

Spring Creek Association  
Broadband Enhancement Request for Information  
Respondent Questions and Answers

As of 7/18/19

These are the questions from vendors and Spring Creek Residents that were received before the vendor question deadline.

**1) Franchise Fees**

Page 10 of the Spring Creek Association Broadband Enhancement RFI contains mention of a waiver of franchise fees for a respondent who proposes a fiber-based service to Spring Creek residents. The Spring Creek Association wishes to clarify that it currently has no plans to charge franchise fees for any service. The Spring Creek Association reserves the right to consider charging rental fees for access to Association owned vertical assets and Association owned land used by the respondent to deliver broadband service to Spring Creek Development residents but any rental fees will be determined in concert with the respondent, after customer capture rates provide the respondent with a sustainable business model for operating service in Spring Creek. The exact customer capture rates will be subject to good faith negotiations with the chosen respondent.

**2) Providing an Audit**

Page 11 of the Spring Creek Association Broadband Enhancement RFI states that vendors should show evidence of positive cash flow, a positive credit history and must provide an audit. **The Spring Creek Association is waiving the requirement for submission of an audit with the RFI response.**

**3) Property Leases for Spring Creek residents**

Respondents to the Spring Creek Broadband Enhancement RFI have contacted Spring Creek residents seeking exclusive leases of property for the placement of wireless towers. The Spring Creek Association provides the following guidance to residents regarding these leases of property:

***Timing***

The Spring Creek Association encourages Spring Creek resident's to let the Broadband Enhancement RFI process run its course before he makes any decisions about granting property rights to a firm for the placement of wireless access towers.

The RFI responses will include the packages of service that will be offered to residents and businesses; the quality of service metrics that the company will follow and the plan for upgrade as subscribers are added to the network. We believe that Spring Creek residents will want to know this information before they commit to the sighting and placing of towers on their land.

The Spring Creek Association remains on a timeline to receive responses by August 5th and that you plan to review responses at the August Association meeting.

### ***Content of property leases***

We also recommend that residents sign a property use agreement with a vendor that includes at least the following clauses. That the vendor/service provider is responsible for all:

- design and construction fees;
- inspection/permitting fees;
- insurance of the tower during the installation and operations phase including liability insurance; workmen's compensation and all other forms of insurance;
- any tower removal costs should that become necessary;
- all tower maintenance costs; any maintenance work after installation requires the Land owner's approval

In addition the vendor's property use agreement should address the following:

- that all access to his property needs to be on defined routes during defined hours of work;
- the landowner should be able to review and approve any design prior to installation
- the landowner should designate the specific plot of land to which the tower installer/owner has access

This approach will help to insure that there is control over the number and types of towers that will be placed on residential properties.

### **4) How many towers are too many towers?**

The Spring Creek Association desires to limit tower placement to a level required to support the service provider's proposed wireless service feeds and speeds and Service Level Agreement (SLA), but not in excess. The service provider/vendor should be prepared to present its plan for tower placement and defend, if necessary, the amount of towers.

### **5) Propagation Map**

**Question:** Our complete propagation map will not be available by August 5th, however, we will be able to estimate the number sites by that date with a lower level of accuracy. Can we supply the generated coverage plot 2 weeks after the August 5th date? At that time we could provide an RF update. This submittal will be 85% -90% accurate.

**Answer:** Ideally the 85-90% RF update would be available by the August 5<sup>th</sup> submission. Please provide standards of accuracy with whatever you submit on or before August 5<sup>th</sup>. Updated information will be accepted after August 5<sup>th</sup> but this information may not be considered by the Association board in making its final decision.

### **6) Pole and tower ownership**

**Question:** What, if any, towers, street light poles, water towers, etc. does the association own or control?

**Answer:** The Association owns no light poles, electrical poles or towers. The Association does control property and can help interface with individual residents and businesses about their property. The Association will help with access to Association owned property and with interface with residents and businesses if their property is required for tower placement.

**7) Contact for poles. Towers and properties**

For any towers, lights poles, water towers, etc. owned or controlled by the Association, who is the correct contact to determine available space?

**Answer:** The Association owns no light poles, electrical poles or towers. The Association will assist the chosen provider to find the pole or tower owner and if the association has an existing relationship, will make an introduction to the pole or tower owner.

The Association does control property and can help interface with individual residents and businesses about their property. The Association will help with access to Association owned property and with interface with residents and businesses if their property is required for tower placement.