

Diane Stoddard

From: Joshua Montgomery [joshua.montgomery@civicwifi.com]
Sent: Friday, March 26, 2010 4:49 PM
To: Diane Stoddard
Subject: Follow Up

Diane,

This is just a follow up on our meeting this past week.

1. We are interested in putting all of the light poles and water towers under a single long term arrangement with the City of Lawrence.

This arrangement may involve an individual contract for each tower, however, we feel as though the light poles would be best dealt with in a single master agreement.

2. We have offered to pay a "City Use Fee" of 5% for access to these locations. We would be willing to negotiate a fixed price agreement for each tower site, but would want this to be deducted from the amount we are paying as a percentage.

3. Our preferred term for this agreement is 20 years. We don't really want to re-negotiate frequently.

4. As for spectrum use, though our preferred approach is to have use of the listed frequencies as part of the agreement, we would be willing to settle for a system whereby:

A. Spectrum is allocated on a first use basis, i.e. subsequent lessors would be limited to frequency that is not in use.

B. Any tenants are required to provide notice before adding additional equipment or making use of additional spectrum.

The spectrum issue is important to us, because there is the risk that the city will at some point lease space to a vendor who interferes with our equipment by using overlapping signals. If we are going to be paying for the space, we'll need some assurance that we won't have interference from other tenants.

This is not an issue with your other tenants, because the FCC regulates cellular providers, but since we operate on unregulated spectrum, the only real authority that can prevent interference is the lessor of the property.

Please let me know if you need any additional information.

--

Joshua Montgomery
Community Wireless Communications Co.

4105 W. 6th St.
P.O. Box 3532
Lawrence, KS 66046
Ph: (785) 371-4214 ext. 8001
Cl: (785) 840-6155
Fx: (785) 331-2086
joshua.montgomery@civicwifi.com
<http://www.civicwifi.com>