

7/7/2025

Via Portal

City of Mercer Island
9611 SE 36TH STREET
MERCER ISLAND, WA 98040

RE: AT&T Eligible Facilities Request Application for a Building Permit to modify an existing Base Station at 7900 SOUTHEAST 28TH STREET, Mercer Island 98040 AT&T Site ID WA6110 MERCER ISLAND

Dear City of Mercer Island:

New Cingular Wireless PCS, LLC dba AT&T Mobility ("AT&T") submits the enclosed application and associated documents, which qualify as an Eligible Facilities Request (EFR), seeking the requisite approvals and building permit to modify an existing wireless facility at the above referenced property.¹ The EFR includes work necessary to improve wireless service quality and provide coverage and capacity for the FirstNet first-responder platform on AT&T's network.

Conceived by the *9/11 Commission Report* as necessary for first responder communications, Congress created the federal First Responder Network Authority, which selected AT&T to build and manage FirstNet, the first-ever nationwide first-responder wireless network. Deployment of FirstNet in the subject area will improve public safety by putting advanced wireless technologies into the hands of public safety agencies and first responders.²

Your Building Permit Application and Building Permit Application forms along with the applicable fees are submitted with this letter and should be processed concurrently. AT&T submits these materials under Section 6409 of the federal Middle Class Tax Relief and Job Creation Act of 2012 (47 U.S.C.A. §1455). That law provides:

"a State or **local government** may not deny, and **shall approve**, any eligible facilities request for a modification of an existing wireless tower or base station that does not substantially change the physical dimensions of such tower or base station."

Under 47 C.F.R. 1.6100(c)(1), a siting authority can only require information that is reasonably related to determining whether a request meets the requirements of an EFR. To assist with your review, an EFR Application is enclosed that applies the proposed modification to the relevant law and regulations, and it includes information pertinent to your review. Additional materials are beyond the limited scope of the controlling federal rule and cannot be required in connection with this EFR.

As demonstrated in the EFR Application, this modification is an EFR and must be approved. Federal rule 47 C.F.R. 1.6100(c)(2) provides that within 60 days of the date on which an applicant submits an EFR request,

¹ See 47 C.F.R. 1.6100(b)(3).

² For more information about FirstNet, see <https://www.firstnet.gov/> and <https://www.youtube.com/embed/p-zyDCSaDug>.

the local government shall approve the application unless it determines that the application is not an EFR. An EFR application will be deemed approved after written notice on or after Day 61.³

Due to the public safety benefits associated with this EFR, AT&T respectfully requests that the requisite approvals and building permit be issued within 15 days but no later than 60 days from the date of this letter, so that AT&T can proceed with this important modification expeditiously thereafter. If you have any questions regarding this application, please contact me.

Sincerely,

Whitney Davison

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Enclosures: Building Permit Application
Eligible Facilities Request Cover Letter
Eligible Facilities Request Application
Final Construction Drawings
Passing Structural Analysis
Previous Approved Building Permit

³ See 47 C.F.R. 1.6100(c)(4).