



March 28, 2008

City of Las Vegas
Planning & Development Department
731 South Fourth Street
Las Vegas, NV 89101

Re: Review of Condition for SDR-19371 located at 5219 La Concha Lane – APN 125-01-396-001

Dear Planning Dept.:

Clearwire US, LLC, previously submitted an Administrative Review Land Use Application for the collocation of 3 antennas and 3 microwave dishes to an existing 160-foot wireless communication tower located at 5219 La Concha Lane, Las Vegas, NV 89131 / APN 125-01-396-001. It was determined that the proposed collocation met the standards for approval as defined in Title 19.04.040 and 19.20.020 of the City of Las Vegas Zoning Code. This approval was issued subject to certain conditions; which has prompted this request.

On behalf of Clearwire US, LLC we respectfully request that the City of Las Vegas Planning & Development Department reconsider and review the second item/condition as set forth in the approval letter dated February 5, 2007; which requires that: "The existing wireless communication facility, non stealth shall be converted to a wireless communication facility, stealth by 02/14/12."

Clearwire has no issue in complying with this condition as it is set forth, and as it relates to the proposed Clearwire equipment installation. This tower however, is owned and managed by Crown Castle MU, LLC, and is currently being used by three other carriers as well as Clearwire. Clearwire does not have the authority or right to accept this condition (which would have an adverse and negative impact) on behalf of the other third parties involved. For example, Metro PCS who is one of the third parties involved, just completed their SUP process and received an approval for SUP-26102. This approval did not impose this condition. Additionally, the tower owner has refused to allow Clearwire to install their equipment on their tower, so long as this condition exists. Their defense being that land use approvals were previously obtained by the existing third parties, and that this condition was not imposed then; therefore enforcing it now would adversely affect and impact all parties involved.

Clearwire's proposed collocation is consistent with the City of Las Vegas' plan to utilize existing wireless communication facilities whenever possible, to maintain a minimal impact on the surrounding areas. Our proposed collocation will have a minor impact on the surrounding properties. This site is an integral part of the network development and is imperative to the success of the Clearwire network and their goal of providing internet services which will enable fast, simple, portable, reliable and affordable communications anytime and anywhere. Clearwire US, LLC requests that the stealth condition be reconsidered and removed from the condition of approval.

If you have any concerns please do not hesitate to contact me at (702) 586-2178.

Sincerely,

Jamie Lisle
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