existing structures.

Group 4, denoted by magenta triangles on the map, represent proposed PCS communication facilities in areas which have been previously approved in the Cellular Plan. Based upon general surveys of the areas in which these facilities are proposed, it does not appear that there are existing suitable structures within a one-half (1/2) mile radius on which these facilities can be located. However, the cellular master plan has already allowed for the siting of a tower in this area. There does appear to be one or more potential sites that satisfy the service need and may comply with the Pinelands siting standards for a new structure. When each facility application is pursued, the possible use of an existing structure will be reviewed in detail, as will the siting of a new structure if it is again found that the use of an existing structure is not feasible. This Plan designates seven (7) PCS communication facilities that are located in previously approved cellular siting locations but have not yet been constructed.

Group 5, denoted by yellow triangles on the map, represent proposed PCS communication facilities which are unlikely to be located on existing structures. Based upon general surveys of the areas in which these facilities are proposed, it does not appear that there are existing suitable structures within a one-half (1/2) mile radius on which these facilities can be located. However, there do appear to be one or more potential sites that satisfy the service need and may comply with the Pinelands siting standards for a new structure. When each facility application is pursued, the possible use of an existing structure will be reviewed in detail, as will the siting of a new structure if it is again found that the use of an existing structure is not feasible. This Plan designates five (5) PCS communication facilities that are unlikely to be located on existing structures.

Group 6, denoted by orange triangles on the map, represent proposed PCS

communication facilities which will not be constructed if Omnipoint can reach an agreement, acceptable to the FCC, on boundary issues with adjoining license holders. FCC license requirements mandate that the holder of a PCS license for one MTA not transmit into the adjoining MTA. However, PCS license holders ordinarily negotiate, subject to the FCC regulations, the right to transmit across MTA boundaries as needed. In this instance Omnipoint has been unable to negotiate such an agreement to date because the current owner of the adjoining license is experiencing financial difficulties that have apparently prevented it from negotiating with Omnipoint. Omnipoint expects to be able to negotiate the necessary agreements shortly but has included in the Plan the (1) one site that would be necessary in the event that such an agreement cannot be reached or was not acceptable to the FCC.

A breakdown of the facility classifications can be found at the end of this report at Sec. V (B) - “Facility Summary Chart”. Please note – Site numbers 12, 21, 44 and 63 are not used in this Plan and have been intentional omitted from this Plan.

The following summaries outline the available information for each facility at the time of the “Comprehensive PCS Plan” submission:

Existing PCS Facilities:

Facility 1:

This is an existing **Sprint PCS** facility @ 150 feet and is located in **Monroe**. This facility matches with Facility 30 in the Comprehensive Cellular Plan, which is an existing **BAM** facility. It is in the “unrestricted” area and is required for coverage.

Facility 2:

This is an existing **Sprint PCS** facility @ 153 feet and is located in **Winslow**. It is an existing AT&T tower. It is in the “unrestricted” area and is required for coverage.

Facility 3:

This is an existing **Sprint PCS** facility @ 168 feet and is located in **Waterford**. It is an existing NJ Public Broadcasting Authority tower. It is in the “heights restricted” area and is required for coverage.

Facility 4:

This is an existing **Sprint PCS** facility @ 140 feet and is located in **Tabernacle**. This facility matches with Facility 27 in the Comprehensive Cellular Plan, which is an existing **BAM** facility. It is in the “unrestricted” area and is required for coverage.

Facility 5:

This is an existing **Sprint PCS** facility @ 127 feet and is located in **Hammonton**. It is an existing 125 feet Atlantic City Electric High Tension Electric Pole. It is in the “height restricted” area and is required for coverage.

Facility 6:

This is an existing **Sprint PCS** facility @ 117 feet and is located in **Hamilton**. This facility matches with Facility 54 in the Comprehensive Cellular Plan, which is a proposed **Nextel** facility. It is an existing 125 feet Water Tank in the “height and least number of structures restricted” area. The facility is required for coverage.

Facility 9:

This is an existing **Sprint PCS** @125 feet and **Omnipoint** @ 115 facility and is located in **Egg Harbor City**. It is an existing 125 feet Township Water Tank. It is in the “unrestricted” area and is required for coverage.

Facility 36:

This is an existing **Sprint PCS** facility @ 152 feet and is located in **Winslow**. It is an existing 150 feet Atlantic City Electric High Tension Electric Pole. It is in the “height restricted” area and is required for coverage.

Facility 45:

This is an existing **Omnipoint** facility @ 85 feet and is located in **Medford**. This facility is an existing Water Tank. It is in the “unrestricted” area and is required for coverage.

Facility 46:

This is an existing **Omnipoint** facility @ 89 feet and is located in **Monroe**. This facility is on a building. It is in the “unrestricted” area and is required for coverage.

Facility 47:

This is an existing **Omnipoint** facility @ 197 feet and is located in **Waterford**. This facility is an **Omnipoint** tower. It is in the “unrestricted” area and is required for coverage.

Facility 48:

This is an existing **Omnipoint** facility @ 121 feet and is located in **Hammonton**. This facility is a 119 feet Atlantic Electric High Tension Electric Pole. It is in the “unrestricted” area and is required for coverage.

Facility 49:

This is an existing **Omnipoint** facility @ 118 feet and is located in **Winslow**. This facility is a 116 feet Atlantic Electric High Tension Electric Pole. It is in the “height restricted” area and is required for coverage.

Facility 50:

This is an existing **Omnipoint** facility @ 144 feet and is located in **Winslow**. This facility is a 142 feet Atlantic Electric High Tension Electric Pole. It is in the “height restricted” area and is required for coverage.

Facility 51:

This is an existing **Omnipoint** facility @ 125 feet and is located in **Hammonton**. This facility is a 123 feet Atlantic Electric High Tension Electric Pole. It is in the “height restricted” area and is required for coverage.

Facility 52:

This is an existing **Omnipoint** facility @ 144 feet and is located in **Hammonton**. This facility is a 142 feet Atlantic Electric High Tension Electric Pole. It is in the “height restricted” area and is required for coverage.

Facility 53:

This is an existing **Omnipoint** facility @ 102 feet and is located in **Hamilton**. This facility is a 100 feet Atlantic Electric High Tension Electric Pole. It is in the “height restricted” area and is required for coverage.

Facility 54:

This is an existing **Omnipoint** facility @ 118 feet and is located in **Galloway**. This is a 116 feet Atlantic Electric High Tension Electric Pole. It is in the “unrestricted” area and is required for coverage.

Facility 55:

This is an existing **Omnipoint** facility @ 89 feet and is located in **Egg Harbor**. This is an 87 feet Atlantic Electric High Tension Electric Pole. It is in the “unrestricted” area and is required for coverage.

Facility 56:

This is an existing **Omnipoint** facility @ 187 feet and is located in **Galloway**. This is an existing 220 feet lattice tower. It is in the “height restricted” area and is required for coverage.

Facility 57:

This is an existing **Omnipoint** facility @ 89 feet and is located in **Bass River**. This is an 87 feet Atlantic Electric High Tension Electric Pole. It is in the “height restricted” area and is required for coverage.

Facility 58:

This is an existing **Omnipoint** facility @ 175 feet and is located in **Barnegat**. This is an existing lattice tower. It is in the “unrestricted” area and is required for coverage.

Facility 59:

This is an existing **Omnipoint** facility @ 220 and is located in **Stafford**. This is an existing lattice tower. It is in the “unrestricted” area and is required for coverage.

Facility 60:

This is an existing **Omnipoint** facility @ 180 feet and is located in **Eagleswood**. This is an **Omnipoint** tower. It is in the “height and least number of structures restricted” area and is required for coverage.

Facility 61:

This is an existing **Omnipoint** facility @ 98 feet and is located in **Barnegat**. This facility is an **Omnipoint** tower. It is in the “height and least number of structures restricted” area and is required for coverage.

Facility 66:

This is an existing **Omnipoint** facility @ 135 feet and is located in **Lake Hurst**. This facility is an existing Water Tank. It is in the Fort Dix Military compound and is required for coverage.

Facility 67:

This is an existing **Omnipoint** facility @ 90 feet and is located in **Egg Harbor**. This is a 90 feet Atlantic Electric Pole Replacement. It is in the “unrestricted” area and is required for coverage.

Proposed PCS Communication Facilities To Be Located On Existing Structures:

Facility 7 (As soon as possible):

These facilities are proposed by **Sprint PCS** and **Omnipoint** and are located in **Hamilton**. These facilities match with Facility 17 in the Comprehensive Cellular Plan, which is a proposed **Comcast** facility. There are existing 140 feet Atlantic City Electric High Tension Electric Poles in the immediate vicinity. It is in the “height restricted” area and is required for coverage.

Facility 8 (As soon as possible):

This facility is proposed by **Sprint PCS** and is located in **Egg Harbor**. It is an existing 120 feet Atlantic Electric High Tension Electric Tower. This facility is in the “unrestricted” area and is required for coverage.

Facility 11 (As soon as possible):

This facility is proposed by **Sprint PCS** and **Omnipoint** and is located in **Hamilton**. It is an existing communications tower. This facility also matches with Facility 34 in the Comprehensive Cellular Plan, which is a proposed **BAM** and **Comcast** facility. SPCS is proposing a pole replacement of an existing 150’ tower. It is in the “height and least number of structures restricted” area and is required for coverage.

Facility 16 (As soon as possible):

This facility is proposed by **Sprint PCS** and is an existing **Omnipoint** facility located in **Hamilton**. It is an existing 100' Atlantic Electric Electric Monopole. This facility also matches with Facility 49 in the Comprehensive Cellular Plan, which is an existing **Comcast** facility. It is in the "unrestricted" area and is required for coverage.

Facility 18 (As soon as possible):

This facility is proposed by **Sprint PCS** and is located in **Browns Mills**. This facility matches with Facility 39 in the Comprehensive Cellular Plan, which is an existing 150 feet **BAM** facility. It is in the "unrestricted" area and is required for coverage.

Facility 19 (As soon as possible):

This facility is proposed by **Sprint PCS** and **Omnipoint** and is located in **South Hampton**. It is an existing 60 feet Water Tank. SPCS will need to extend the height of the Water Tank to 90 feet to obtain coverage objective. It is in the "height and least number of structures restricted" area and is required for coverage.

Facility 22 (As soon as possible):

This facility is proposed by **Sprint PCS** and **Omnipoint** and is located in **Woodland**. This facility matches with Facility 41 in the Comprehensive Cellular Plan, which are existing **BAM** and **Comcast** facilities as well as a proposed **Nextel** facility. It is an existing 250 feet American Tower Lattice Guyed Tower. This facility is in the "height and least number of structures restricted" area and is required for coverage.

Facility 24 (As soon as possible):

This facility is proposed by **Sprint PCS** and **Omnipoint** and is located in **Mullica**. SPCS is proposing a pole replacement of an existing 70 feet communications facility used by Mullica Township. This facility is in the "height and least number of structures restricted" area and is required for coverage.

Facility 25 (As soon as possible):

This facility is proposed by **Sprint PCS** and is located in **Galloway**. This facility matches with Facility 55 in the Comprehensive Cellular Plan, which is a proposed **Nextel** facility. It is an Atlantic Electric pole replacement of approximately 120 feet. This facility is in the "unrestricted" area and is required for coverage.

Facility 26 (As soon as possible):

This facility is proposed by **Sprint PCS** and is located in **Evesham**. This facility matches with Facility 44 in the Comprehensive Cellular Plan, which is an existing **Comcast** facility. It is an existing 160 feet Township Water Tank. It is in the "height and least number of structures restricted" area and is required for coverage.

Facility 29 (As soon as possible):

This facility is proposed by **Sprint PCS** and is located in **Washington**. This facility matches with Facility 25 in the Comprehensive Cellular Plan, which is a proposed **BAM**, **Comcast** and **Nextel** facility. The current communications facility will be replaced by BAM. It is in the "height and

least number of structures restricted” area and is required for coverage.

Facility 32 (5 year site):

This facility is proposed by **Sprint PCS** and is located in **Weymouth**. This facility matches with Facility 35 in the Comprehensive Cellular Plan, which is a proposed **Comcast** facility. There is an existing 200ft communication tower in the area. It is in the “height and least number of structures restricted” area and is required for coverage.

Facility 37 (As soon as possible):

This facility is proposed by **Sprint PCS** and **Omnipoint** and is located in **Hamilton**. It is an existing 200 feet Atlantic City Electric communications lattice tower. It is in the “unrestricted” area and is required for coverage.

Facility 39 (As soon as possible):

This facility is proposed by **Sprint PCS** and **Omnipoint** and is located in **Manchester**. This facility matches with Facility 24 in the Comprehensive Cellular Plan, which is an existing **BAM** and proposed **Nextel** facility. It is in “unrestricted” area and is required for coverage.

Facility 42 (As soon as possible):

This facility is proposed by **Omnipoint** and is located in **Bass River**. It is an existing 80ft Atlantic City Electric High Tension Electric Pole. It is in the “height restricted” area and is required for coverage.

Facility 43 (As soon as possible):

These facilities are proposed by **Sprint PCS** and **Omnipoint** and are located in **Hamilton**. There are existing 120 feet Atlantic City Electric High Tension Electric Poles in the immediate vicinity. It is in the “height restricted” area and is required for coverage.

Proposed PCS Communication Facilities Which May Be Located On Existing Structures:

Facility 10 (As soon as possible):

This facility is proposed by **Sprint PCS** and is located in **Hammonton**. No specific candidate has been submitted, however, several existing structures exist in this area. Facility 13 in the Comprehensive Cellular Plan is in the vicinity of this proposed facility. It is in the “unrestricted” area. The facility is required for coverage.

Facility 13 (As soon as possible):

This facility is proposed by **Sprint PCS** and is located in **Folsom**. There are some existing structures in the immediate area. This facility is in the “height restricted” area and is required for coverage.

Facility 17 (As soon as possible):

This facility is proposed by **Sprint PCS** and is located in **Maurice River**. There are some 85ft wood electric poles in the area. One of these could be replaced by a 150ft monopole to meet coverage requirements. This facility is in the “height and least number of structures restricted” area

and is required for coverage.

This facility is proposed near the Manumuskin River, a Pinelands designated river from which visual intrusions area to be avoided to the maximum extent practicable.

Facility 33 (5 year site):

This facility is proposed by **Sprint PCS** and **Omnipoint** and is located in **Manchester**. This facility matches with Facility 3 in the Comprehensive Cellular Plan, which is a proposed **BAM** and **Comcast** facility. It is in the “unrestricted” area and is required for coverage.

Facility 34 (As soon as possible):

This facility is proposed by **Sprint PCS** and **Omnipoint** and is located in **Barnegat**. This facility matches with Facility 4 in the Comprehensive Cellular Plan, which is a proposed **Comcast** facility. It is in the “unrestricted” area and is required for coverage.

Facility 41 (5 year site):

This facility is proposed by **Sprint PCS** and is located in **Tabernacle**. This facility matches with Facility 6 in the Comprehensive Cellular Plan, which is a proposed **BAM**, **Comcast** and **Nextel** facility. It is in the “height and least number structures restricted” area and is required for coverage.

Facility 65 (As soon as possible);

This facility is proposed by **Omnipoint** and is located in **Bass River**. There is a steel structure related to a resource extraction area in the nearby vicinity. This facility is in the “height and least number structures restricted” area and is required for coverage.

In addition to the sites listed above, the PCS’s require a site which may be located on an existing structure in **Pemberton** the vicinity of Lat. [-74.53110](#), Long. [39.92470](#). The facility is required for coverage by both **Sprint PCS** and **Omnipoint**. However, both PCS’s and Pinelands staff have been unable to identify any property in the vicinity of the required site that satisfies the current Pinelands siting criteria. For this reason the site is not eligible for inclusion in the PCS Plan under the current Pinelands regulations and therefore, is not part of the Plan. However, by this statement the PCSs reiterate their need for said facility and reserve the right to pursue the development of such a facility in the future. The methods through which the PCSs may choose to pursue development include: instituting a request for a waiver from strict compliance with the requirements of the Pinelands regulations; seeking a municipal zoning change; proceeding under any revised regulations which would permit the facility; or using such alternate technology and/or siting locations as may become feasible.

Proposed Sites Previously Authorized In The Comprehensive Cellular Plan:

Facility 23 (As soon as possible):

This facility is proposed by **Sprint PCS** and **Omnipoint** and is located in **Shamong**. This facility matches with Facility 11 in the Comprehensive Cellular Plan, which is a proposed **Comcast**, **Bell**, and **Nextel** facility. This facility is in the “height and least number of structures restricted” area and is required for coverage.

Facility 27 (As soon as possible):

This facility is proposed by **Sprint PCS** and is located in **Medford**. This facility matches with Facility 8 in the Comprehensive Cellular Plan, which is a proposed **Comcast** facility. It is in the “unrestricted” area and is required for coverage.

Facility 28 (5 year site):

This facility is proposed by **Sprint PCS** and is located in **Evesham**. This facility matches with Facility 9 in the Comprehensive Cellular Plan, which is a proposed **BAM** facility. It is in the “height restricted” area and is required for coverage.

Facility 30 (5 year site):

This facility is proposed by **Sprint PCS** and is located in **Hammonton**. This facility matches with Facility 12 in the Comprehensive Cellular Plan, which is a proposed **BAM** and **Comcast** facility. It is in the “height and least number of structures restricted” area and is required for coverage.

Facility 31 (5 year site):

This facility is proposed by **Sprint PCS** and is located in **Mullica**. This facility matches with Facility 16 in the Comprehensive Cellular Plan, which is a proposed **BAM**, **Comcast** and **Nextel** facility. It is in the “height and least number of structures restricted” area and is required for coverage.

This facility is proposed in the area of the Mullica River, one of the special areas that the Pinelands Commission regulations seek to protect from visual intrusions. This facility does not appear to be one that can be relocated nor does it seem likely to be located on an existing structure. The PCS providers recognize their obligation to minimize the visual impact and will pursue locations and design features to mitigate the impact the maximum extent practicable.

Facility 35 (As soon as possible):

This facility is proposed by **Sprint PCS** and is located in **Barnegat**. This facility matches with Facility 5 in the Comprehensive Cellular Plan, which is a proposed **BAM** and **Comcast** facility. It is in the “height and least number of structures restricted” area. The facility is required for coverage.

This facility is proposed in the area of the Pine Plains, one of the special areas that the Pinelands Commission regulations seek to protect from visual intrusions. This facility does not appear to be one that can be relocated nor does it seem likely to be located on an existing structure. The PCS providers recognize their obligation to minimize the visual impact upon the Pine Plains and will pursue locations and design features to mitigate the impact the maximum extent practicable.

Facility 38 (As soon as possible):

This facility is proposed by **Sprint PCS** and is located in **Pemberton**. This facility matches with Facility 2 in the Comprehensive Cellular Plan, which is a proposed **BAM** and **Comcast** facility. It is in the Regional Growth area and is required for coverage.

This facility is proposed in the area of Dear Park branch, one of the special areas that the Pinelands Commission regulations seek to protect from visual intrusions. This facility does not appear to be one that can be relocated nor does it seem likely to be located on an existing structure. The PCS providers recognize their obligation to minimize the visual and will pursue locations and design features to mitigate the impact the maximum extent practicable.

Proposed PCS Communication Facilities Which Are Unlikely To Be Located On Existing Structures:

Facility 14 (As soon as possible):

This facility is proposed by **Sprint PCS** and **Omnipoint** and is located in **Hamilton**. This facility is in the “height and least number of structures restricted” area and is required for coverage.

This facility is proposed in the area of the Great Egg H. R., one of the special areas that the Pinelands Commission regulations seek to protect from visual intrusions. This facility does not appear to be one that can be relocated nor does it seem likely to be located on an existing structure. The PCS providers recognize their obligation to minimize the visual impact and will pursue locations and design features to mitigate the impact the maximum extent practicable.

Facility 15 (As soon as possible):

This facility is proposed by **Sprint PCS** and **Omnipoint** and is located in **Hamilton**. This facility is in the “height and least number of structures restricted” area and is required for coverage.

This facility is proposed in the area of the Great Egg H. R., one of the special areas that the Pinelands Commission regulations seek to protect from visual intrusions. This facility does not appear to be one that can be relocated nor does it seem likely to be located on an existing structure. The PCS providers recognize their obligation to minimize the visual impact and will pursue locations and design features to mitigate the impact the maximum extent practicable.

Facility 20 (As soon as possible):

This facility is proposed by **Sprint PCS** and **Omnipoint** and is located in **Woodland**. This facility is in the “height and least number of structures restricted” area and is required for coverage.

Facility 40 (As soon as possible):

This facility is proposed by **Sprint PCS** and is located in **Estell Manor**. It is located in the vicinity of a municipal landfill. This facility is in the “height and least number of structures restricted” area and is required for coverage.

This facility is proposed in the area of Jackson Creek, one of the special areas that the Pinelands Commission regulations seek to protect from visual intrusions. This facility does not appear to be one that can be relocated nor does it seem likely to be located on an existing structure. The PCS providers recognize their obligation to minimize the visual impact and will pursue locations and design features to mitigate the impact the maximum extent practicable.

Facility 62 (5 year site):

This facility is proposed by **Omnipoint** and is located in **Woodland**. It is located in the vicinity of a landfill. It is in the “height and least number of structures restricted” area and is required for coverage.

This facility is proposed in the area of the Pine Plains, one of the special areas that the Pinelands Commission regulations seek to protect from visual intrusions. This facility does not appear to be one that can be relocated nor does it seem likely to be located on an existing structure. The PCS providers recognize their obligation to minimize the visual impact upon the Pine Plains and will pursue locations and design features to mitigate the impact the maximum extent practicable.

Proposed PCS Facilities included to resolve FCC license border issues:

Facility 64 (5 year site – Unlikely to be built):

This facility is proposed by **Omnipoint** and is located in **Manchester**. There is an existing 110ft structure in the area. It is in the “height and least number of structures restricted” area and is required for FCC License MTA border coverage. This facility will be omitted from the plan provided that Omnipoint can reach an agreement with the adjacent license holder that is satisfactory to the FCC. See appendix for more information on the FCC border issue. Please see Sec. II (F) – Letter from Omnipoint regarding “Out-of-Area Frequency Emissions Limitations” for further detail regarding this issue.

Summary

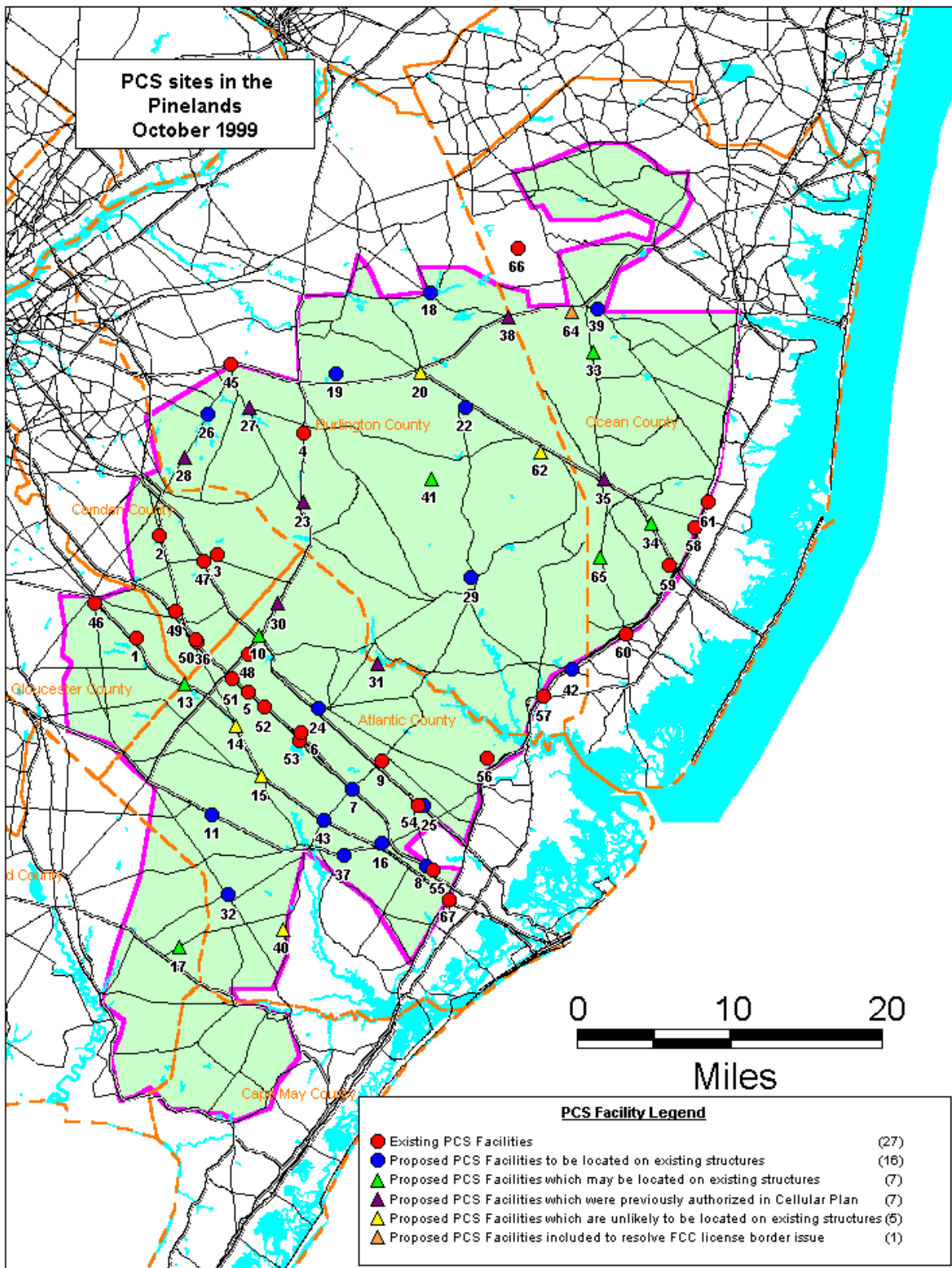
The PCSs have attempted to design their networks in the Pinelands region “from the outside in” as requested by the Pinelands Commission. The PCSs have attempted to provide coverage for as much of the Pinelands as possible, from facilities located outside the Pinelands and only designated facilities within the Pinelands to the extent they are necessary to complete the network and provide adequate service throughout the PCSs build out area in the Pinelands.

The PCS provider network in the Pinelands is anticipated to consist of a total of sixty-three (63) facilities. Twenty-seven (27) of these facilities did not require adoption of the Plan prior to approval and have been already been located or approved for construction within the Pinelands Area. Despite the fact that the nature or location of the facilities located or approved to date did not require the submission of the Plan, the PCS providers did locate these sites so as to comport with the Plan. The thirty-six (36) proposed facilities include sixteen (16) facilities to be located on existing structures and an additional seven (7) facilities that are anticipated to be located on existing structures. Only thirteen (13) facilities proposed in the Plan are not likely to be located on existing structures seven (7) of which have been authorized in the cellular plan. The PCSs anticipates developing twenty-eight (28) of the 36 proposed sites immediately and eight (8) of the sites within five (5) years. Due to the rapid pace at which the PCSs plan to construct their networks none of the sites currently contemplated by the PCSs are to be developed more than five (5) but less than ten (10) years from the submission of the Plan.

As stated above, seven (7) of the thirteen (13) facilities which are unlikely to be located on existing structures correspond to locations approved for wireless facilities under the previously approved CP Plan. Only six (6) facilities included in the plan are not likely to be located on existing structures and do not correspond with the CP Plan.

As the forgoing indicates breakdown indicates, the high level of time and resources that the PCSs have devoted to the design of their networks in the Pinelands has yielded a network plan that successfully limits the number of new structures required in the Pinelands and directs those new structures that are required to sites most appropriate for those structures.

B. PCS MAP



C. PCS MAP TABLE

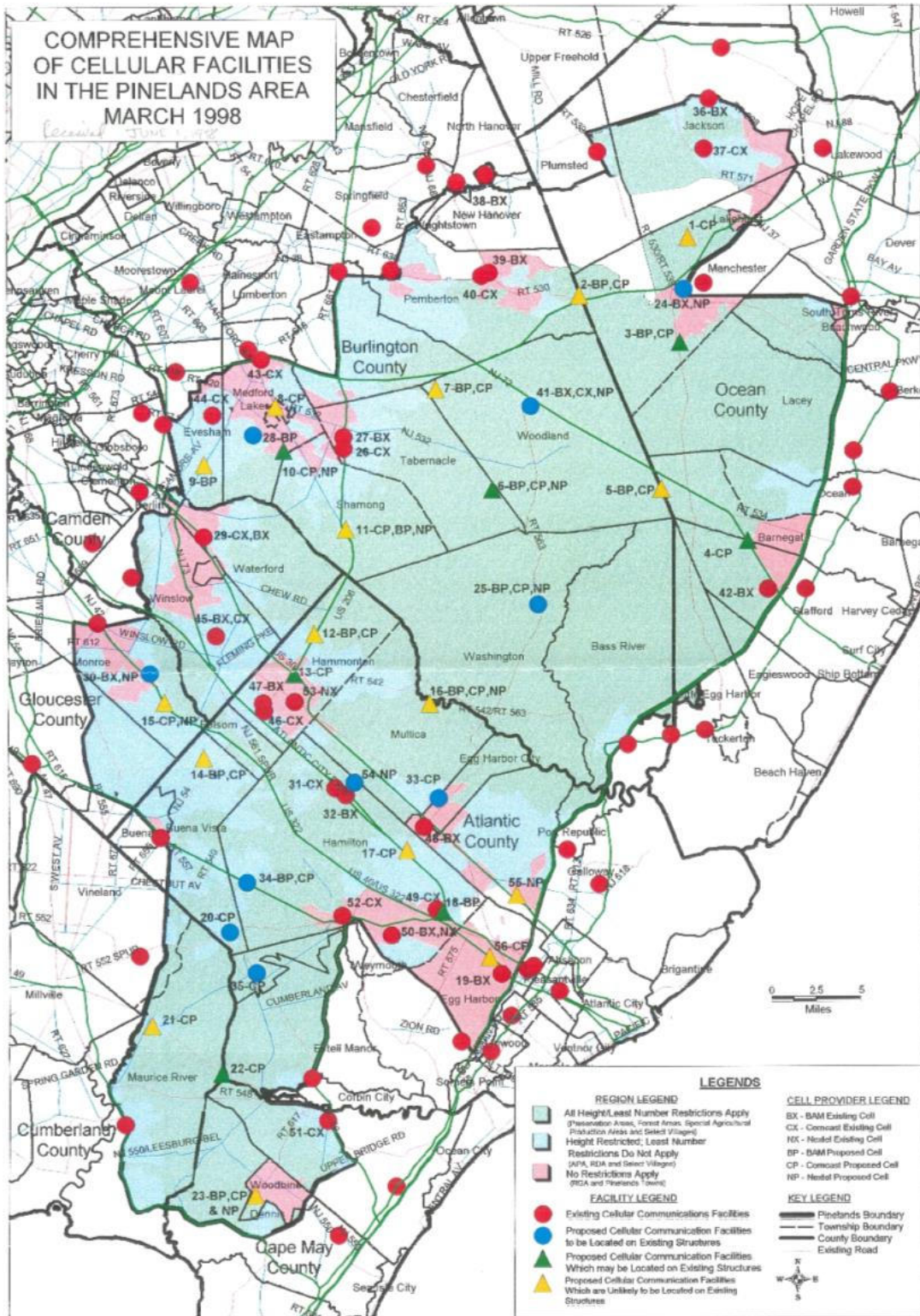
Approximate Location of Proposed Sites

Pinelands ID	Lat	Long
1	-74.94080	39.64810
2	-74.91220	39.74390
3	-74.84140	39.72640
4	-74.73670	39.83940
5	-74.80440	39.59750
6	-74.73944	39.55861
7	-74.67690	39.50640
8	-74.58670	39.43440
9	-74.64220	39.53190
10	-74.79030	39.65050
11	-74.84830	39.48220
13	-74.88190	39.60420
14	-74.81830	39.56530
15	-74.78831	39.51810
16	-74.64200	39.45590
17	-74.88749	39.35778
18	-74.58310	39.97190
19	-74.69720	39.89580
20	-74.59330	39.89720
22	-74.54000	39.86400
23	-74.73690	39.77470
24	-74.71920	39.58220
25	-74.59140	39.49060
26	-74.85389	39.85747
27	-74.80303	39.86344
28	-74.88200	39.81700
29	-74.53300	39.70400
30	-74.76800	39.68000
31	-74.64700	39.62400
32	-74.82900	39.40700
33	-74.38300	39.91600
34	-74.31300	39.75500
35	-74.37028	39.79639
36	-74.86640	39.64390
37	-74.68806	39.44417
38	-74.48793	39.94825

39	-74.37917	39.95667
40	-74.76190	39.37440
41	-74.58100	39.79700
42	-74.41000	39.61800
43	-74.71294	39.47726
45	-74.82500	39.90389
46	-74.99083	39.68056
47	-74.85861	39.72000
48	-74.80444	39.63278
49	-74.89361	39.67306
50	-74.86861	39.64583
51	-74.82389	39.61000
52	-74.78389	39.58306
53	-74.74167	39.55194
54	-74.59778	39.49111
55	-74.57861	39.43000
56	-74.51417	39.53556
57	-74.44389	39.59361
58	-74.26081	39.75169
59	-74.29194	39.71556
60	-74.34500	39.65167
61	-74.24472	39.77486
62	-74.44750	39.82166
64	-74.41056	39.95333
65	-74.37556	39.72333
66	-74.47611	40.01306
67	-74.55917	39.40278

D. CELLULAR PROVIDER (CP) MAP

The following CP Map entitled, "Comprehensive Map of Cellular Facilities in the Pinelands Area – March 1998" was submitted as part of the CP Plan. The PCS Plan and Map make reference to and build upon the CP Map and Plan.



E. EXISTING CP FACILITY STRUCTURES TABLE

The entries on the following table corresponds the existing CP structures as shown on the forgoing CP Map entitled, "Comprehensive Map of Cellular Facilities in the Pinelands Area - March 1998".

LOCATION OF EXISTING CP FACILITY STRUCTURES

dec_lat	dec_long	lat/d	lat/m	lat/s	lon/d	lon/m	lon/s	LABEL
39.648056	74.940833	39	38	53	74	56	27	30-BX,NP
39.678611	74.870556	39	40	43	74	52	14	45-BX,CX
39.768611	74.883333	39	45	31	74	53	0	29-CX,BX
39.857222	74.873889	39	51	26	74	52	26	44-CX
39.902222	74.822778	39	54	8	74	49	22	43-CX
39.830000	74.736389	39	49	48	74	44	11	26-CX
39.839444	74.736667	39	50	22	74	44	12	27-BX
39.971667	74.583333	39	58	18	74	35	0	39-BX
39.968889	74.591111	39	58	8	74	35	28	40-CX
40.050000	74.586667	40	3	0	74	35	12	38-BX
40.070833	74.357778	40	4	15	74	21	28	37-CX
39.958056	74.379444	39	57	29	74	22	46	24-BX,NP
39.864167	74.540000	39	51	51	74	32	24	41-BX,CX,NP
39.703889	74.532500	39	42	14	74	31	57	25-BP,CP,NP
39.457778	74.639722	39	27	28	74	38	23	49-CX
39.405556	74.572222	39	24	20	74	34	20	19-BX
39.436944	74.687222	39	26	13	74	41	14	50-BX,NX
39.286667	74.754722	39	17	12	74	45	17	51-CX
39.439444	74.856944	39	26	22	74	51	25	20-CP
39.555278	74.746389	39	33	19	74	44	47	31-CX
39.549722	74.735278	39	32	69	74	44	7	32-BX
39.623889	74.821667	39	37	26	74	49	18	47-BX
39.617600	74.820556	39	37	3	74	49	14	46-CX
40.111111	74.352500	40	6	40	74	21	9	36-BX
39.547222	74.637778	39	32	50	74	38	16	33-CP
39.715833	74.291944	39	42	57	74	17	31	42-BX
39.406667	74.829444	39	24	24	74	49	46	35-CP
39.479444	74.838889	39	28	46	74	50	20	34-BP,CP
39.841111	74.831111	39	50	28	74	49	52	28-BP
39.624028	74.653222	39	31	26.5	74	39	11.6	48-BX
39.452778	74.738889	39	27	10	74	44	20	52-CX
39.625000	74.788611	39	37	30	74	47	19	53-NX
39.560000	74.726111	39	33	36	74	43	34	54-NP

Note: All coordinates are NAD27

F. LETTER FROM OMNIPOINT EXPLAINING "OUT-OF-AREA FREQUENCY EMISSIONS LIMITATIONS"



Jerry O'Brien
Senior Director, Legal and Regulatory Affairs

OMNIPOINT COMMUNICATIONS SERVICES, LLC
16 Wing Drive, Cedar Knolls, New Jersey 07927
973 290-2400 Fax: 973 290-2445

October 8, 1999

Pinelands Commission
15 Springfield Avenue
New Lisbon NJ 08064

Gentlemen:

Re: Out-of-Area Frequency Emission Limitations

The Pinelands Commission has asked why Omnipoint is unable to use certain antenna sites in as efficient a fashion as other Personal Communications System ("PCS") operators.

Under the Federal Communications Commission's ("FCC") rules, PCS operators are authorized to use particular frequency blocks within certain defined geographical areas. Frequency blocks "A" and "B" are authorized for use by a particular operator within the entire Metropolitan Trading Area ("MTA"). Frequency block C is authorized on a Basic Trading Area ("BTA") basis. Each MTA is comprised of several, up to a dozen or more, BTAs.

Omnipoint's New York operations hold an "A" block license for the New York MTA, call sign KNLF202. Its Philadelphia operations hold a "C" block license for the Philadelphia BTA, call sign KNLF715, and its Atlantic City "C" operations hold a "C" block license for the Atlantic City BTA.

The FCC's rules strictly limit the signal level that a licensee may transmit on its assigned frequency band outside its licensed MTA or BTA. This is, of course, a matter of protecting the rights of each PCS operator from interference by neighboring operators. 47 C.F.R. Section 24.236 limits out-of-area signals to a level of 47 dBu/m in the absence of consent by the to-be-interfered-with operator.¹

The structure of the FCC's PCS licensing practices and its rules, including 47 C.F.R. Section 24.236 mean that Omnipoint cannot operate a base station on "A" block frequencies outside of the geographic bounds of the New York MTA, nor may Omnipoint even operate an "A" block

¹ Since the usual case involves a geographically adjacent operator that is a competitor, consent to increased signal spillover is seldom requested and even more rarely granted. The FCC's rules do not restrict an operator's ability to unreasonably withhold consent.

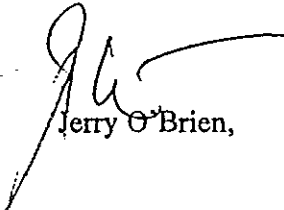
base station near the New York MTA border without special engineering design to prevent "spillover" signals in excess of those permitted by 47 C.F.R. Section 24.236. Likewise, Omnipoint is not permitted to operate on "C" block frequencies within the New York MTA, or even near its borders.

These rules and licensing criteria make it difficult to efficiently provide continuous coverage near MTA/BTA borders where the PCS operator holds different frequency blocks on either side of the border. In Omnipoint's case, for example, consider a highway that crosses the NY MTA - Philadelphia BTA border. It might be, from a purely engineering prospective, that optimum coverage of that highway is achieved from one base station located within a few hundred yards of the border, say on the Philadelphia side. It may be impossible to accomplish that coverage within the FCC's rules; a "C" block transmitter would impermissibly radiate into the New York MTA and using "A" block frequencies by Omnipoint in the Philadelphia BTA is flatly forbidden. In this case, therefore, there are no frequencies available to Omnipoint that meet the FCC's rules. The best solution to this problem is to cover the border highway from two base stations; one in the New York MTA and one in the Philadelphia BTA, both of which are located a mile or two away from the border. The New York MTA station uses "A" block frequencies and the Philadelphia station uses "C" block frequencies. Since both are situated a reasonable distance from the border, their "spillover" signal strength is within the requirements of 47 C.F.R. Section 24.236.

Some operators are more fortunate than Omnipoint and have the same frequency block on both sides of the border. In this case, 47 C.F.R. Section 24.236 is inapplicable and the designer need not consider spillover problems in its internal operating areas. In the hypothetical design discussed above, such an operator could cover the border highway with one, optimally sited, base station.

We trust that this explanation clarifies Omnipoint's reason for base station sites that may differ in border areas from those of other, more fortunate, PCS operators.

Sincerely,



Jerry O'Brien,

III. CODE COMPLIANCE

A. PLAN COMPLIANCE WITH CODE - N.J.A.C. 7:50-5.4 (c)6

Pursuant to N.J.A.C. 7-50 - 5.4, the plan shall include:

1. Five (5) and ten (10) year horizons [N.J.A.C. 7:50-5.4 (c) 6]

The Plan, as submitted, does include such horizons as outlined in Section II (A) “PCS Map Summary”. However, no facilities are include on the ten (10) year horizon since the PCSs anticipate developing all sites currently contemplated within five (5) years.

2. A review of alternative technologies that may become available for use in the near future [N.J.A.C. 7:50-5.4 (c) 6]

A review of alternative technologies has been attached hereto as Section III (C) “Future / Alternative Technology Review”.

3. The approximate location of all proposed facilities [N.J.A.C. 7:50-5.4 (c) 6]

The Plan, as submitted, does include such locations indicated both the proposed host municipality name in Section II (A) “PCS Map Summary” as well as latitude and longitude in Section II (C) “PCS Map Table - Approximate Location of Proposed Sites”.

4. Demonstration that the facilities to be located in the Preservation Area District, Forest Area, Special Agricultural Production Area and certain Pinelands Villages are the least number necessary to provide adequate service, taking into consideration the location of facilities outside the Pinelands that may influence the number and location of facilities needed within the Pinelands [N.J.A.C. 7:50-5.4 (c) 6]

The PCSs worked to determine the least number of towers necessary within the Preservation Area District, the Forest Area, the Special Agricultural Production Area and seventeen (17) specific Pinelands Villages. In fact, the PCSs, in an effort to meet the spirit and not just the letter of the Code, worked to determine the least number of new facilities throughout the entire Pinelands Region. Further, the PCSs designed their network in the Pinelands region “from the outside in” as requested by the Pinelands Commission. That is, the PCSs have attempted to design their networks so as to provide coverage for as much of the Pinelands as possible from facilities located outside the Pinelands and only designated facilities within the Pinelands to the extent necessary to complete the network and provide adequate service to the Pinelands.

This plan represents a network that when complete should provide adequate coverage for those areas within the Pinelands included in the PCSs planed coverage area while keeping the number

of new towers in the most sensitive zones of the Pinelands to a minimum. The PCSs propose to construct only five (5) new towers in the “height and least number of structures restricted” area at location which have not already been approved for wireless facilities under the CP Plan.

In summary, the Commission can be assured that the least number criteria has been met. The PCSs certify that the number of new facilities, not anticipated to be located on existing structures or at sites approved under the CP Plan, within the Pinelands will not exceed one (1) new tower within the Agricultural Production Areas, Rural Development Areas and selected Villages and will not exceed five (5) new towers within the restricted Pinelands Preservation Areas, Forest Areas, Special Agricultural Production areas and selected Villages without the approval of an amendment to this plan.

5. Demonstration of need for the facility to serve the local communication needs of the Pinelands, including those related to public health and safety, as well as demonstration of the need to locate the facility in the Pinelands in order to provide adequate service to meet those needs [N.J.A.C. 7:50-5.4 (c) 1]

The proposed facilities are needed to provide adequate coverage to the Pinelands pursuant to the PCSs FCC licenses, the PCSs current coverage plan and customer requirements. The level of service upon which the Plan was based has been attached hereto as Exhibit C.

The Superior, Appellate and Supreme Courts of New Jersey recognize the need for these types of facilities. Although the Supreme Court of New Jersey has not yet affirmatively classified these facilities as "inherently beneficial", the Court has recognized the need for wireless service in its recent decision, Smart SMR of New York, Inc. d/b/a Nextel Communications vs. Borough of Fair Lawn Board of Adjustment. The Court noted that "[I]n today's world, prompt and reliable information is essential to the public welfare..." To this end, the Court was satisfied that a proposed "facility, including the monopole, is a necessary part of an increasingly public service." In fact, the Court noted that a Federal Communications Commission (FCC) license will suffice to establish that the use serves the general welfare. Regarding placement of such facilities, the Court, in agreement with the Telecommunications Act of 1996, stated that municipal boards "may not altogether prohibit [mobile communication facilities) from being constructed within the municipality." They went on to say that their "goal in making these suggestions is to facilitate the decision of cases involving the location of telecommunication facilities..." (emphasis added).

Further, although enhanced communications are beneficial to everyone, the fact that wireless service is utilized by Emergency Medical Services, Police and Firefighters (Section IV. Public Need) greatly increases this need. In fact, the Federal Government has recognized the need for such communications and has made wireless communications a priority as evidenced by the enactment of the Telecommunications Act of 1996.

6. Demonstration that the antenna utilizes an existing communications or other suitable

structure, to the extent practicable [N.J.A.C. 7:50-5.4 (e) 3]

Wherever possible, the PCSs have utilized existing structures or sought to site at locations approved under the CP Plan where the CPs will likely be constructing structures in the future. It is important to note that this is a Master Plan and, as such, does not include particulars about specific sites, but, rather, sets forth a framework under which the PCSs and the Pinelands staff can ensure, among other conclusions, that the “least number” criteria is met. The PCSs will further address the use of existing structures at the time that an application for site approval is made to the Pinelands Commission.

It shall be noted that existing structures are not considered practicable for use until and unless:

- There is an agreement in place to use the structure with the land owner and/or the structure owner;
- The property meets the Pinelands siting criteria for the placement of the PCSs’ equipment shelter; and
- Access and utilities to the site are available.

It is important to note that existing wooden utility poles and similar type lightweight structures would require significant modification to support a PCS facility and are not necessarily, therefore, considered practicable for purposes of this Plan.

To ensure that existing structures were indeed utilized to the greatest extent possible, the PCSs conducted extensive field research in the vicinity of each proposed location and reviewed the “Location of Existing CP Facility Structures” list (CP list) and the list of “Miscellaneous Existing Pinelands Structures Not Currently Occupied by CPs” (miscellaneous list) which were part of the previously approved CP Plan. The CP list was compiled by the CPs from their records. The miscellaneous list was compiled during the preparation of the CP Plan when the CPs performed the following tasks: (a) obtained a database containing the locations of structures filed with the Federal Aviation Administration (FAA); (b) obtained maps from Atlantic Electric, PSE&G, and GPU indicating the location of each company’s electrical lines; (c) performed a visual survey within the most restrictive management areas of the Pinelands; and (d) investigated a list provided by the Pinelands Staff of existing structures throughout the Pinelands and in close proximity to proposed facilities.

The PCSs reviewed the CP list and miscellaneous list with respect to identifying any existing structures that could be used to site PCS facilities. Where such structures were identified the PCSs attempted design their networks so as to make use of such existing structures.

It should be noted that all information research about existing structures not developed during the PCSs field research was provided to the PCSs by outside sources and, therefore, the PCSs do not certify its accuracy or completeness. In the future, any existing structure found to be in close proximity to a proposed facility at the time that application is made to the Pinelands will be evaluated to determine if such structure might meet the technical needs of the proposed service area and the

PCS will make every effort to use any additional existing structures identified that meet the technical network requirements.

The above facts adequately address the requirement that the Plan demonstrate consistency with N.J.A.C. 7:50-5.4 (c)(3).

7. Demonstration, or indication of the need to demonstrate when the actual siting of facilities is proposed, that the supporting structure is designed to accommodate the needs of any other local communications provider which has identified a need to locate a facility within an overlapping service area [N.J.A.C. 7:50-5.4, (e) 2]

The PCSs acknowledge that all new structures will be constructed so that they can be extended, if need be, to a height of 200 feet for the purposes of co-location. Particular design criteria will be addressed at the time application for a Certificate of Filing is made.

The PCSs collocation policy is attached hereto in Sec. III (C).

8. Demonstration, or indication of the need to demonstrate when the actual siting of facilities is proposed, that, if an existing communications or other suitable structure cannot be utilized, the antennas and any necessary supporting structure is located such that it meets all siting criteria per the Code [N.J.A.C. 7-50-5.4 (c) 4]

The PCSs acknowledge that compliance with siting criteria as outlined in the Code is required. Such criteria will be addressed for each individual facility at the time that an application for site approval is made to the Pinelands Commission.

In addition, the CPs further certify that any facilities which may have a visual impact as outlined in N.J.A.C. 7:50-5.4 (c) will be designed to minimize or avoid such impact to the maximum extent practicable.

9. Demonstration, or indication of the need to demonstrate when the actual siting of facilities is proposed, that the antenna and any supporting structure does not exceed 200 feet in height, but, if of a lesser height, shall be designed so that the height can be increased to 200 feet if necessary to accommodate other local communications facilities in the future [N.J.A.C. 7:50-5.4 (c) 5]

The PCSs acknowledge that all new structures will be designed and constructed so that they can be extended, if need be, to a height of 200 feet for the purposes of co-location. Particular design criteria will be address at the time of a Certificate of Filing is made.

The PCSs co-location policy is attached hereto in Sec. III (C).

10. Demonstration that, where more than one entity is providing the same type of service or has

a franchise for the area in questions, the Plan shall be agreed to and submitted by all such providers where feasible, and shall provide for the joint construction and use of the least number of facilities that will provide adequate service by all providers for the local communication system intended. Shared service between entities, unless precluded by Federal law or regulation, shall be part of the Plan when such shared services will reduce the number of facilities to be otherwise developed [N.J.A.C. 7:50-5.4 (c) 6]

The Plan signatories are those current PCS providers, providing the same type of service (fully duplexed voice and data service in the 1850-1990 range), licensed by the Federal Communications Commission (FCC) to provide such service throughout southern New Jersey including the New Jersey Pinelands, as are ready, willing and able to participated in preparation of such a plan. The signatories are as follows: Sprint Spectrum L.P. (Sprint) and Omnipoint PCS Entrepreneurs, Inc. (Omnipoint). The Plan, as submitted, provides for the joint construction and use of the least number of facilities that will provide adequate service under the current build out plans of all signatory providers.

Regarding shared services: All parties acknowledge that the term "shared services" actually applies to "shared frequencies". It is the PCSs' position that the FCC regulations, by their intent to create competition among providers, do not, and should not, provide for the sharing of frequencies. Such a concept, even if it were technically and legally feasible, would not significantly reduce the number of sites. The PCSs are aware that the Pinelands Staff has written to the FCC to obtain input on the issue. The PCSs are not aware of any response to date.

B. FUTURE / ALTERNATIVE TECHNOLOGY REVIEW

There are new technologies being developed that are similar to wireless telephone technology in that they either provide the same type of service as wireless or they use a similar technology as wireless. One service that uses limited range transmissions and cell sites is cellular vision. Currently this system is being deployed in the New York City area. The service operates at 28 Gigahertz (GHz) and can provide phone, data and cable television type services to fixed (not mobile) uses.

The interactive Video Data service (VDS) also uses cell sites. This service is intended to provide television viewers with handheld keypads that transmit information to the cell sites such as placing orders for advertised products or answering opinion polls. The company planning this service is called EON, Inc. and was formerly called "TV Answer". The system operates in the 200 MHz frequency range.

Mobile Satellite Service will also provide similar service to wireless. The capacity of the mobile satellite services is only a small fraction of wireless and the cost involved is much higher. The system is intended to provide very wide range telephone service and uses equipment that is different from wireless. The frequencies used are in the 1500 MHz range.

C. CO-LOCATION POLICY

In an effort to work with the communities of the New Jersey Pinelands to minimize the impact of wireless facilities, the PCSs have made a commitment to promote co-location. To the extent possible, each PCS has made its existing tower structures available and will design and make all future structures available for use by other FCC-licensed wireless providers (WPs) in accordance with the policies set forth in this Section.

As a threshold matter, the parties to this Plan, including the Commission, recognize that a lessee can grant no more rights than it has under a lease. The PCSs' co-location policies under this Plan are as follows, subject always to this basic limiting principle.

Equal Access

1. Space on existing and proposed tower structures will be made available to other WPs in accordance with the process described below.
2. Requests for co-location will be considered in a timely manner.
3. No reciprocal agreements (e.g. *quid pro quo* access to another structure owned by the party requesting co-location) will be required to make an applicant eligible for co-location.
4. To facilitate initial and future co-locations, master agreements are encouraged.
5. The primary PCS on a proposed tower structure will attempt to ensure that the lease allows for co-location by proposing and advocating lease agreement language that permits subleasing. Where the lessor does not permit subleasing, the PCS agrees to be supportive of potential users in their attempts to work with the lessor.
6. Notice of construction of new structures will be provided in accordance with any relevant Pinelands Comprehensive Management Plan regulations.

Market Value Pricing

Co-location will be provided at fair market value rental rates. These rates will take into account rates in comparable leases for similar sites, and any site development costs incurred by the structure owner/operator during the site design, approvals, construction and maintenance stages for the site in question.

Design of Tower Structures

Tower structures will be designed to allow sufficient room for cables, antennas and equipment of future co-locators and to support the anticipated weight and wind load of their future additional

facilities. Space for ground level maintenance, equipment shelter, and switching facilities will be reserved for future co-locators to the extent practical.

The tower structure will be designed to allow antenna attachment and independent maintenance at various heights.

The tower structure will be designed so as to be easily expandable to a height of 200 feet above ground level.

Relocation of existing antennas on a tower structure to accommodate a new co-locator will be permitted, if the new location(s) meet the existing co-locator's needs and the cost of the relocation is borne by the new co-locator. The relocation plans and schedules must be coordinated with the tower structure owner and in compliance with the lease agreement.

If any modifications (lease, structure, ground space, etc.) are required for an existing structure, the PCS will attempt, at the time such modification is made, to make the site and structure suitable for co-location, both within the existing lease and otherwise.

Access and Utilities

Each co-locator will be responsible for independently obtaining and maintaining their respective required electric and telephone utility services. The tower structure owner or first tower user shall inform the telephone and electric companies, at the time of its utility installation, of the fact that the site may be occupied by other users in the future.

Co-locators will have (1) a non-exclusive right of access for ingress and egress, seven (7) days a week, twenty four (24) hours a day, for the installation and maintenance of utility wires, poles, cables, conduits and pipes either over or underground, extending from the most appropriate public right of way to the tower structure area, and (2) access privileges to the tower facility area for all authorized personnel of co-locators for the maintenance and operation of their respective facilities.

Co-location Procedures

1. Application

When a WP has identified a need for service in an area where there is an existing or proposed PCS tower structure, the WP may contact the PCS and request the exact location, geographical coordinates, height and available ground space within the structure lease area, etc. Contacts for the PCSs are as follows:

Company	Contact*	Tel. No.	Fax No.
Sprint	TBD	TBD	TBD
Omnipoint	TBD	TBD	TBD

*Contact information will be provided to the Pineland Commission when determined.

If the WP decides to pursue co-location on the structure, a formal application that contains

information about the WPs radio frequency requirements, antenna specifications, equipment shelter dimensions, height of antennas, etc. will be provided to the tower owner. The application will be reviewed by the tower owner for any potential radio frequency interference issues, tower structural conflicts, electrical concerns, security or access issues, space availability, and lease term and regulatory compliance.

2. Approval

The application will be approved if there are no service disruptions or service affecting interference with existing signals, site operations or lease terms, regulatory conditions and lack of structural analysis failure issues. Existing site restrictions and technical incompatibility may not always permit co-location.

Should a structural analysis prove that the tower structure will not hold the additional antennas and equipment requested, the WP may investigate with the tower owner the possibility/feasibility and cost of modifying the tower structure or extending the height up to 200 feet, and relocating all existing users as necessary to accommodate the WP needs as well as the existing facilities and possible future co-locators. If the WP desires to pursue such reconstruction and/or relocation of antennas, and same is feasible, the PCS will allow it provided such action does not cause unreasonable service disruptions or service affecting interference with existing signals, or cause interference with site operations, lease terms, regulatory conditions or future needs of the PCS. The PCS retains all rights previously held, including, but not limited to, those regarding tower ownership, unless otherwise negotiated in the agreement with WP.

Reasons for any denial of co-location requests will be provided to the applicant by the tower structure owner in writing.

3. Contract & Site Development

Once the tower owner approves the co-location application, a “co-location package” shall be supplied to the applicant by the owner including site plans and tower drawings. Concurrently, a license, sublease or other appropriate agreement, will be prepared, reviewed and executed by the parties.

Once an agreement for the specific site has been executed, site development and design will be coordinated between the tower owner and the applicant. Right of Way access will be provided in accordance with the agreement.

The WP will also contract with a design firm to prepare site plans and construction drawings as required by the WP and the tower owner (PCS), and prepare the application for all required regulatory site plan approvals. When the WP has secured permits, a pre-construction meeting will be scheduled with the WP to ensure that all guidelines are followed in the planning and construction process with an emphasis on safety and security. Once construction is completed, access privileges to the secured lease area will be provided for all authorized personnel of the users of the facility for maintenance and operation in accordance with the agreement.

4. Application Period; Emergency Services; Compliance with Law

Applications to co-locate will continue to be accepted by the tower owner for a site as long as support structure space and ground space are still available. If sufficient ground space is not available, PCS agrees to be supportive of potential users in their attempts to work with the lessor.

Applications will be accepted on a first come first serve basis until the support structure can no longer hold additional facilities without compromising the service of existing co-locators or the structural integrity of the tower structure.

Co-location opportunities may be provided to emergency service providers free of tower rental charges utilizing the same procedures outlined in this section.

All WPs must operate in compliance with all applicable local, state or federal, laws, rules and regulations.

D. LEVEL OF SERVICE

With regard to the level of service on which this plan is based, N.J.A.C. 7:50-5.4 effectively provides that the Pinelands Commission's goal for the wireless facilities plan is to provide adequate service that serves the local communication needs of the Pinelands. The facilities proposed by the PCSs in this plan are indeed those that are needed to provide adequate service to the Pinelands pursuant to the PCSs FCC licenses, the PCSs current coverage plan and customer requirements.

Currently, portions of the Pinelands receive either inadequate or no wireless telephone service. In some cases, these may represent rather large geographic areas, many of which are located in the less populated portions of the region. In others, stretches along highway arteries are not adequately served, leaving coverage gaps that lead to dropped calls or to a customer's inability to receive or make a call.

In evaluating the need for service, the PCSs relied upon three widely recognized parameters that help to define service levels. These are uniformly used by the PCSs inside and outside the Pinelands and consist of:

1. Signal to Interference ratio at audio

This parameter describes the ratio of the power of the intended (desired) audio signal in the customer audio band (typically 30 - 3,400 Hz) to the power level of interference from all other sources in the same frequency band. In wireless radio, interference is typically the result of other signals in the same (RF) frequency band, present due to the practice of frequency re-use in other cells.

2. Dropped call rate

This parameter represents the ratio of dropped calls to the total number of active calls in a service area. The "dropped call" rate is measured over a period of time. A "dropped call" is a previously active call, which was ended due to non-availability of wireless communication services to customers in the service area. For purposes of this plan, "non-availability" in the "service area" refers to customers (and equipment that serves customers) who are physically present inside the Pinelands, and is limited to services and equipment of the provider to the Pinelands customer. Specifically, a call dropped due to non-availability of service (or non-availability of equipment) to a customer who is outside the Pinelands is not considered a "dropped call" for purposes of assessing the "dropped call" rate in the Pinelands.

3. Blocked call rate

This parameter represents the ratio of the number of blocked calls to the number of all dialed calls made in a service area. The "blocked call" rate is measure over a unit of time (order of magnitude of a minute). A "blocked call" is a dialing attempt from the service area that does not result in an active call due to non-availability of wireless phone service or equipment to the service area calling party. The probability of a "blocked call" can increase in the event of a public emergency located in an area of inadequate service. For the purposes of this plan, "non-availability" in the "service area" refers to customers (and equipment that serves customers) who are physically present inside the Pinelands, and is limited to services and equipment of the provider to the Pinelands

customer. Specifically, a "blocked call" due to non-availability of service (or non-availability of equipment) to a customer who is outside the Pinelands is not considered a "blocked call" for purposes of assessing the "blocked call" rate in the Pinelands.

The PCSs firmly believe that each of the currently proposed facilities is needed to provide minimum adequate service under their current build out plan. The PCSs have developed this plan to meet their anticipated service needs for the next ten years, however, any modification in technical standards may require evaluation changes to be used in the future.

IV. PUBLIC NEED

Pursuant to N.J.A.C. 7:50-5.4, the PCSs must demonstrate the need for the facility to serve the local communication needs of the Pinelands, including those related to public health and safety. The proposed facilities are needed to provide adequate coverage to the Pinelands pursuant to the PCSs FCC licenses, the PCSs current coverage plan and customer requirements. In fact, the Federal Government has made wireless communications a priority as evidenced by the enactment of the Telecommunications Act of 1996. Reliable coverage is necessary for calls of convenience and, more importantly, calls of necessity. Over 600,000 9-1-1 calls are made each year in the US from wireless phones. This benefits not only those who have phones, but also other individuals who may be in need and benefit from a wireless customer making a call for them. Calls are also made to other "Emergency Services" such as Coast Guard Boater's Assistance, Assistance on Major State Roadways, and the State Police. Wireless service has also been utilized during disaster situations such as the Edison gas leak, Hurricanes Fran, Andrew, and others; San Francisco Earthquake; and the Oklahoma Bombing. Wireless service is widely used by Emergency Medical Services, Police, and Firefighters. In short, wireless phones provide a sometimes vital link between the individual phone user and the world at large.

A. LOCAL PUBLIC NEED

The PCSs provide a form of service that is functionally equivalent to the service provided by the CPs and for which there is substantially the same local public need. As such the PCSs adopt the local public need documentation included in the CP Plan at Tab 4a.

B. GENERAL PUBLIC NEED

The PCSs provide a form of service that is functionally equivalent to the service provided by the CPs and for which there is substantially the same general public need. As such the PCSs adopt the local public need documentation included in the CP Plan at Tab 4b.

V. CONCLUSION

A. SUMMARY

In summary, this Plan constitutes an accurate representation of the existing and proposed communication facilities necessary to provide adequate, reliable PCS service to the New Jersey Pinelands region now and for the near future. The proposal contained herein, is consistent with the following:

1. Pinelands Code requirements;
2. The commitment to quality service made by the PCSs to their customers;
3. The requirements of PCSs FCC licenses to provide service to their licensed areas and;
4. The 1996 Federal Telecommunications Act.

The “Facility Summary Chart” which follows this Summary, depicts the facility number, management area, and location of each proposed facility as well as whether the proposed facility is likely to be constructed on an existing structure, is proposed for a location approved in the CP Plan, which carrier is proposing the facility and whether it is anticipated that the PCS will require the individual facility immediately or within five (5) or ten (10) years.

The Plan shall be viewed by all who use it as a master plan with the clear understanding that each approximate location shown on the comprehensive PCS Map shall be submitted to the Commission for review and site specific approval at the time of its proposal. The Plan has been completed to comply with the requirements of N.J.A.C. 7:50-5.4(c)6 adopted by the Commission in August 1995. It demonstrates the ability of the signatories to work together with Commission Staff to provide the least number of facilities possible to provide reliable PCS service. This effort was made in the spirit of preserving the New Jersey Pinelands preservation areas, while providing vital communications. The goal of the signatories of this Plan is to strike the balance between the growing demands for PCS service and the continued protection of the environmental needs and personal needs and enjoyment of all individuals who live, work and travel through the Pinelands of New Jersey.

B. FACILITY SUMMARY CHART

Facility Number	Management Area	Location	Existing Structure	Timing	Approved CP Location	Carrier
1	U	Medford	Y	I	Y	SPCS
2	U	Winslow	Y	I	N	SPCS
3	H	Waterford	Y	I	N	SPCS
4	U	Tabernacle	Y	I	Y	SPCS
5	H	Hammonton	Y	I	N	SPCS
6	H&N	Elwood	Y	I	Y	SPCS
7	H	Hamilton	Y	I	Y	SPCS & Omnipoint
8	U	Egg Harbor	Y	I	N	SPCS
9	U	Egg Harbor City	Y	I	Y	SPCS & Omnipoint
10	U	Hammonton	Y	I	Y	SPCS
11	H&N	Hamilton	Y	I	Y	SPCS & Omnipoint
13	H	Folsom	Y	I	N	SPCS & Omnipoint
14	H&N	Hamilton	N	I	N	SPCS & Omnipoint
15	H&N	Hamilton	N	I	N	SPCS & Omnipoint
16	U	Hamilton	Y	I	Y	SPCS
17	H&N	Maurice River	Y	I	N	SPCS
18	U	Browns Mills	Y	I	Y	SPCS
19	H&N	South Hampton	Y	I	N	SPCS & Omnipoint
20	H&N	Woodland	N	I	N	SPCS & Omnipoint
22	H&N	Chatsworth	Y	I	Y	SPCS & Omnipoint
23	H&N	Shamong	N	I	Y	SPCS & Omnipoint
24	H&N	Mullica	Y	I	N	SPCS & Omnipoint
25	U	Galloway	Y	I	Y	SPCS
26	H&N	Evesham	Y	I	Y	SPCS
27	U	Medford	N	I	Y	SPCS
28	H	Evesham	N	5	Y	SPCS
29	H&N	Washington	Y	I	Y	SPCS
30	H&N	Hammonton	N	5	Y	SPCS
31	H&N	Mullica	N	5	Y	SPCS
32	H&N	Weymouth	Y	5	Y	SPCS
33	U	Manchester	Y	5	Y	SPCS & Omnipoint
34	U	Barneгат	Y	I	Y	SPCS & Omnipoint
35	H&N	Barneгат	N	I	Y	SPCS & Omnipoint
36	H	Winslow	Y	I	N	SPCS
37	U	Hamilton	Y	I	N	SPCS & Omnipoint
38	U	Permberton	N	I	Y	SPCS
39	U	Manchester	Y	I	Y	SPCS & Omnipoint
40	H&N	Estell Manor	N	I	N	SPCS

41	H&N	Tabernacle	Y	5	Y	SPCS
42	H	Bass River	Y	I	N	Omnipoint
43	H	Hamilton	Y	I	N	SPCS & Omnipoint
45	U	Medford	Y	I	N	Omnipoint
46	U	Monroe	Y	I	N	Omnipoint
47	U	Waterford	Y	I	N	Omnipoint
48	U	Hammonton	Y	I	N	Omnipoint
49	H	Winslow	Y	I	N	Omnipoint
50	H	Winslow	Y	I	N	Omnipoint
51	H	Hammonton	Y	I	N	Omnipoint
52	H	Hammonton	Y	I	N	Omnipoint
53	H	Hamilton	Y	I	N	Omnipoint
54	U	Galloway	Y	I	N	Omnipoint
55	U	Egg Harbor	Y	I	N	Omnipoint
56	H	Galloway	Y	I	N	Omnipoint
57	H	Bass River	Y	I	N	Omnipoint
58	U	Barnegat	Y	I	N	Omnipoint
59	U	Stafford	Y	I	N	Omnipoint
60	H&N	Eagleswood	Y	I	N	Omnipoint
61	H&N	Barnegat	Y	I	N	Omnipoint
62	H&N	Woodland	N	5	N	Omnipoint
64	H&N	Manchester	Y	5	N	Omnipoint
65	H&N	Bass River	Y	I	N	Omnipoint
66	U	Lake Hurst	Y	I	N	Omnipoint
67	U	Egg Harbor	Y	I	N	Omnipoint

Facility Number – corresponds to the sites indicated in Sec. II(A) “PCS Map Summary”.

Management Area – indicates the level of Pinelands regulation applicable to the proposed facility.

U = Unrestricted, H = Height Restricted, and H&N = Height and Number Restricted.

Location – indicates an approximation of the community in which the facility will likely be located.

Existing Structure – indicates whether the PCS anticipates location of the proposed facility on an existing structure. Y = Yes and N = No.

Timing – indicates the time frame anticipated by the PCS for construction of the proposed facility.

I = as soon as possible and 5 = within five (5) years.

Approved CP Location – indicates whether the PCS anticipates locating the proposed facility at a location that was approved for wireless facilities under the CP Plan. Y = Yes and N = No.

Carrier – indicates which PCS carrier is proposing the wireless facility. SPCS = Sprint Spectrum L.P.