From:	Paul McGavin
To:	Kniss, Liz (internal); Filseth, Eric (Internal); DuBois, Tom; Fine, Adrian; Holman, Karen; Kou, Lydia; Scharff, Gregory (internal); Tanaka, Greg; Wolbach, Cory; Minor, Beth
Cc:	Lait, Jonathan; Carnahan, David; Atkinson, Rebecca; Amrutha Kattamuri; Susan Downs
Subject:	Substantial Evidence That Proves No Significant Gap in Verizon Coverage for Verizon Wireless Project 17PLN-0016
Date:	Friday, May 18, 2018 5:35:56 PM

May 18, 2018

Mayor Liz Kniss <liz.kniss@cityofpaloalto.org>
Ms. Beth Minor <beth.minor@cityofpaloalto.org>
City Clerk, City of Palo Alto
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Palo Alto, CA 94301
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Also addressed to:
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Dear Mayor Kniss and other City Council members,

Re: Substantial Evidence That Proves No Significant Gap in Verizon Coverage for Verizon Wireless Project 17PLN-0016

Will you please ensure that this email and the video, **2018-0422 No Significant Gap in Verizon Coverage in Palo Alto, CA: Cluster One** (https://youtu.be/DWSz-LLLJwI) gets placed into the public record for

Verizon Wireless Project 17PLN-00169?

On 4/22/18, the residents of Palo Alto visited all 11 locations targeted by Verizon Wireless Project 17PLN-00169, measured the pulsed, data-modulated, peak Radiofrequency Microwave Radiation at each location and completed a call at each location using an iPhone on the Verizon network. In completing this work, the residents of Palo Alto proved there is **no Significant Gap in Verizon Coverage** per the definition of Significant Gap in Coverage adopted by the United States Court of Appeals, Ninth Circuit. (https://caselaw.findlaw.com/us-9th-circuit/1406360.html)

> METROPCS, INC., a Delaware Corporation, Plaintiff-Appellant-Cross-Appellee, v. The CITY AND COUNTY OF SAN FRANCISCO and The Board of Supervisors of the City of San Francisco, Defendants-Appellees-Cross-Appellants.Nos. 03-16759, 03-16760. Decided: March 07, 2005

In addition, we have found no substantial evidence in the public record for Verizon Wireless Project 17PLN-00169 that proves that a Significant Gap in Verizon Coverage exists anywhere in the mid-Town Palo Alto neighborhood near the 11 locations listed below -- which is the burden of proof needed to be provided by the applicant.

Without proof of a significant gap in Verizon coverage, there is no basis for preemption of local authority over the placement, construction and modification of Wireless Telecommunications Facilities. Accordingly, Palo Alto can and should make the finding that the substantial evidence in the public record for Verizon Wireless Project 17PLN-00169 proves that there is **no Significant Gap in Verizon Coverage** in the any of the 11 locations targeted by Verizon Wireless Project 17PLN-00169, and therefore all 11 cell towers should be denied.

Further, if a **Significant Gap in Verizon Coverage** had been proven by substantial evidence in the public record provided by the applicant, which it has not, then placing these unnecessary intrusive, ugly and hazardous so-called "Small Cell" Cell towers planned for our residential neighborhood is **not the least intrusive means** to close any alleged Significant Gap in Verizon Coverage.

These are strong findings that the City of Palo Alto can and should make to deny all 11 applications for Verizon Wireless Project 17PLN-0016.

Substantial Evidence That Proves No Significant Gap in Verizon Coverage

. . . In Palo Alto Cluster One: 11 Nodes Proposed for Verizon Wireless Verizon Wireless Project 17PLN-00169 (View the video at https://youtu.be/DWSz-LLLJwI **)**

1. **Node #129** CPAU Pole# 3121 (Near 2490 Louis Road, APN 127- 30-062):
   44 μW/m² pulsed, data-modulated, peak Radiofrequency Microwave Radiation
   Video @ 03:10 — **Q:** "Can you hear us?" **A:** "As clear as a clear blue sky."

2. **Node #130:** CPAU Pole #2461 (Near 2802 Louis Road, APN 127- 28-046):
   612 μW/m² pulsed, data-modulated, peak Radiofrequency Microwave Radiation
   Video @ 02:14 **Q:** "Can you hear us?" **A:** "I have one word for you — phenomenal."

3. **Node #131:** CPAU Pole #3315 (Near 891 Elbridge Way, APN 127- 26-067):
   1,304 μW/m² pulsed, data-modulated, peak Radiofrequency Microwave Radiation
   Video @ 1:05 — **Q:** "Can you hear us?" **A:** "I can hear you great."

4. **Node #133E**: CPAU Pole #2856 (Near 949 Loma Verde, APN 127- 24-020)
   6 μW/m² pulsed, data-modulated, peak Radiofrequency Microwave Radiation
   Video @ 5:02 — **Q:** "Can you hear us?" **A:** "Yeah, that's super clear."

5. **Node #134:** CPAU Pole #2964 (Near 3409 Kenneth Dr ., APN 127- 09-028):
   250 μW/m² pulsed, data-modulated, peak Radiofrequency Microwave

Radiation
Video @ 09:30 — **Q:** "Can you hear us?" **A:** "Yes, you are very clear."

6. **Node #135:** CPAU Pole # 3610 (Near 795 Stone Ln., APN 127- 47-001):
15 μW/m² pulsed, data-modulated, peak Radiofrequency Microwave Radiation
Video @ 11:16 — **Q:** "Can you hear us?" **A:** "Yeah, this sounds great.."

7. **Node #137:** CPAU Pole #3351 (Near 3090 Ross Rd., APN 127- 52-031):
9 μW/m² pulsed, data-modulated, peak Radiofrequency Microwave Radiation
Video @ 10:26 — **Q:** "Can you hear us?" **A:** "Yeah, sounds great."

8. **Node #138:** CPAU Pole #2479 (Near 836 Colorado Ave., APN 127-27-063):
13 μW/m² pulsed, data-modulated, peak Radiofrequency Microwave Radiation
Video @ 04:10 — **Q:** "Can you hear us?" **A:** "Cannot be clearer than that.."

9. **Node #143:** CPAU Pole #3867 (Near 419 El Verano Av e., APN 132 - 15 - 017):
111 μW/m² pulsed, data-modulated, peak Radiofrequency Microwave Radiation
Video @ 12:16 — **Q:** "Can you hear us?" **A:** "Yes it sounds great, again."

10. **Node #144:** CPAU Pole #1506 (Near 201 Loma Verde Ave., APN 132 - 48 - 015):
190 μW/m² pulsed, data-modulated, peak Radiofrequency Microwave Radiation
Video @ 08:40 — **Q:** "Can you hear us?" **A:** "As beautiful as sunny California."

11. **Node #145:** CPAU Pole #3288 (Near 737 Loma Verde Ave., APN 127 - 64 - 039):
888 μW/m² pulsed, data-modulated, peak Radiofrequency Microwave Radiation
Video @ 07:55 — **Q:** "Can you hear us?" **A:** "Has never been this clear.

Unbelievable."

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Regards,

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