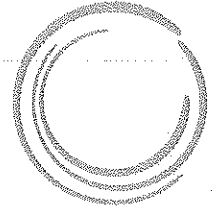


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CAPE COD
COMMISSION

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DATE: March 29, 2012

TO: Jeff Simpson
Tower Resource Management
16 Chestnut Street
Suite 220
Foxborough, MA 02035

FROM: Cape Cod Commission

RE: Modification of a Development of Regional Impact

PROJECT APPLICANTS: American Tower Corporation
10 Presidential Way
Woburn, MA 01801
and
Sprint Spectrum by Jeff Simpson, Tower Resource
Management

PROPERTY OWNER: Gilbert Allenby
PO Box 31
Falmouth, MA 02451

PROJECT # TR97031

PROJECT: Omnipoint Communications Enterprises, Inc. /Falmouth
American Tower Corporation

LOCATION: 1006 East Falmouth Highway
East Falmouth, MA 02536

LOT/PLAN: Deed, Book 4435, Page 083;
Lot Book 227, Page 27 and Book 70, Page 39

Background

In a decision dated April 9, 1998, the Cape Cod Commission (Commission) issued a Development of Regional Impact (DRI) decision, with conditions, which approved the construction and operation of a 90-foot cellular monopole with locations for three (3)

wireless carriers and 3 storage shelters at the base of the monopole in an area enclosed by a fence.

The Commission's Regulatory Committee granted a Minor Modification Type #2 on July 21, 2011 to METRO PCS and American Tower Corporation. This modification allowed the monopole to be extended by 10 feet, to 100 feet in height. It also made other changes to the 1998 decision.

Modification Request

On March 9, 2011, Commission staff received a request from Jeff Simpson, Tower Resource Management representing Sprint PCS, and seeking to make physical modifications to the telecommunications equipment installed by Sprint at the project site in Falmouth. The proposed modifications include removing six (6) existing antenna panels, two (2) existing equipment cabinets, and the existing coaxial cables and installing three (3) new panel antennas, three (3) new equipment cabinets, and three (3) new hybrid cables.

On March 28, 2012, Jeff Simpson also provided the Commission with evidence that Sprint has permission from American Tower Corporation to install antennas and associated equipment on the monopole and within the leased area. The work will be at a level below where METRO PCS is scheduled to perform other work to extend the monopole.

Commission Jurisdiction and Modification Types

Section 13(c) of the Commission's *Enabling Regulations*, as amended May 2011, sets out the types of DRI modifications. A Minor Modification Type #1 is defined as "*revisions that are the result of more restrictive conditions imposed by a local board or technical corrections or changes that the Executive Director or his/her designee determine are de minimus changes to the project.*" The *Enabling Regulations* also state that Minor Modifications Type #1 "*shall be approved by that the Executive Director or his/her designee and reported to the Regulatory Committee and do not require further review by the Commission.*"

Determination on Modification Requests

After consideration of the request by Sprint to make changes to Sprint's telecommunications equipment at the site located at 1006 East Falmouth Highway, East Falmouth, MA the Commission's Executive Director has determined the requested changes constitute *de minimus* changes, and are approved as Minor Modifications Type #1.

Changes to 1998 DRI Decision

The following change is thereby made to the Omnipoint Communications Enterprises, Inc. DRI decision, as amended, as shown below to accommodate the proposed antenna changes proposed by Sprint.

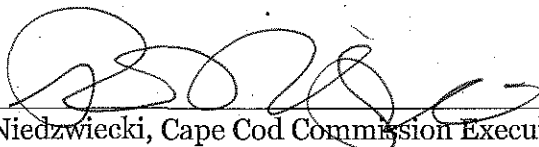
All findings and conditions attached to the original decision, as amended, continue to apply except as modified herein.

The following conditions shall be modified to read as follows (**bold** type indicates added text, deleted text is struck-out):

13. The proposed work to amend the Sprint installation shall be done in accordance with the following plans received by the Commission on March 9, 2012 from EBI Consulting, dated 1/25/12, revised 2/28/12 for site BS23XC582 at 1006 East Falmouth Highway, East Falmouth, MA:

- **General Notes, Sheets GN1 and GN2**
- **Plot Plan, Sheet C-1**
- **Compound Plan, Equipment Cabinet Layout and Elevation, Sheet A-1**
- **Antenna Scenario and RF System Schedule, Sheet A-2**
- **Equipment Details, Sheet A-3**
- **Construction Details, Sheets A-4 and A-5**
- **Electrical Notes and Riser Diagram, Sheet E-1**
- **Grounding Details and Notes, Sheet E-2, and**
- **Antenna Wiring Diagram, Sheet E-3**

SIGNATURES


Paul Niedzwiecki, Cape Cod Commission Executive Director 4/3/12
Date

COMMONWEALTH OF MASSACHUSETTS

Barnstable, ss

4/3, 2012

Before me, the undersigned notary public, personally appeared Paul Niedzwiecki

in his/her capacity as the Cape Cod Commission's Executive Director, whose name is signed on the preceding document, and such person acknowledged to me that he/she signed such document voluntarily for its stated purpose. The identity of such person was proved to me through satisfactory evidence of identification, which was photographic identification with signature issued by a federal or state governmental agency, oath or affirmation of a credible witness, or personal knowledge of the undersigned.


Notary Public

My Commission Expires:

