

WIRELESS PROVIDER PERMIT AGREEMENT

BETWEEN THE CITY OF SANTA FE ("City") AND THE WIRELESS PROVIDER CNSP, INC. DBA NMSURF, a New Mexico Corporation ("Permittee").

Section 1. PERMIT REQUIREMENT.

(a) No person or firm, whether public, private, nonprofit or not for profit shall construct, operate or continue to operate a small wireless facility which occupies any part of the right-of-way within the City without having been issued a Wireless Provider Permit by the City.

(b) The applicant hereby certifies that it is a wireless provider or a wireless infrastructure provider according to the terms defined in this agreement, applicable United States code, and New Mexico statute.

(c) Except as hereinafter provided, it shall be a term and condition of any Wireless Provider Permit ("permit") that as a part of the consideration supporting the issuance of such permit and the City's permission thereby to occupy and use the right-of-way of the City, that the Wireless Provider shall pay to the City compensation and license fees as set out below:

(i) All applicants shall pay a new, replacement, or modified utility **pole application fee** of seven hundred fifty dollars (\$750.00) per utility pole. The applicant is applying for one (1) new, replacement, or modified poles. The total application fee for new, replacement, or modified utility poles under this permit is seven hundred fifty dollars (\$750.00).

(ii) All applicants shall pay a **collocation application fee** of one hundred dollars (\$100.00) for each of up to five small wireless facilities and fifty dollars (\$50.00) for each additional small wireless facility (up to a maximum of twenty-five collocations per permit) whose collocation the applicant requests in this application. The applicant is applying for no small wireless facility collocations. The total application fee for collocations under this permit is \$0.00.

(iii) The Permittee shall pay to the City an **annual rate** of two hundred fifty dollars (\$250.00) multiplied by the number of small wireless facilities placed by the Permittee on utility poles or wireless support structures in the right of way and in the City's jurisdiction which are not authority utility poles. The Permittee has one (1) small wireless facilities in the City's right of way. The total annual rate is two hundred fifty dollars (\$250.00).

(iv) The Permittee shall pay to the City an **annual rate** of twenty dollars (\$20.00) multiplied by the number of small wireless facilities collocated by the Permittee on authority utility poles in the right of way and in the City's jurisdiction. The Permittee has no small wireless facilities in the City's right of way collocated on authority utility poles under this permit. The total annual rate for the right to attach no small wireless facilities in the City's right of way on authority utility poles under this permit is \$0.00. The total annual rate due under this agreement is \$0.00.

(v) The City may prohibit, regulate and charge for the collocation of small wireless facilities on a wireless support structures owned by the City.

(vi) The City may adjust these permit fees and rates each year to the extent allowed by law. In the event of any rate increase, the City shall notify the Permittee in writing 60 days prior to the effect of the increase.

(d) The annual compensation and permit fee provided for in Section (b) shall be payable annually on or before January 1 of each calendar year for the portion of the Wireless Communications Systems within the City right-of-way on January 1 of that year.

(e) Fees shall be made payable to Lessor and delivered to Lessor at the following address:

City of Santa Fe
PO Box 909
Santa Fe, NM 87504
Attn: Asset Development Office

(f) Fees not paid within 15 days after the due date shall bear interest at the rate of 1% per month from the date due until paid.

(g) The acceptance of any payment required hereunder by the City shall not be construed as an acknowledgment that the amount paid is the correct amount due, nor shall such acceptance of payment be construed as a release of any claim, which the City may have for additional sums due and payable.

(i) All fee payments shall be subject to audit by the City and assessment or refund if the payment is found to be in error.

(ii) In the event that such audit results in an assessment by and an additional payment to the City, such additional payment may be subject to interest at the rate of 1% per month retroactive to the date such payment originally should have been paid, which shall be due and payable immediately.

(h) Nothing in this permit agreement shall be construed to limit the liability of the

Permittee for all applicable Federal, State, and local taxes.

Section 2. DEFINITIONS.

(a) For the purposes of this Agreement and any permit in accordance herewith, the following terms, phrases, words and their derivations shall have the meaning given herein unless otherwise specifically provided in this Agreement or unless the context clearly indicates otherwise or unless such meaning would be inconsistent with the manifest intent of the City and the Wireless Consumer Advanced Infrastructure Investment Act.

"antenna" means communications equipment that transmits or receives electromagnetic radio frequency signals and that is used to provide wireless services;

"applicable codes" means uniform building, fire, electrical, plumbing or mechanical codes adopted by a recognized national code organization and enacted by the City, including the amendments to those codes enacted by the City solely to address imminent threats of destruction of property or injury to persons, to the extent that those amendments are consistent with the Wireless Consumer Advanced Infrastructure Investment Act;

"applicant" means a wireless provider that submits an application;

"application" means a request submitted by an applicant to the City for a permit to collocate one or more small wireless facilities or to approve the installation, modification or replacement of a utility pole or wireless support structure;

"authority" means the City;

"authority utility pole" means a utility pole, owned or operated by the City, in a right of way;

"collocate" means to install, mount, maintain, modify, operate or replace one or more wireless facilities on, in or adjacent to a wireless support structure or utility pole;

"communications service" means cable service as defined in 47 U.S.C. Section 522(6), information service as defined in 47 U.S.C. Section 153(24), mobile service as defined in 47 U.S.C. Section 153(33), telecommunications service as defined in 47 U.S.C. Section 153(53) or wireless service other than mobile service;

"design district" means an area zoned or otherwise designated by ordinance and for which the City maintains and uniformly enforces unique design and aesthetic standards;

"fee" means a one-time charge;

"historic district" means a group of buildings, properties or sites that fall within the category defined in 47 C.F.R. 1.1307(a)(4) and are:

(a) listed in the national register of historic places or formally determined eligible for listing in that register by the keeper of the register in accordance with the nationwide programmatic agreement found in 47 C.F.R. Part 1, Appendix C; or

(b) designated as a historic district in accordance with the Historic District and Landmark Act.

"law" includes federal, state or local law;

"permit" means the written permission of an authority for a wireless provider to install, mount, maintain, modify, operate or replace a utility pole or to collocate a small wireless facility on a utility pole or wireless support structure;

"person":

(1) means an individual, corporation, limited liability company, partnership, association, trust or other entity or organization; and

(2) includes an authority;

"private easement" means an easement or other real property right given for the benefit of the grantee of the easement and the grantee's successors and assigns;

"rate" means a recurring charge;

"right of way":

(1) means the area on, below or above a public roadway, highway, street, sidewalk, alley or utility easement; and

(2) does not include the area on, below or above:

(a) a federal interstate highway;

(b) a state highway or route under the jurisdiction of the department of transportation;

(c) a private easement; or

(d) a utility easement that does not authorize the deployment sought by a wireless provider;

"small wireless facility" means a wireless facility whose:

(1) antennas are, or could fit, inside an enclosure with a volume of six or fewer cubic feet; and

(2) other ground- or pole-mounted wireless equipment, not including the following, is twenty-eight or fewer cubic feet in volume:

(a) electric meter;

(b) concealment elements;

(c) telecommunications demarcation box;

(d) grounding equipment;

(e) power transfer switch;

(f) cutoff switch;

(g) vertical cable runs for the connection of power and other services; and

(h) elements required by an authority in accordance with Subsection H of

Section 3 of the Wireless Consumer Advanced Infrastructure Investment Act;

"utility pole":

(1) means a pole or similar structure used in whole or in part for communications services, electricity distribution, lighting or traffic signals; and

(2) does not include a wireless support structure or electric transmission structure;

"wireless facility":

(1) means equipment at a fixed location that enables wireless communications between user equipment and a communications network, including:

(a) equipment associated with wireless communications; and

(b) radio transceivers, antennas, coaxial or fiber-optic cables, regular and backup power supplies and comparable equipment, regardless of technological configuration;

(2) includes a small wireless facility; and

(3) does not include:

(a) the structure or improvements on, under or within which the equipment is collocated;

(b) a wireline backhaul facility, coaxial cable or fiber-optic cable between wireless support structures or utility poles; or

(c) coaxial or fiber-optic cable otherwise not immediately adjacent to, or directly associated with, an antenna;

"wireless infrastructure provider" means a person, other than a wireless services provider, that may provide telecommunications service in New Mexico and that builds or installs wireless communications transmission equipment, wireless facilities' utility poles or wireless support structures;

"wireless provider" means a wireless infrastructure provider or wireless services provider;

"wireless services" means services provided to the public that use licensed or unlicensed spectrum, either mobile or at a fixed location, through wireless facilities;

"wireless services provider" means a person that provides wireless services;

"wireless support structure" means a freestanding structure, including a monopole or guyed or self-supporting tower, but not including a utility pole; and

"wireline backhaul facility" means a facility used to transport services by wire from a wireless facility to a network.

Section 3. LENGTH OF PERMIT.

(a) Any Wireless Provider Permit issued by the City in accordance herewith shall be a nonexclusive permit for the use of the right of way within the City as specified in the Wireless Provider Permit for the erection, construction, reconstruction, operation, maintenance, dismantling, testing and use of one (1) utility pole(s) and/or small wireless facility/facilities.

(b) Any Wireless Provider Permit issued by the City shall continue in full force and effect so long as the Permittee is in compliance with this Permit, all applicable Federal, State and local ordinances and regulations and the space occupied is not needed for a public purpose.

(c) The Permittee shall notify the City in writing of its intention to discontinue its use of a small wireless facility or utility pole. The notice shall inform the City of the time and the way in which the Permittee intends to remove the small wireless facility or utility pole. The Permittee is responsible for the costs of the removal. The Permittee shall return the property to its pre-installation condition according to the City's reasonable and nondiscriminatory requirements and specifications. If the Permittee does not complete the removal within forty-five days after the notice, the City may complete the removal and assess the costs of removal against the Permittee. The permit for the small wireless facility or utility pole expires upon removal.

Section 4. PERMIT LOCATIONS.

(a) Any Wireless Provider Permit issued for a wireless facility in accordance herewith shall apply only to the location or locations stated on the Wireless Provider Permit. Each Permit shall clearly state the location of each utility pole or small wireless facility and specify the height

of the pole and small wireless facility configuration.

(b) Nothing in this Ordinance shall be construed as a representation, promise or guarantee by the City that any other permit or other authorization required under any City ordinance for the construction or installation of a wireless facility shall be issued. The requirements for any and all other permits as may be required by any City ordinance, including the street cut permit, shall still apply and all other applicable permit fees shall still be due.

(c) The approval of an application under the Wireless Consumer Advanced Infrastructure Investment Act does not authorize the provision of a service or authorize the installation, placement, maintenance or operation of a wireline backhaul facility in a right of way.

(d) The Wireless Consumer Advanced Infrastructure Investment Act shall not be deemed to allow a person, without the consent of the property owner, to collocate a small wireless facility on a privately owned utility pole, a privately owned wireless support structure or private property.

(e) List of locations included in Attachment A.

Section 5. USE OF STREETS AND POLE ATTACHMENTS.

(a) Except as otherwise provided in the Wireless Consumer Advanced Infrastructure Investment Act, and subject to the approval of an application as provided in Section 4 of that act, the Permittee may collocate small wireless facilities and construct, install, modify, mount, maintain, operate and replace utility poles associated with the collocation of a small wireless facility along, across, on or under the right of way.

(b) If the Permittee or the Permittee's contractor causes damage to the City's property or right of way while the Permittee or contractor occupies, installs, repairs or maintains a small wireless facility, wireless support structure or utility pole in the right of way, the Permittee shall return the property to its pre-damage condition according to the City's requirements and specifications upon written or e-mailed notice of the requirement to the Permittee. If the Permittee does not, within a reasonable period after receiving the notice, repair the property as required by the authority, the authority may make the repairs and charge the Permittee the reasonable, documented cost of the repairs.

(c) The Permittee's deployment of a utility pole or small wireless facility in a right of way shall construct, maintain and locate it so as not to obstruct or hinder the usual travel on, or endanger the public in, the right of way, damage or interfere with another utility facility in the right of way or interfere with another utility's use of its facility in the right of way.

In constructing and maintaining its utility pole or small wireless facility, the Permittee shall comply with the national electrical safety code and all applicable laws for the protection of underground and overhead utility facilities. The City shall treat the Permittee's utility poles and small wireless facilities in a right of way as it does the facilities, if any, of other utilities in the right of way; however, the City may adopt reasonable regulations concerning the separation of the Permittee's utility poles and small wireless facilities from other utility facilities in the right of way to prevent damage to, or interference with, the facilities or to prevent interference with a utility's use of its facility or facilities in, or to be placed in, the right of way.

(d) Subject to Subsection E of Section 4 of the Wireless Consumer Advanced Infrastructure Investment Act, the City may require, as they pertain to small wireless facilities located in design districts or historic districts, reasonable, technically feasible, nondiscriminatory and technologically neutral design or concealment measures and reasonable measures for conforming to the design aesthetics of design districts or historic districts, as long as the measures do not have the effect of prohibiting a wireless provider's technology.

(e) Without the City's discretionary and written consent, which the City shall give in a nondiscriminatory way, the Permittee shall not install a new utility pole in a right of way adjacent to a street or thoroughfare that is:

(1) fifty feet wide or less; and

(2) adjacent to single-family residential lots or other multifamily residences or to undeveloped land designated for residential use by zoning or deed restrictions.

(f) The Permittee shall comply with applicable private deed restrictions and other private restrictions affecting the area related to the installation of a new utility pole or small wireless facility.

Section 6. TERM, REMOVAL & RELOCATION.

The term of this agreement shall be 10 years. Upon the expiration of the term or revocation of the permit, Permittee shall remove such designated small wireless facility/facilities and any support structure as requested by the City. The Permittee is responsible for the costs of the removal. The Permittee shall return the property to its pre-installation condition according to the City's reasonable and nondiscriminatory requirements and specifications. If the Permittee does not complete the removal within forty-five days after the notice, the City may complete the removal and assess the costs of removal against the wireless provider.

If the City determines that a utility pole or the wireless support structure of the Permittee must be relocated to accommodate a public project, the Permittee shall assume the costs of relocating the wireless facilities deployed on the pole or structure.

Section 7. INDEMNIFICATION & INSURANCE

The Permittee shall maintain property and casualty insurance throughout the term of this Agreement providing a minimum coverage in the amount required under the New Mexico Tort Claims Act. The Permittee shall furnish the City with proof of insurance of Permittee's compliance with the provisions of this section as a condition prior to using and occupying the right of way under this Agreement.

Section 8. NEW MEXICO TORT CLAIMS ACT

Any liability of the City of Santa Fe, its public officials, or employees is limited by the privileges and immunities of the New Mexico Tort Claims Act, NMSA 1978, §§ 41-4-1 through 41-4-30.

Section 9. NOTICE

Any required notice will be deemed delivered, given and received (i) when personally hand delivered, or (ii) five days after the same are deposited in the United States mail, postage prepaid, registered, addressed to the applicable party at the address indicated below for such party, or at such other address as may be designated by either party in a written notice to the other party:

To Lessor:

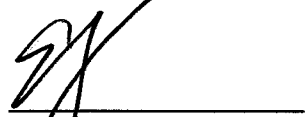
City of Santa Fe
P. O. Box 909
Santa Fe, NM 87504
Attn: City Manager

To Lessee:

CNSP, Inc. dba NMSURF
1308 Apache Avenue
Santa Fe, NM 87505
Attn: Albert Catanach, President/CEO

Section 10. SIGNATURES

CITY OF SANTA FE:



ERIK LITZENBERG
CITY MANAGER

DATE: 1/30/19

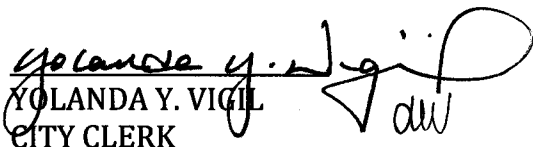
PERMITTEE:



ALBERT CATANACH,
PRESIDENT/CEO

DATE: 1/25/19

ATTEST:



YOLANDA Y. VIGIL
CITY CLERK

APPROVED AS TO FORM:

 For
ERIN MCSHERRY
CITY ATTORNEY

APPROVED:

 
MARY MCCOY
FINANCE DIRECTOR

BUSINESS UNIT/LINE ITEM

21117/421500

List of Locations

Description

Longitude/Latitude

Exhibit

Utility Pole

35°41'19.4"N 105°58'43.0" W

EXHIBIT P1 (22 Pages)



CITY OF SANTA FE, NEW MEXICO APPLICATION FOR WIRELESS PROVIDER PERMIT

In accordance with the Wireless Consumer Advanced Infrastructure Investment Act (the "Act"), applicable code and law, the City of Santa Fe recognizes that the provision of telecommunications services is a highly technical enterprise subject to federal, state and local regulation. This application is designed to elicit the necessary information to permit a wireless provider to collocate small wireless facilities and to construct, install, modify, mount, maintain, operate and replace utility poles associated with the collocation of small wireless facilities along, across, on or under the City's rights of way.

Completion of this application is mandatory. The application is not considered complete until all questions have been answered and all attachments have been provided. If a specific question does not apply to an applicant, the applicant must enter the words "Not Applicable" or "N/A" in the space provided for an answer, and state why it is not applicable. Any "Not Applicable" or "N/A" response not supported by an explanation will result in the application being deemed incomplete.

Every page of this application must be completed, initialed and signed where indicated and submitted to the City of Santa Fe Traffic Engineering Director at 500 Market Street Suite 200, Santa Fe, NM 87501, with a copy to the City Attorney's Office, 200 Lincoln Avenue, Santa Fe, NM 87501. The date the application is received in the office of the Traffic Engineering Director shall be the application date.

Questions regarding this form should be directed to the City of Santa Fe Traffic Engineering Director, by mail at Post Office Box 909, Santa Fe, NM 87504-0909; by telephone at 505.955.6638; or by e-mail at jjromero1@ci.santa-fe.nm.us.

1. **Applicant Information.**

1.1 Form of organization (e.g., corporation, limited liability partnership):

Corporation

1.2 Legal name (as it appears in organizational documents):

CNSP, Inc., dba NMSURF

1.3 State where organized: **New Mexico**

ATTACH COPIES OF CERTIFIED ORGANIZATIONAL DOCUMENTS. MARK EACH PAGE IN THE LOWER RIGHT-HAND CORNER "ATTACHMENT A-1.3" AND NUMBER THE PAGES CONSECUTIVELY.

1.4 Principal place of business: **1308 Apache Ave, Santa Fe, NM 87505**

1.5 Are you in good standing in the state where organized? ☒ Yes ☐ No

IF YES, ATTACH GOOD STANDING CERTIFICATE. MARK EACH PAGE IN THE LOWER RIGHT-HAND CORNER "ATTACHMENT A-1.5" AND NUMBER THE PAGES CONSECUTIVELY.

IF NO, EXPLAIN:

1.6 Principal office in New Mexico: 1308 Apache Ave, Santa Fe, NM 87505

1.7 Contact: Name: **Albert Catanach**

Title: **President/CEO**

Address: **1308 Apache Ave, Santa Fe, NM 87505**

Telephone: **505-986-1669**

Fax **888-646-1357**

Mobile **505-913-1566**

E-mail albert@nmsurf.com

1.8 Are you acting as an agent? ☐ Yes ☒ No

If you are acting as an agent, disclose the following information for each of your principals (IF YOU HAVE MULTIPLE PRINCIPALS, USE COPIES OF THIS AND THE FOLLOWING PAGE TO PROVIDE THE REQUIRED INFORMATION AND ATTACH THE COMPLETED PAGES. MARK EACH PAGE IN THE LOWER RIGHT-HAND CORNER "ATTACHMENT A-1.8" AND NUMBER THE PAGES CONSECUTIVELY.)

1.9 Form of organization (e.g., corporation, limited liability partnership):

1.10 Legal name (as it appears in organizational documents):

_____ *N/A* _____

1.11 State where organized: _____

ATTACH COPIES OF CERTIFIED ORGANIZATIONAL DOCUMENTS. MARK EACH PAGE IN THE LOWER RIGHT-HAND CORNER "ATTACHMENT A-1.11", NUMBER THE PAGES CONSECUTIVELY.

1.12 Principal place of business: _____

- 1.13 Are you in good standing in the state where organized? ☐ Yes ☐ No

IF YES, ATTACH GOOD STANDING CERTIFICATE. MARK EACH PAGE IN THE LOWER RIGHT-HAND CORNER "ATTACHMENT A-1.13" AND NUMBER THE PAGES CONSECUTIVELY.

IF NO, EXPLAIN:

- 1.14 Principal office in New Mexico: N/A

- 1.15 Contact Name: _____

Title: _____

Street Address: _____

_____ Telephone: _____

Mobile: _____

E-mail: _____

2. Application and Payment Information.

- 2.1 Applicant seeks a permit to:

Collocate 7 small wireless facilities within the City's right of way and jurisdiction at an application fee of one hundred dollars (\$100.00) each for up to five

collocations, plus fifty dollars (\$50.00) each for any additional collocations beyond five in number, up to a maximum of twenty-five collocations in all; or,

☒ Install, replace, or modify / utility pole(s) within the City's right of way and jurisdiction with an application fee of seven hundred fifty dollars (\$750.00), per new, replacement, or modified utility pole.

☐ The total application fee is \$ _____ which has been paid to the City Cashier located at 200 Lincoln Avenue, Santa Fe, New Mexico on _____, 2018, and which is evidenced by the attached receipt.

The approval of an application under the Act does not authorize the provision of a service or authorize the installation, placement, maintenance or operation of a wireline backhaul facility in a right of way.

- 2.2 Provide a brief narrative describing the nature of the telecommunications services to be provided and the telecommunications facilities to be utilized in their provision under the permit if issued.

Fixed Wireless Internet Service.

IF ADDITIONAL SPACE IS REQUIRED, MARK EACH ADDITIONAL PAGE IN THE LOWER RIGHT-HAND CORNER "ATTACHMENT A-2" AND NUMBER THE PAGES CONSECUTIVELY.

- 2.3 Provide drawings and specifications at sufficient levels of detail and professional certification to demonstrate that each of the facilities being sought in this application:
- is a small wireless facility or a new, replacement or modified utility pole associated with the collocation of a small wireless facility;
 - is within the City's jurisdiction and right of way;
 - meets or exceeds all terms and conditions contained in the Act requiring the City to accept and process this application and issue a permit for it;
 - satisfies all applicable codes and laws to protect the public safety, to address an imminent threat of destruction of property or injury to persons, and to not cause damage to the City's property or right of way while the applicant or applicant's contractor occupies, installs, repairs or maintains it;
 - will be constructed, maintained and located so as not to obstruct or hinder the usual travel on, or endanger the public in the right of way, or damage or interfere with another utility facility in the right of way, or interfere with another utility's use of its facilities in the right of way;
 - complies with the national electrical safety code and all applicable laws for the protection of underground and overhead utility facilities;
 - certifies that the small wireless facilities to be collocated conform with the federal communications commission's regulations concerning radio frequency emissions;
 - complies with all applicable private deed restrictions and other private restrictions affecting the area in which the proposed facility is located;

- satisfies reasonable, technically feasible, non-discriminatory and technologically neutral design or concealment measures and reasonable measures for conforming to the design aesthetics of design districts or historic districts as applicable to the location of the proposed facility; and
- is not adjacent to a street or thoroughfare that is (1) fifty feet wide or less and (2) adjacent to single-family residential lots or other multifamily residences or to undeveloped land designated for residential use by zoning or deed restrictions.

A small wireless facility collocated on a utility pole or wireless support structure that extends ten or fewer feet above the pole or structure in a right of way in any zone is classified as a permitted use and is not subject to zoning review or approval.

A new, replacement or modified utility pole associated with the collocation of a small wireless facility and installed in a right of way is not subject to zoning review and approval, except for the under-grounding prohibitions in the City Code, unless the utility pole, as measured from the ground level, is higher than whichever of the following is greater:

- (1) ten feet plus the height in feet of the tallest existing utility pole, other than a utility pole supporting only one or more wireless facilities, that is:
 - (a) in place on September 1, 2018;
 - (b) located within five hundred feet of the new, replacement or modified utility pole;
 - (c) in the same right of way and within the jurisdictional boundary of the authority; and
 - (d) fifty or fewer feet above ground level; or
- (2) fifty feet.

The Applicant shall comply with:

- (1) City Code concerning:
 - (a) public safety;
 - (b) design for utility poles; and
 - (c) under-grounding prohibitions on the installation of new, or the modification of existing, utility poles in a right of way without prior approval.
- (2) the federal Americans with Disabilities Act of 1990 or state standards for pedestrian access or movement;
- (3) requirements imposed by the City in design or historic districts for reasonable, technically feasible, nondiscriminatory and technologically neutral design or concealment measures and reasonable measures for conforming to the design aesthetics of design districts or historic districts, as long as the measures do not have the effect of prohibiting a wireless provider's technology;
- (4) requirements imposed by contract between an authority and a private property owner concerning the design of utility poles in the right of way; or
- (5) the authority's laws concerning public safety and imposing minimum spacing requirements, if reasonable, for new utility poles in rights of way.

Applicants may request a waiver of undergrounding requirements, zoning, or other process that

addresses requests to install such new utility poles or modify such existing utility poles, but the City cannot process a waiver in this application form.

In order to demonstrate the accuracy of the above conditions, for each small wireless facility or utility pole contained in this application the applicant shall include a separate exhibit including:

- ☐ Title sheet
 - Zoning notes
 - Latitude and longitude coordinates
 - Cross street as applicable
 - Applicant name, address and contact information
 - Engineering and surveyor firm(s) and stamped certifications
 - Location map of vicinity
 - Applicable codes
 - Project description
 - Drawing index
- ☐ Site survey including adjacent plat boundaries
- ☐ Site plan signed and stamped by certified civil engineer
 - Right of way boundaries
 - Roadway traffic lane and edge of pavement
 - Existing and proposed structures
 - Underground and above-ground utilities
 - Existing and proposed elevations and contours
 - Visual references sufficient to confirm placement of proposed facility
- ☐ Electrical drawings and specifications signed and stamped by certified electrical engineer (if applicable)
- ☐ Structural drawings and specifications signed and stamped by certified structural engineer (if applicable)
- ☐ Equipment details (if applicable)
- ☐ Traffic and pedestrian control plan
- ☐ Archaeological compliance notes

Applicants are invited and encouraged to provide any additional written or photographic information that they wish the City of Santa Fe to consider in determining whether to permit the use of the public right-of-way for small wireless facilities as described in this application.

3. **Regulatory Information.**

- 3.1 Is any telecommunications service to be offered pursuant to this application subject to New Mexico Public Regulation Commission (PRC) approval? ☐ Yes ☒ No

IF YES, ATTACH A TRUE AND COMPLETE COPY OF THE PRC APPROVAL. MARK EACH PAGE IN THE LOWER RIGHT-HAND CORNER "ATTACHMENT A-3.1" AND NUMBER THE PAGES CONSECUTIVELY.

- 3.2 Provide the information in this Section 3 for each person/legal entity that will be using the telecommunications facilities to provide telecommunications services under this application, if granted.

Distributed Antenna Systems (DAS) providers and all others who are not licensed by the FCC for the services proposed under this application shall disclose the information requested here for each FCC licensee that will utilize the proposed telecommunications facilities.

(FOR MULTIPLE PARTIES, USE COPIES OF THIS PAGE TO PROVIDE THE REQUIRED INFORMATION AND ATTACH THE COMPLETED PAGES. MARK EACH PAGE IN THE LOWER RIGHT-HAND CORNER "ATTACHMENT A3.2" AND NUMBER THE PAGES CONSECUTIVELY.)

- 3.3 Disclose all of the FCC licenses, call signs or Construction Permit identifications sufficient to enable the City to verify the Applicant's FCC authority:

N/A

IF ADDITIONAL SPACE IS REQUIRED, ATTACH A CONTINUATION SHEET. MARK EACH PAGE IN THE LOWER RIGHT-HAND CORNER "ATTACHMENT A-3.3" AND NUMBER THE PAGES CONSECUTIVELY.)

- 3.4 Licensee's form of organization (e.g., corporation, limited liability partnership):

- 3.5 Licensee's legal name (as it appears in organizational documents):

- 3.6 Licensee's principal place of business:

- 3.7 Licensee's principal office in New Mexico:

- 3.8 Licensee contact:

Name:

SAA

Title:

Street Address:

Telephone:

Mobile:


E-mail:

3.9 Use of small wireless facilities

- | | |
|------------------------------------------------------------------|------------------------------------------------------|
| <input type="checkbox"/> Amateur radio | <input checked="" type="checkbox"/> Microwave |
| <input type="checkbox"/> Broadcast radio | <input type="checkbox"/> PCS telephone |
| <input type="checkbox"/> Broadcast TV | <input type="checkbox"/> Paging |
| <input type="checkbox"/> Cellular
telephone | <input type="checkbox"/> Specialized
mobile radio |
| <input type="checkbox"/> Distributed
antenna system | <input checked="" type="checkbox"/> WiMax/WiFi |
| <input type="checkbox"/> Enhanced
specialized mobile
radio | <input type="checkbox"/> Other (specify) |

4. Certification of Accuracy and Reliability

The undersigned Applicant certifies on behalf of itself and the Owner/s, that the information provided in this form and its contents are true and complete to the best of the undersigned's ability and knowledge and that the information should be relied upon by the City as being accurate and complete in evaluating this application for small wireless facilities.



Signature

President

Title

Albert Catana *albert@nmsurf.com*

Print Name

E-mail Address

CNS, Inc. dba NMSURF *505-913-1566*

Print Company Name

Telephone Number

1/13/18

Date Signed

- ☐ Accepted as complete
- ☐ Rejected for the following reasons:

Signature (Traffic Engineering Division) Print Name

Date Signed



OFFICE OF THE SECRETARY OF STATE
NEW MEXICO

Certificate of Good Standing and Compliance

IT IS HEREBY CERTIFIED THAT:

COMPUTER NETWORK SERVICE PROFESSIONALS, INC.
1913987

the above named entity, a Corporation incorporated under the laws of New Mexico, is duly authorized to transact business in New Mexico as a Domestic Profit Corporation, under the

Business Corporation Act

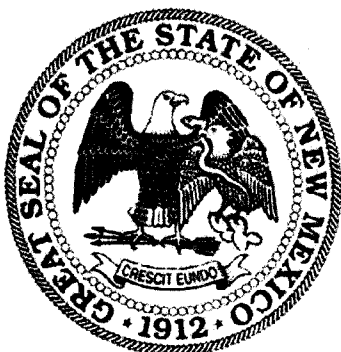
53-11-1 to 53-18-12 NMSA 1978

having filed its Articles of Incorporation on January 20, 1998, and Certificate of Incorporation issued as of said date.

It is further certified that the fees due to the Office of the Secretary of State which have been assessed against the above named entity have been paid to date and the entity is in good standing and duly authorized to transact business as its existence has not been revoked in New Mexico. This certificate is not to be construed as an endorsement, recommendation, or notice of approval of the entity's financial condition or business activities and practices.

Certificate Issued: **December 3, 2018**

In testimony whereof, the Office of the Secretary of State has caused this certificate to be signed on this day in the City of Santa Fe, and the seal of said office to be affixed hereto.

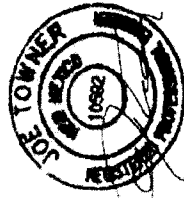


Maggie Toulouse Oliver

Maggie Toulouse Oliver
Secretary of State

Certificate Validation #: 0025901

A certificate issued electronically from the New Mexico Secretary of State's office is immediately valid and effective. The validity of a certificate may be established by viewing the **Certificate Validation** option on the Business Filing System at <https://portal.sos.state.nm.us/bfs/online> and following the instructions displayed under **Certificate Validation**.



SANTA FE SOLID WASTE

TELEPHONE
PEDESTALS

PROPOSED 40FT POLE SITE
35°41'19.4"N 105°58'43.0"W
ELEV: 6504FT



General Notes

1. There are overhead and underground utilities in the area of construction. Contractor shall contact the City and have all utilities identified and shall protect all utilities during construction.
2. Surface contours are not shown for clarity the site is basically flat.
3. This site plan is for the installation of a communication's facility and shall not be used for any other purpose.
4. Boundaries of Right of Way have not been shown for clarity.
5. See satellite image for scale.
6. Pole will be equipped with equipment shown on sheet Engineering Document 2 drawing No 501 #3 sheet 1/1 Dated 5/22/2017.

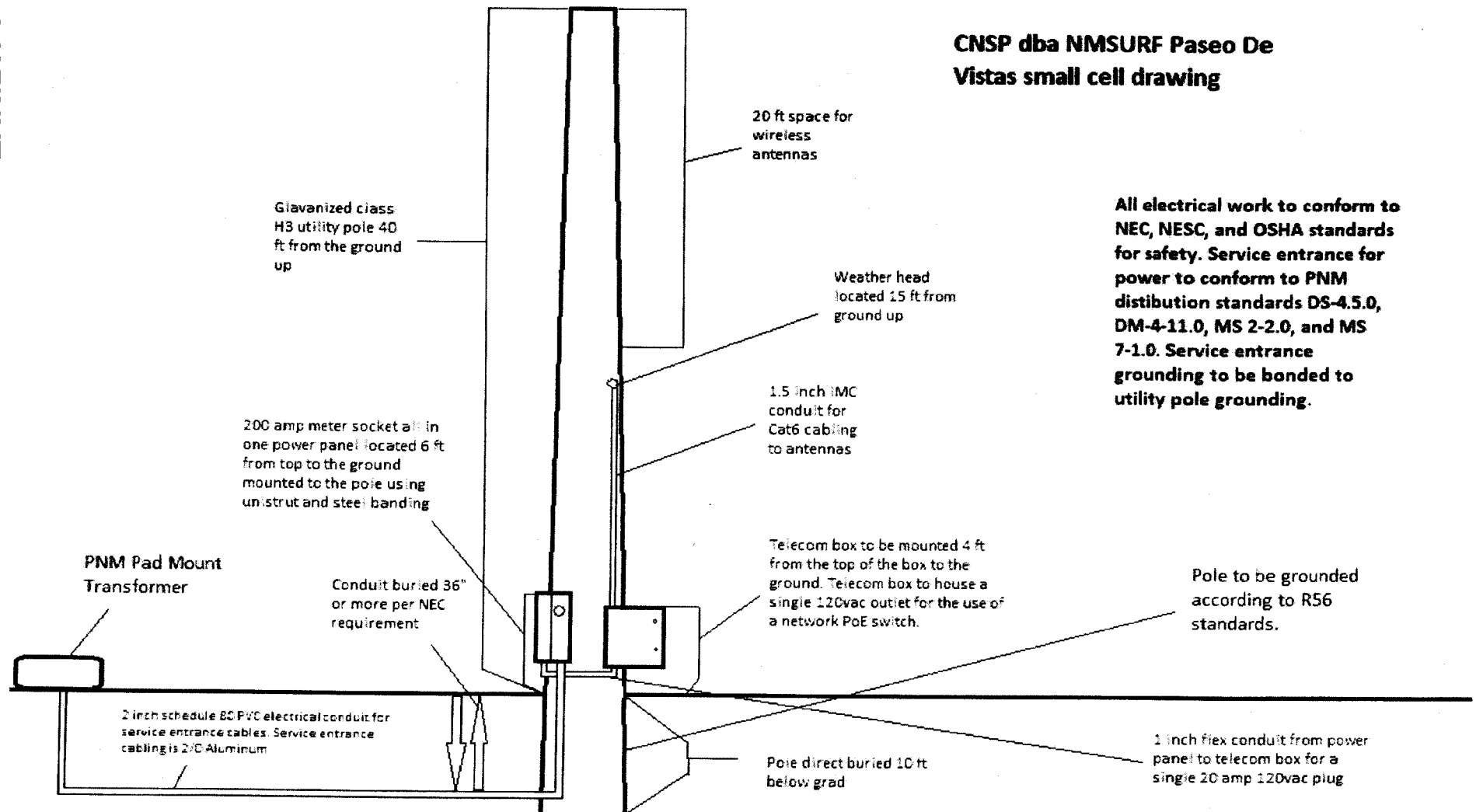
ENGINEERING

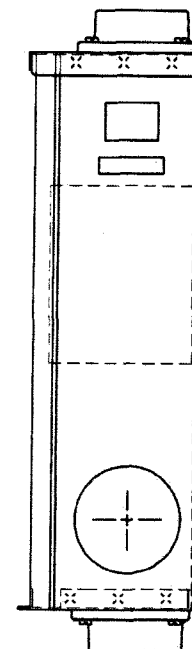
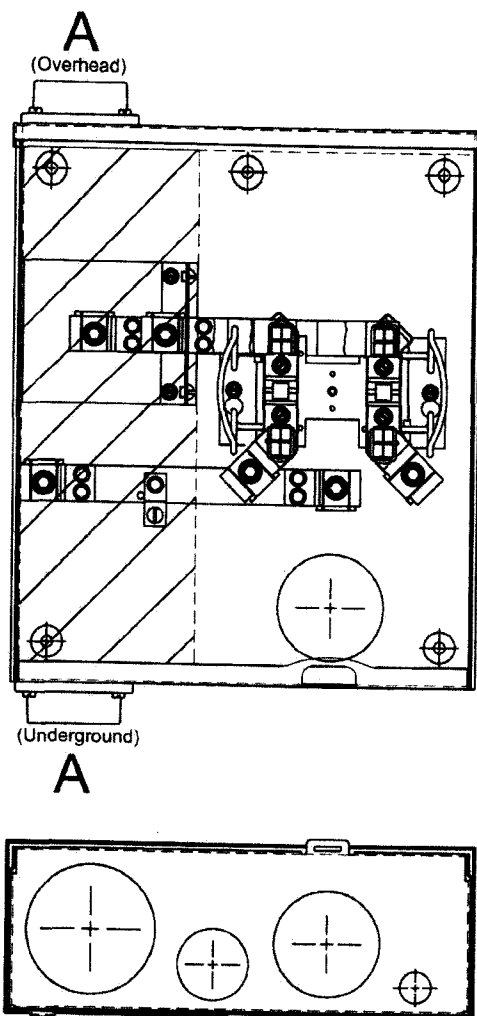
THIS NM, PE STAMP CERTIFIES THIS POLE WILL WITHSTAND THE REQUIRED WIND LOAD WITH FOLLOWING

ANTENNAS ATTACHED

- TOWER'S W/HP-11W MICROWAVE ANTENNA
- 3 POWERBLAM 500 AC (PBC-5AC-500V) (0FT, 15FT, 20FT)
- 1 JETBEAM 5AC 23 (LB5AC-23) (25FT)
- 2 TITANIUM 5 AP HIGH GAIN (AM-V50-T) (BOOTH AT 30FT)
- 3 TITANIUM 5 AP MID GAIN (AM-M-V50-T) (ALL AT 40FT)
- 4 ROCKET LW DISHES (RD-5530) (35FT, 30FT, 25FT, 15FT)

EXHIBIT P1



PNM
METER
STANDARD**Allowable Uses**

- Permanent 120/240 Overhead and Underground Services
- Permanent Customer Owned Underground Services
- Temporary Overhead and Underground Service

NOTES

- (1) Socket to be Underwriters Laboratory (UL) listed.
- (2) Connections for terminating service conductors shall be the lay-in type.
- (3) Service conduit to enter at point "A"
- (4) No load conduits or load conductors in shaded area from front to back.
- (5) PNM will make line terminations on underground permanent residential services only.
- (6) 125A is only applicable for manufactured, mobile homes, temporary overhead and underground service and replacing existing 100A or less meter socket.
- (7) Meter shall be 4' - 5' 6" from finished grade.
- (8) If load is >200A, must use MS-3-7.0.
- (9) PNM does not permit a trough ahead of meter socket.
- (10) Metering and instrument cabinets shall not be used to house Customer-owned equipment, such as distribution panels or other equipment, nor used as a junction box/trough for the distribution of circuits.
- (11) Customer building numbers must be permanently painted on proper meter panels.

REFERENCES

- (1) See DS-4-5.0 Underground Service Entrance System
- (2) See DM-4-11.0 Maximum Available Fault Current
- (3) See MS-3-7.0 Over 320A 240V Single-Phase Meter

Approved Equipment		
Manufacturer	Item	Mfg Part #
Eaton	125A OH/UG Ringless Socket	UTRS101BE
Eaton	200A OH/UG Ringless Socket	UTRS213BE
Milbank	200A OH Ringless Socket	U7021-RL-TG
Milbank	200A UG Ringless Socket	U1980-O
Milbank	200A UG Ringless Socket	U3850-O-TG
Siemens	200A UG Ringless Socket	UAS877-PG

For ease of checking service without interruption, PNM will no longer allow ring meter sockets as of 12/01/2013.

120/240V 125/200A Permanent
Overhead and Underground Single-Phase Meter Socket

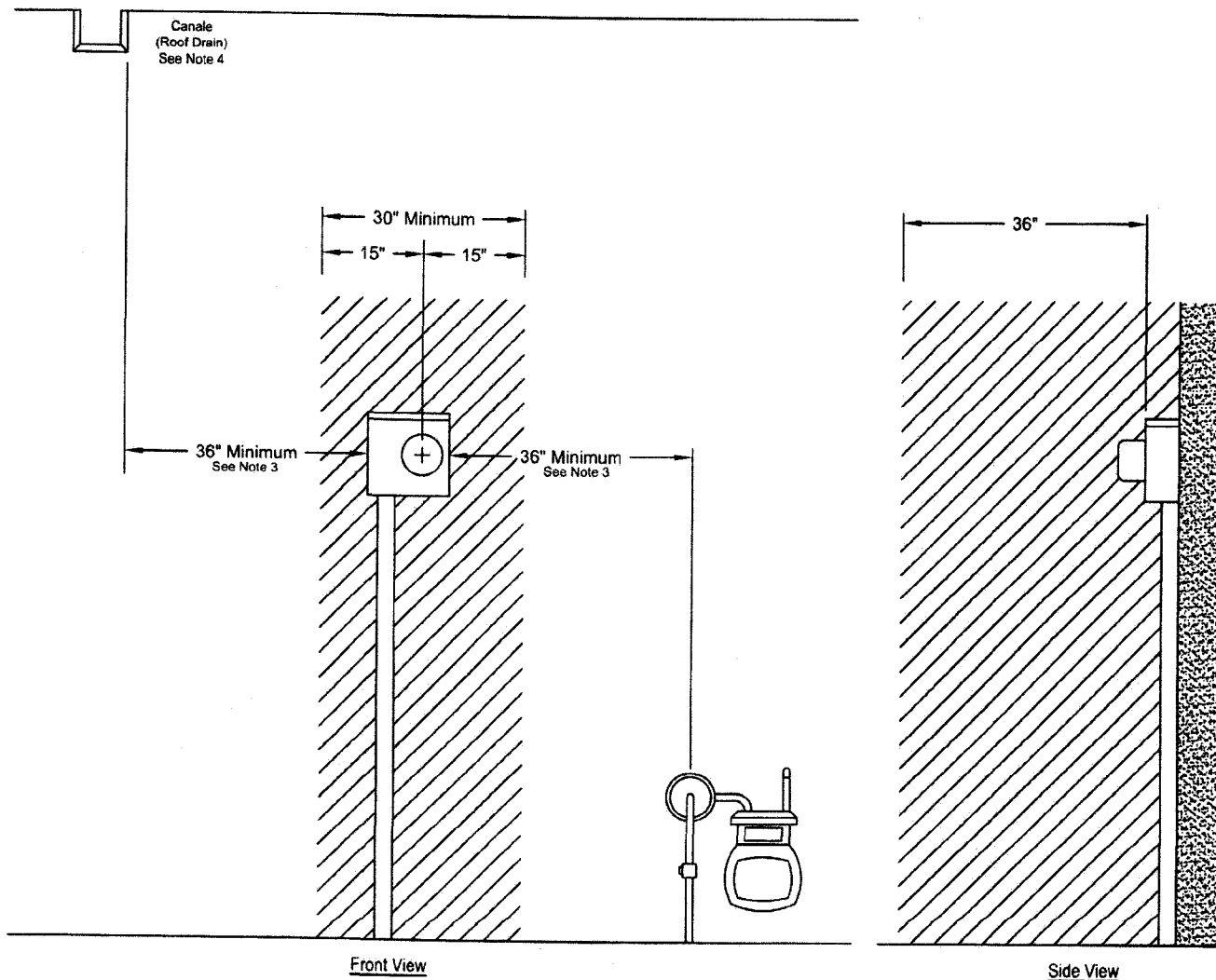
MS-2-2.0

Not to Scale

05/01/17 E

REVISION Removed riser from Note 3

PNM
METER
STANDARD



NOTES

- (1) Shaded area is considered working space and shall be kept clear of all obstacles (including landscaping) to permit ready and safe operation and maintenance of the service equipment.
- (2) Electric meter shall be protected with extended curbs or ballards (guard posts) in traffic areas to maintain working space.
- (3) Clearance from gas regulator, canales (roof drains) is 36" minimum.
- (4) This drawing is to be used for dimensioning purposes only. Canales (roof drains) are NOT allowed to be installed over gas meters.

REFERENCES

- (1) NEC 110-16 Working Space
- (2) See DS-7-16.10 Guard Post

Underground or Overhead Working Space for Electric Meter

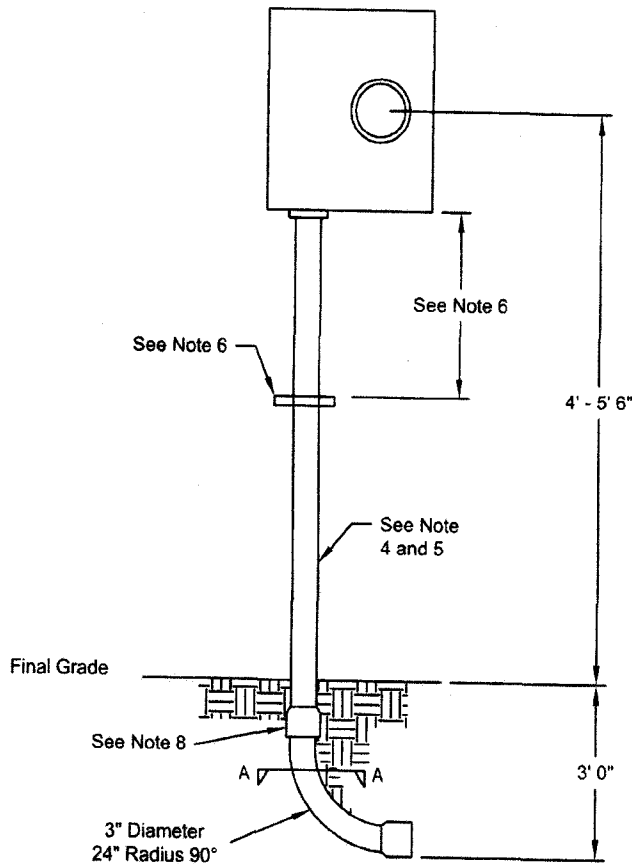
Not to Scale

MS-7-1.0

08/01/13 E

REVISION Modified height to 4' - 5' 6"

DISTRIBUTION
STANDARD
PNM



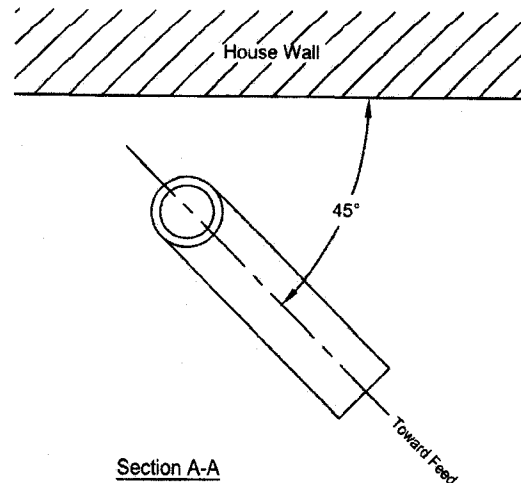
NOTES

- (1) Meter socket, Schedule 80 PVC duct, elbow and plastic bushing to be supplied and installed by customer. The elbow must be 90° and the intake of duct must be parallel to the final finished grade. However, the combination of elbows are permitted as long as the summation of the total does not exceed 135° and the intake of the duct must remain parallel to the final finished grade.
- (2) Customer to install 600V insulated conductor from meter socket to safety switch or distribution panel.
- (3) Customer shall install bonding system in accordance with NEC.
- (4) Preformed riser assemblies may be used if internal duct diameter is maintained. "Muffler" bends are unacceptable. Use one piece of duct from elbow to meter socket.
- (5) Locate meter on the side of a home, must be within 10' of the street side of the house, but not behind stem walls, sidewalls or other encumbrances.
- (6) Pipe strap shall be firmly attached to wall. Distance from meter box may be increased to a maximum of 5' where structural members do not need permit fastening within 3'.
- (7) 125A Meter socket is only applicable for manufactured and mobile homes.
- (8) No duct coupling allowed on duct riser above grade. Install bell end towards pedestal or transformer.
- (9) Contact your new service representative with the meter location and estimated load for more information.

REFERENCES

- (1) See DM-4-11.0 Maximum Available Fault Current
- (2) See DS-10-8.0 Trench Details
- (3) See MS-2-2.0 120/240V 125/200A Permanent Overhead and Underground Single-Phase Meter Socket
- (4) See MS-3-7.0 Over 200A 240V Single-Phase Meter Options
- (5) See MS-7-1.0 Underground or Overhead Working Space for Electric Meters

Underground Service Entrance System



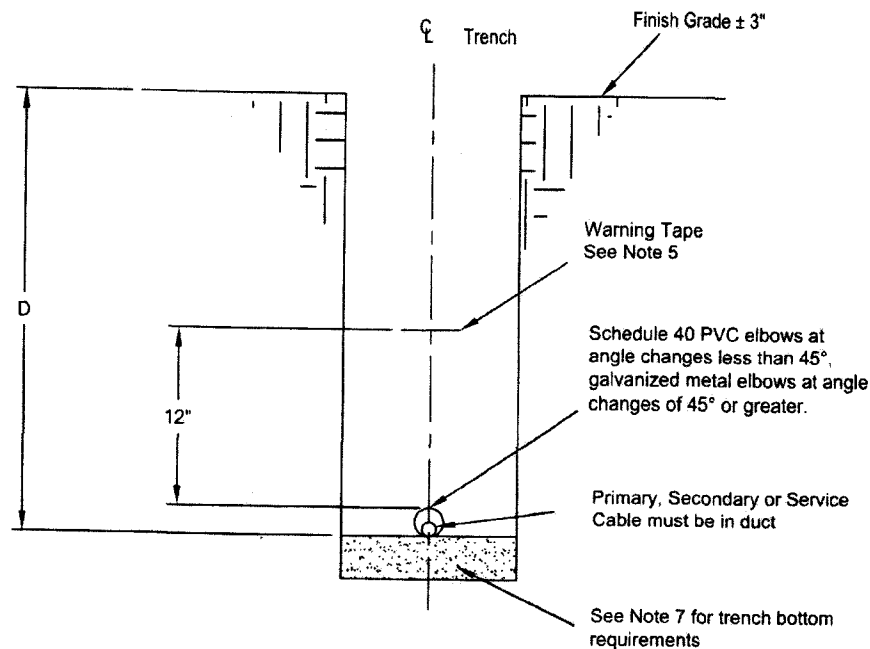
Section A-A

Not to Scale

DS-4-5.0

04/01/17 E

REVISION New Drawing

DISTRIBUTION
STANDARD
PNM**NOTES**

- (1) Cable in duct shall remain intact, not to be used in combination with direct buried cable.
- (2) Where applicable, compaction in city or state right-of-way shall meet or exceed minimum requirements.
- (3) Shading and bedding material to be Type IV, Class 2 for cable in conduit. Type III material is suitable for either type of installation. Refer to DS-10-12.4 for fill material requirements.
- (4) Latest OSHA trench safety requirements must be strictly observed.
- (5) Warning tape shall be placed a minimum of 12" above the top of duct.
- (6) Trench bottom shall be smooth, flat and without surface irregularities, and shall be free and clear of debris or any organic material. If trench bottom cannot, with reasonable effort, be made without surface irregularities, then a sufficient amount of bedding material as required by Note 2 shall be installed to provide the required surface. In no event shall the top of duct be less than 24" below finish grade.
- (7) Maximum change in the trench bottom elevation shall not exceed 2" over a 10' length. Bedding materials required by Note 3 may be used to meet this requirement.

Depth Schedule - For Cable in Duct	
Cable Type	"D"
Service and Secondary	36" Minimum
Primary	42" Minimum

REFERENCES

- (1) NESC rule 352, 353, 354

Cable in Duct - Trench Details

Not to Scale

DS-10-8.1
Page 2
01/01/17

REVISION	Added PNM-TNMP Note
----------	---------------------

**DISTRIBUTION
STANDARD
PNM**

Service Transformer Type	Voltage(s)	Maximum Available Fault Current Amperes Symmetrical
Polemounted 10, 25, and 50 KVA	120/240 240 Three-Phase 277/480	10,000 at Customer Service Entrance
Polemounted 75 KVA	120/240	22,000 at Customer Service Entrance
Polemounted	120/208	22,000 at Customer Service Entrance
Padmounted	120/240 (Residential Only) Note 1	10,000 at Customer Service Entrance
Padmounted	120/240 (Commercial)	22,000 at PNM Transformer
Padmounted	120/208, 277/480	60,000 at PNM Transformer
Albuquerque Downtown Network	277/480	100,000 at PNM Service Entrance
Primary Meter	12,470 Grounded Wye	10,000 at Primary Meter

For PNM-TNMP Service Territories, See page ii, see your new service representative

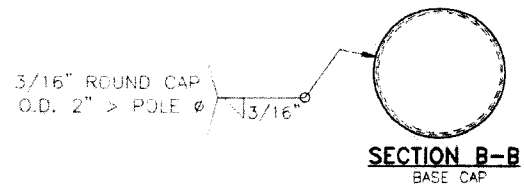
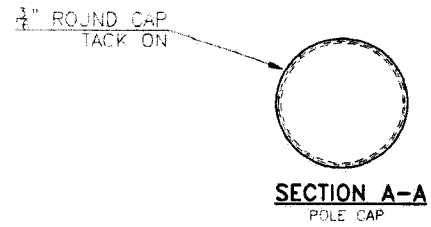
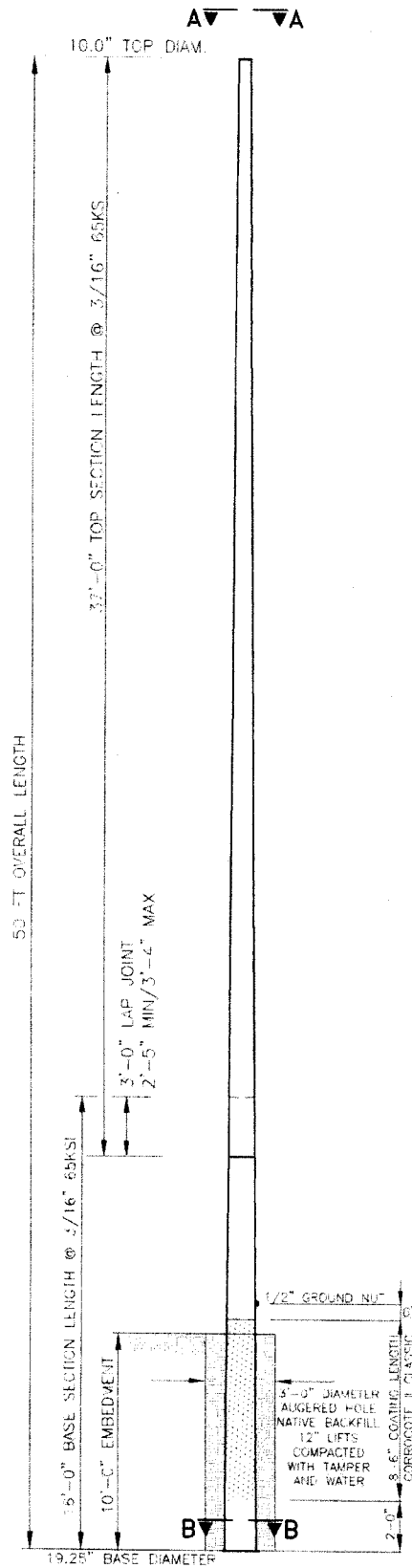
NOTES

- (1) Large 120/240V residential loads that require 100 kVA or 167 kVA padmounted transformers will have maximum available fault current of 22,000 amperes.
- (2) Maximum available fault current information is provided for rating customer's service entrance equipment to comply with the national electrical code (NEC). Actual available fault current may be lower.

Maximum Available Fault Currents

DM-4-11.0

01/01/10 E



ENGINEERING:

THIS NM PE STAMP CERTIFIES THIS POLE WILL WITHSTAND THE REQUIRED WIND LOADING WITH THE FOLLOWING ANTENNAS ATTACHED.

- 1 Andrew's VHLP-11W Microwave antenna (15 ft)
- 3 Powerbeam 500 AC (PBE-5AC-500) (10 ft, 15 ft, 20 ft)
- 1 Litebeam 5AC 23 (LBE-5AC-23) (25 ft)
- 2 Titanium 5 AP high gain (AM-V5G-Ti) (both at 30 ft)
- 3 Titanimu 5 AP mid gain (AM-M-V5G-Ti) (all at 40 ft)
- 4 Rocket LW dishes (RD-5G30) (30 ft, 35 ft, 25 ft, 15 ft)

EMBEDMENT AND BACKFILL DESIGN HAS BEEN DESIGNED TO WITHSTAND LOADING UP TO THE STRENGTH CAPACITY OF THE POLE.

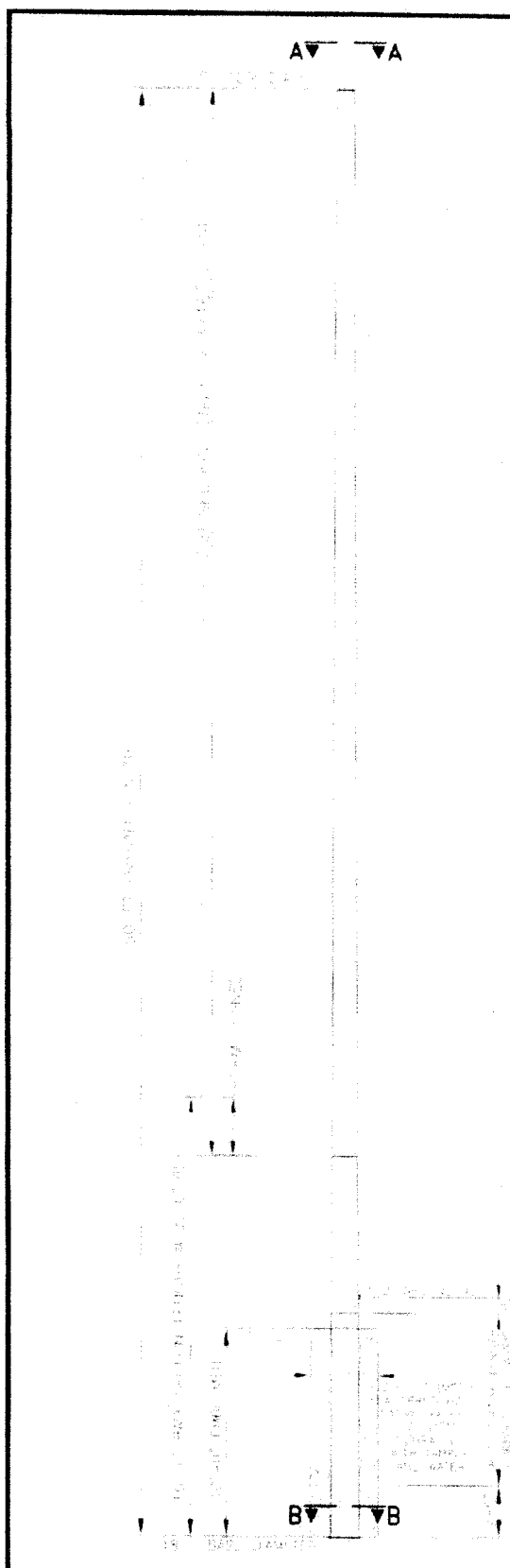
POLE SECTIONS: TO BE SHIPPED PRE-JOINED
 DRILLED HOLES: CAP ALL DRILLED HOLES
 FINISH: HOT DIPPED GALVANIZED PER ASTM A123
 CORROSCOTE BELOW GRADE PER DRAWING
 QUANTITY: (2) POLE REQUIRED

DRAWING INFO.		
DRAWN	5/23/2017	ULD
DESIGNED	5/23/2017	ULD
CHECKED	5/23/2017	ULD
APPROVED	5/23/2017	ULD
DATE	BY	
REV. 0		



CNSP.NET
 SANTA FE, NM
 50FT CLASS H3 ROUND STEEL POLE #1
 POLE DETAILS DRAWING

CNSP PO: _____ DWG NO.: 50FT_H3#1 SHEET: 1 OF 1



ENGINEERING:

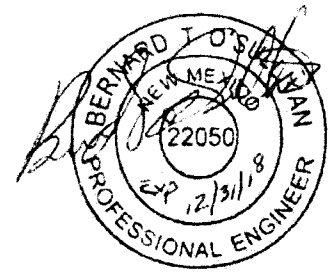
DESIGNED BY: [Signature] CHECKED BY: [Signature] DATE: 10-23-18

- 1 Andrews VHF/UHF Microwave antenna (15 ft)
- 3 Powerbeam 500 AC (PBF-5AC-500) (10 ft, 15 ft, 20 ft)
- 1 Lufbeam 5AC 23 (LBF-5AC-23) (25 ft)
- 2 Titanum 5 AP high gain (AM-V5G-T) (both at 30 ft)
- 3 Titanum 5 AP mid gain (AM-M-V5G-T) (all at 40 ft)
- 4 Rocket LW dishes (KD-SG30) (30 ft, 35 ft, 25 ft, 15 ft)

ALL HARDWARE SHALL BE GALVANNEAL COATED STEEL OR STAINLESS STEEL. ALL BOLTS SHALL BE 316 STAINLESS STEEL.

LOCATION:

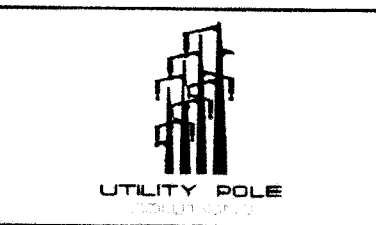
50 FT CLASS H3 ROUND STEEL POLE
SANTA FE, NM



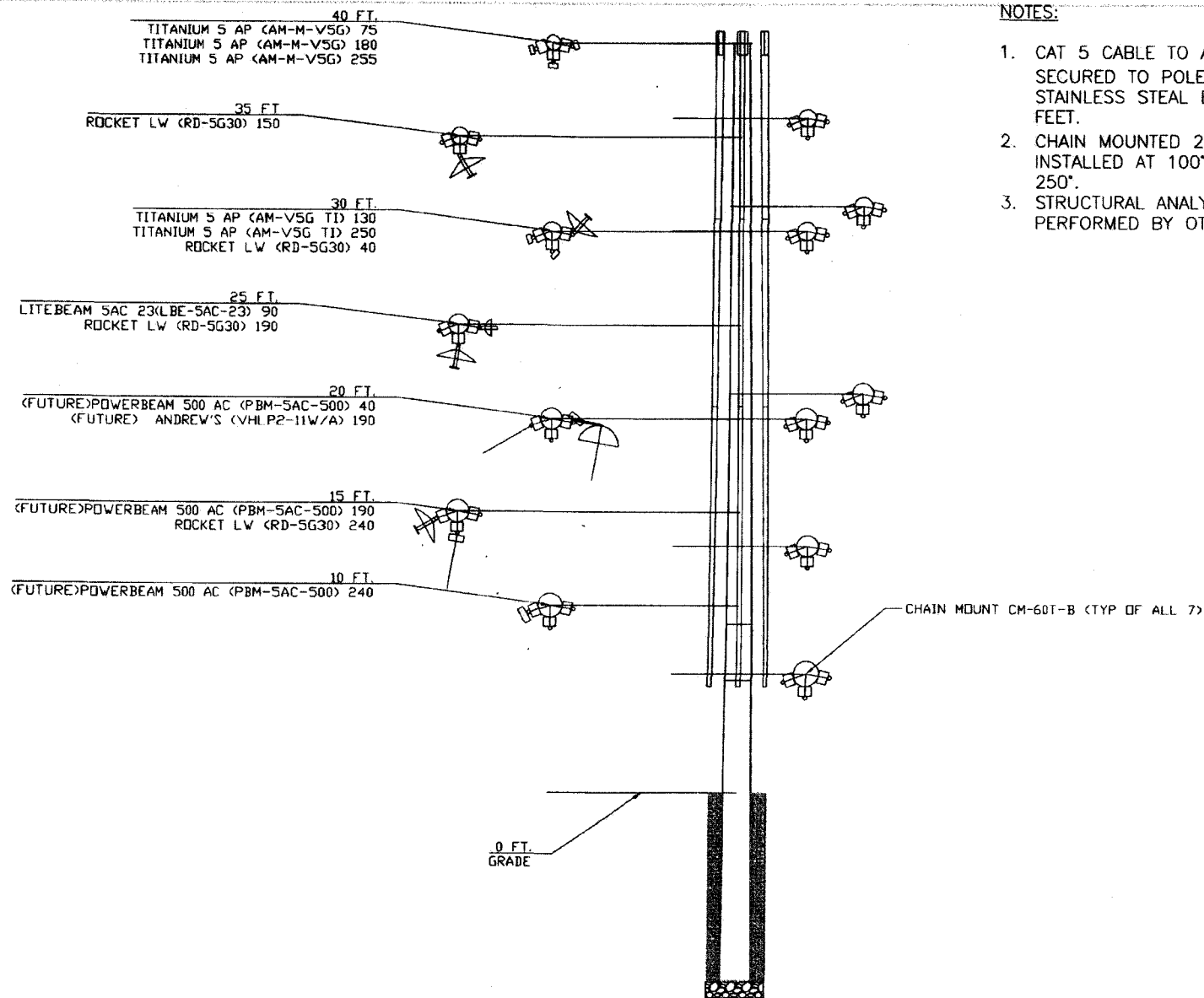
10-23-18

POLE TYPE: H3
POLE SECTIONS: 10 FT, 15 FT, 20 FT, 25 FT, 30 FT, 35 FT, 40 FT, 45 FT, 50 FT
DRILLED HOLES: 1/4" DIA. 1/2" DEEP
FINISH: GALVANNEAL COATED STEEL
QUANTITY: 1

NO.	DATE	BY	CHKD.	APP'D.
1	10-23-18	[Signature]	[Signature]	[Signature]
2	10-23-18	[Signature]	[Signature]	[Signature]
3	10-23-18	[Signature]	[Signature]	[Signature]



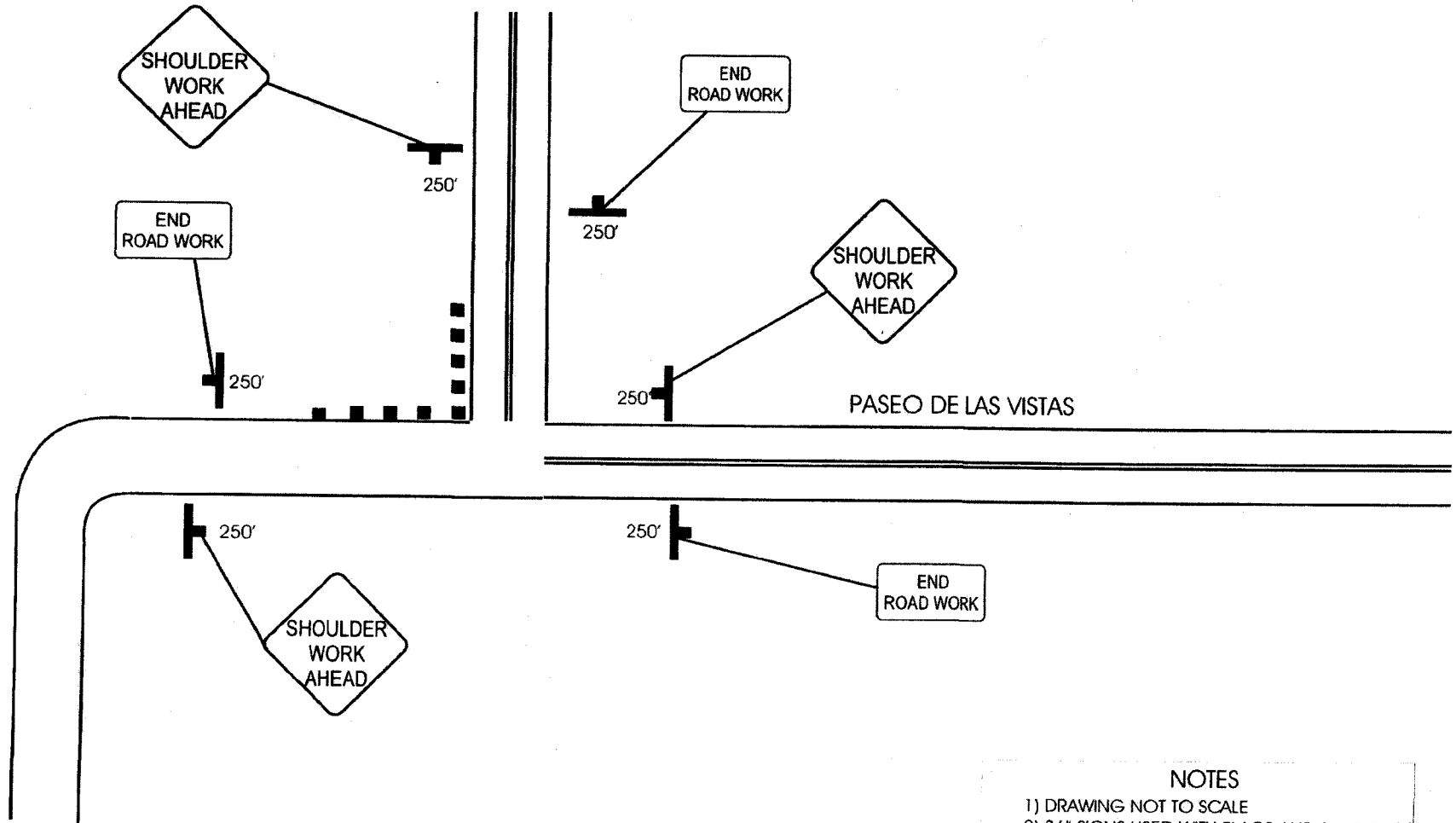
CNSP.NET
SANTA FE, NM
50FT CLASS H3 ROUND STEEL POLE 1
POLE DETAILS DRAWING



NOTES:

1. CAT 5 CABLE TO ANTENNAS
SECURED TO POLE WITH $\frac{1}{2}$ "
STAINLESS STEEL BANDS EVERY 5
FEET.
2. CHAIN MOUNTED 2- $\frac{3}{8}$ " PIPE
INSTALLED AT 100' 180' AND
250'.
3. STRUCTURAL ANALYSIS
PERFORMED BY OTHERS.

1. TITLE		2. DATE	
3. DRAWN BY		4. CHECKED BY	
5. APPROVED BY		6. DATE	
7. REVISIONS			
8. COMMENTS			
9. SCALE			
10. SHEET NO.			
11. TOTAL SHEETS			
12. PROJECT NO.			
13. PROJECT NAME			
14. PROJECT LOCATION			
15. PROJECT DESCRIPTION			
16. PROJECT STATUS			
17. PROJECT BUDGET			
18. PROJECT COST			
19. PROJECT PROFIT			
20. PROJECT RISK			
21. PROJECT IMPACT			
22. PROJECT BENEFIT			
23. PROJECT CHALLENGE			
24. PROJECT OPPORTUNITY			
25. PROJECT CONCLUSION			



NOTES

- 1) DRAWING NOT TO SCALE
- 2) 36" SIGNS USED WITH FLAGS AND SAND BAGS
- 3) WORK HOURS 0800 TO 1700
- 4)

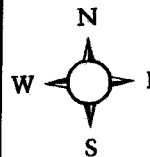


ALBUQUERQUE 873-0044 FAX 873-0088
 SANTA FE 424-3337 FAX 424-3339
 FARMINGTON 324-0044 FAX 564-3001

VMB MESSAGE BOARD
 SIGN
 BARREL
 VERTICAL PANEL
 TYPE III BARRICADE
 ARROW BOARD
 CONE

★ POLICE
⚠ FLAGGER
⏏ ATTENUATOR
 DEVICE SPACING TAPER
 DEVICE SPACING TANGENT
 TAPER LENGTH
 BUFFER LENGTH **XX**

SPEED LIMIT
25
POSTED SPEED



Owner CITY OF SANTA FE		Project Number
Project Name		
Prime Contractor NMSURF INTERNET	Traffic Control Contractor SOUTHWEST SAFETY SERVICES	
Start Date	Sheet Number 1 OF 1	DURATION 1 DAY
Prepared By DANIEL VELASQUEZ	DATE DRAWN 8/14/18	CERTIFICATION Number 169931