

Appendix G to  
Acting Executive Director's Report  
on Proposed PCS Plan

*Correspondence Regarding Colocation and Assignment  
of Development Authorizations*

DEC 27 1999

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**RE: Colocation and Assignment of Development Authorizations  
For PCS and Cellular facilities in the Pinelands.**

Ladies and Gentlemen:

This document memorializes the consensus reached at the December 8, 1999 meeting held at the offices of the Pinelands Commission regarding procedures for colocation and development of wireless facilities located within the Pinelands. The meeting was requested by Pinelands Commission Acting Executive Director, William Harrison. Present at the meeting, in addition to Mr. Harrison, was Pinelands Manager of Planning, Larry Leggett, as well as representatives of Sprint Spectrum LP, Omnipoint PCS Entrepreneurs, Inc., Bell Atlantic Mobile, Comcast Metrophone/Cellular One, and Nextel Communications, Inc. (the Carriers). The following reflects the general

understandings reached between the Carriers and the Pinelands as well as between and among the Carriers:

#### Colocation

A carrier wishing to develop a wireless facility site at a location specified in the Cellular Comprehensive Plan or the pending PCS Comprehensive Plan must incorporate the design requirements of the other Carriers that have identified a need for a facility at said location in either Plan as well as the requirements of those Carriers that have filed requests for colocation.

#### Assignment of Development Rights

1. Any Carrier who is ready, willing, and able to develop a wireless facility shown in either Plan may do so. Any Carrier seeking to develop a site that the Carrier has not indicated a need for in an approved Plan, must obtain the consent of all parties to approved Plans that have identified a need for said site in a Plan. Further the developing Carrier must take into account the needs of those other carriers that have not identified the need for said site in a Plan but have filed requests for co-location at said site with a lead carrier identified in a Plan. Consents to development will be forwarded within a reasonable period and will not be unreasonably withheld.

2. In the event that a carrier has signed a Lease for property at a location which comports with either or both of the Plans, but has filed no development applications and is not actively pursuing development of a facility, that carrier shall render its consent to development by another Carrier which is ready to actively pursue such development. The receiving carrier shall reserve room on the facility for the assigning carrier.

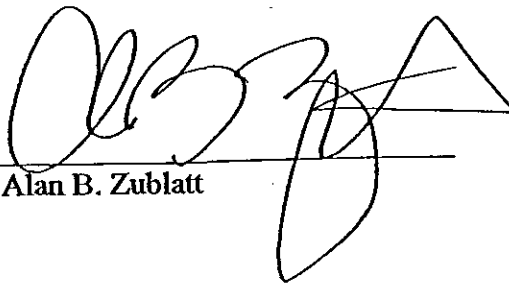
3. In the event that a carrier has not signed a lease for a facility at a location which comports with either or both of the Plans, and is not actively and diligently pursuing in good faith the development of a facility, that carrier shall assign its consent to development to another carrier which is a party to either plan which is then ready willing and able to actively pursue and develop a facility at said location which comports with either or both plans. The receiving carrier shall reserve room on the facility for the assigning carrier.

All of the foregoing understandings regarding colocation and development procedures presume that the final locations developed will satisfy the technical criteria of each carrier identified as co-locating at that given facility. Further, it is understood that if colocation of all carriers at a single location is not feasible because of technical constraints, upon presentation of competent evidence and documentation to the Pinelands Commission, the Pinelands Commission shall consent an additional facility.

Please feel free to contact my office if you have any questions or comments regarding the foregoing.

Very truly yours,

LAW OFFICES OF ALAN B. ZUBLATT

A handwritten signature in black ink, appearing to be 'Alan B. Zublatt', written over a horizontal line. The signature is stylized and somewhat abstract.

Alan B. Zublatt

ABZ/ac