

Access to Communication Towers for Cellular Company Use

Last year I posted a request for information on the California Police Chief's web site. Our agency had been contacted with a proposal to enter into a contract, which would allow cellular phone companies to share our communications tower. The request was for information from any other police department that may have entered into a similar contract. We received some very helpful responses.

Here are the main points to consider if you receive a similar proposal:

1. The company making the request may have no direct connection with the cellular companies. They may just be trying to gain exclusive rights to your tower, with a plan to lease space to the companies once they have the rights. If you're dealing with a consultant who represents they are working for a particular cellular company, realize that they may not even have contacted that company yet and are looking for your tower space as a commodity to sell.
2. Your existing tower space and permitted use are more valuable than the tower itself. In reality, your tower will probably end up being torn down and a tower more compatible with cellular use will be erected. If you're not careful, you could end up as a customer to someone else. Be certain to retain ownership and the ability to terminate service to any equipment on the antenna that interferes with public safety broadcasts.
3. The final project will need to include an equipment building in close proximity to the tower. This may be an issue, which your planning commission will need to approve.
4. You're better off structuring a deal which will allow you to retain ownership and lease space under a nonexclusive agreement. The potential revenue from one company is probably not worth the trouble, but if you could leverage it into an agreement with multiple vendors you might get enough revenue to pay for a cop (and we know how expensive that can be.)

In the end, our project fell through. The consultant had not yet secured an agreement with the cellular service provider, and the provider was already in negotiations for roof access with the owners of a new three story building. Once they secured a contract and city approval, our tower was less attractive.

Despite the fact that our contract fell through, I would still recommend moving forward with such a proposal if you have the staff resources to pull it together. In addition to the potential revenue, one tower serving multiple carriers is probably more palatable to your community than having multiple cell sites throughout the city.

Ron Forsythe, Chief of Police
Suisun City Police Department
707-421-7350
rforsythe@suisun.com