

Attachment E
Tolling Agreement



KERRI M. KINNEY
Area Manager, Construction &
Engineering

AT&T Mobility Services LLC
3939 E. Conado St., Flr 1
Anaheim, CA 92807

562.229.8453 Phone
Ka9192@att.com

December 21, 2023

VIA E-MAIL

Nolan Bobroff
Acting Community & Economic Development Director
Town of Mammoth Lakes
437 Old Mammoth Road, Suite 230
Mammoth Lakes, CA 93546
Ph: (760) 965-3631
nbobroff@townofmammothlakes.ca.gov

Re: Extension of FCC Shot Clock on AT&T Application
Site Address: 1574 Old Mammoth Rd., Mammoth Lakes, CA 93546 (APN: 040-040-021-000)
AT&T Site No.: CSL04615

Dear Mr. Bobroff:

With respect to the above-referenced application, the Federal Telecommunications Act of 1996, 47 U.S.C. § 332(c)(7)(B)(ii), requires the Town of Mammoth Lakes ("Town") to take action "within a reasonable period of time." The Federal Communications Commission's "shot clock" rules establish applicable review timeframes to implement this requirement. AT&T's application is subject to the FCC's 150-day shot clock. *See* 47 C.F.R. § 1.6003(c)(1)(iv). Applications that are not acted upon within the FCC shot clock may be deemed approved under state law. *See* Cal. Gov. Code § 65964.1(a). This reasonable period of time to act may be tolled by mutual agreement. *See* 47 C.F.R. § 1.6003(d).

AT&T and the Town agree that the application will be considered at the Planning Commission's February 14, 2024 meeting and that additional time is needed to allow any appeal to run its course under the Town Code. Therefore, AT&T and the Town agree to extend the deadline for the Town to process the application to April 19, 2024. The parties further agree that no limitations period for any claim of unreasonable or unlawful delay in processing the application shall commence to run before April 19, 2024.

To confirm the Town's agreement, please countersign below and return this letter to me.
Thank you for your assistance.

FCC Shot Clock Extension Agreement

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Sincerely,

 12-21-23

Kerri M. Kinney

Area Manager, Construction and Engineering

Agreed:

Town of Mammoth Lakes, California



By: Daniel C. Hollen

Its: Town Manager

cc: Ales Tomaier, Fire Chief
Mammoth Lakes Fire Protection District

ales@mlfd.ca.gov