

Statement and Explanation of Exemption for FAA Notification

1. As stated in Title 47, CFR, part 17.14, certain antenna structures are exempt from notification to the Federal Aviation Administration (FAA). For this particular application, a notification to the FAA is specifically not required pursuant to part 17.14 (a):

Any object that would be shielded by existing structures of a permanent and substantial character or by natural terrain or topographic features of equal or greater height, and would be located in the congested area of a city, town, or settlement where it is evident beyond all reasonable doubt that the structure so shielded will not adversely affect safety in air navigation....

2. Part 17 further states that:

Applicant claiming such exemption under Sec. 17.14(a) shall submit a statement with their application to the FCC explaining basis in detail for their finding.

The proposed antenna meets the criteria as set forth in section 17.14 (a) due to the following factors:

- A. The antenna height is approximately 8.5 meters AGL. The immediately adjacent telecommunications (co-location) facility is approximately 13.7 meters AGL. The antenna will therefore “*be shielded by existing structures of a permanent and substantial character.*”
- B. The antenna is located in a “*congested area of a city, town, or settlement where it is evident beyond all reasonable doubt that the structure so shielded will not adversely affect safety in air navigation.*” The antenna is located in an established industrial park and is completely surrounded by commercial buildings and residential development.