



Presentation to Transportation, Technology & Infrastructure Committee

**Proposed Master License Agreement
for Use of the Rights-of-Way
by Distributed Antenna
and Small Cell Systems**

**Presented By:
Department of Administration & Regulatory Affairs**

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WHAT IS THIS TECHNOLOGY?

- Distributed Antenna Systems (DAS) and Small Cell Antennas – wireless networks
- Systems consist of antenna, control box, pole (usually CenterPoint's pole) and fiber leading to nearest cell tower or hub/base station.
- Supplement **capacity** for wireless telephone service companies for voice and data service (gaps in coverage not an issue in Houston; capacity issues in congested areas).



WHO ARE THE PROVIDERS?

- **Neutral Host Providers – i.e. Extenet, Crown Castle, Mobilitie, Zayo**
 - Build infrastructure for wireless companies
 - Customers are wireless companies who lease node space from neutral host
 - Can put several “tenants” into one space i.e. co-location
- **Wireless Companies – i.e. Verizon Wireless, AT&T, Sprint, etc.**
 - Build infrastructure for their own use
 - Co-location unlikely



WHAT IS THE ISSUE?

- Private companies use the public rights-of-way (“ROW”) for provision of several types of services from electricity to transportation.
- The Texas Constitution requires private entities to compensate the City for use of the public ROW.
- ARA studied the type of technology being deployed and considered the various types of potential compensation approaches for use of the ROW that could be applied, surveying:
 - Stakeholders – both neutral host providers and wireless companies
 - Other cities
 - Best practices



PROPOSAL: MASTER LICENSE AGREEMENT

Based on a thorough best practices analyses, a survey of other cities, and stakeholder feedback, we propose the City enter into a Master License Agreement (“MLA”) with each provider of these services that wishes to place DAS facilities in the ROW. The MLA will:

- Allow licensees access to use approved locations in the ROW to install their equipment. (Note: licensees are required to use city buildings in lieu of ROW when available in the desired area.)
- Require that proposed locations and equipment be approved by the City Engineer and subject to public safety criteria.
- Be non-exclusive to any single provider, i.e. any provider wishing to place DAS and small cell facilities in the ROW will enter into an MLA with the same terms and conditions.
- Have an initial term of five years (5) + three 5-year renewals for a total of 20 years
- **Requires Fees:** \$2,000 per location per year if existing pole is used; \$2,700 per location per year if new pole is installed; +\$900 per year for each additional tenant on licensee pole. 2% annual escalator.



PUBLIC SAFETY & VISUAL STANDARD PROVISIONS

The MLA imposes certain public safety and visual standard requirements on the placement of equipment in the ROW including:

- Approval of the location by the City Engineer
- Size restrictions for both antenna and control box
- No new poles unless no existing poles or streetlights are available and other criteria are met
- Distance Requirements:
 - Minimum 300 ft distance between new poles (or any other pole that might support an antenna) unless otherwise approved by City Engineer
 - Minimum 150 ft distance from City parks, unless otherwise approved by the City
 - Minimum 150 ft distance from elementary, middle and high schools



PUBLIC SAFETY & VISUAL STANDARD PROVISIONS (cont'd)

- No aboveground fiber in areas with underground utilities
- No new poles or ground equipment (cabinets) in areas with underground utilities
- No new poles in residential neighborhoods unless otherwise approved by the City
- Facilities placed in a Management District or other area designated by the City must be appropriately camouflaged (e.g., poles are flagpoles or lamp posts; control boxes are painted with artwork or hidden by vegetation)
- No exposed wires on poles leading from antenna to control box



SAMPLES



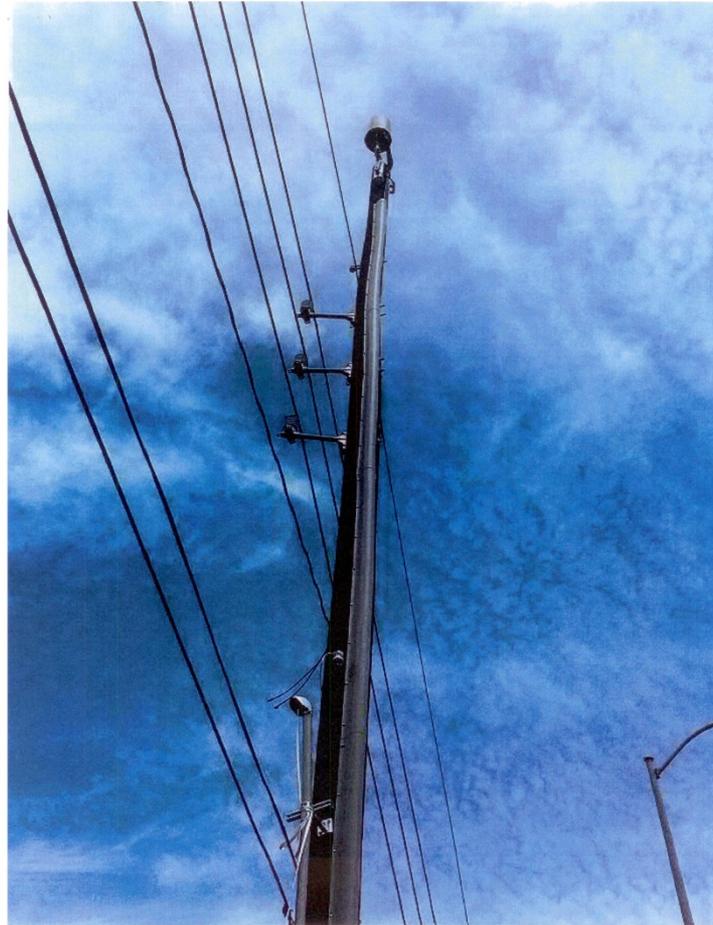
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QUESTIONS?

