

BEFORE THE CITY OF AURORA

In the Matter of the
Application of Scientel Solutions, LLC
For a Special Use Permit for the Construction
of a Telecommunications Tower on certain
Property located generally near the southeast
Corner of Diehl and Eola Roads, Aurora,
Illinois

Docket No. 17-00520

RESPONSE TO COMMENTS OF CYRUSONE, INC.

Now Comes Scientel Solutions, LLC, by and through its attorneys, Griffin Williams LLP, and for its Response to Comments of CyrusOne, Inc., states as follows:

[Item 1 was directed to the City of Aurora, and no response from Scientel Solutions, LLC was requested]

2. Please identify and make available all studies undertaken regarding the potential impact of the proposed Scientel tower on other communication towers in the area, including: (a) potential impact on microwave communications; (b) potential issues concerning frequency interference; and (c) potential issues concerning frequency congestion.

Scientel Response – All interference issues for both current and future loading is managed by the Federal Communication Commission (FCC) who, through their license coordinators, run an interference analysis and send out any potential interference to all of the potentially affected license holders in an area based on the frequency channels.

3. Please identify each of the technologies that will be used on the proposed Scientel tower. Will microwave technology be used? If so, what frequency bands are expected to be used? What is the expected primary direction of the microwave paths?

Scientel Response – Scientel reserves the right to use any FCC frequency or technology that is publicly available via the FCC licensing process. Scientel plans to use paths in a 360 radius of the tower to serve our customers including, but not exclusive to, Public Safety, Enterprise,

Golf Courses, Public and Private Parks, etc... All frequencies and technologies used will comply with all applicable FCC rules and regulations.

4. Does Scientel intend to use millimeter wave technology on its proposed tower? If so, what is the expected primary direction of the millimeter paths or links?

Scientel Response – *Scientel reserves the right to use any available FCC frequency or technology that is available via the FCC licensing process. Scientel utilizes all frequencies available to achieve the best solution. Millimeter wave technology is used by almost every industry including Wireless Carriers, Education, Health Care, Public Safety and Enterprise customers due to its high throughput. While some of the technology Scientel utilizes is proprietary, all of its uses will be compliant with applicable FCC rules and regulations.*

5. Has Scientel Solutions considered the impact of its proposed tower on the approved CyrusOne tower? What analysis has been done to support its evaluation of impact the approved CyrusOne tower? Please identify and make available any and all studies that have been conducted to evaluate or support Scientel's analysis of the potential impact of the proposed Scientel tower on the approved CyrusOne tower.

Scientel Response – *This activity falls under the jurisdiction of the FCC. Scientel's frequency plan includes various frequencies. Some frequencies are leased for public safety use only and as such, results in this question falling well outside of the scope of the required zoning and building requirements. This is exactly why the FCC has setup the licensing process to allow for fair and equal access to frequencies in the United States for all entities. To the extent that CyrusOne believes that a Scientel use of frequency results in interference with its business, upon notification and consistent with FCC rules and regulations, Scientel is prepared to meet with CyrusOne and address any interference questions should any arise.*

6. Please identify each and every purpose and intended use of the Scientel tower. Does Scientel intend to use its tower to provide telecommunications access to the CyrusOne data center?

Scientel Response – *Scientel's intended use of its tower is for both its public safety and commercial customers. The names of Scientel's customers are proprietary and the nature of*

the services which Scientel will provide to those customers is also proprietary.

7. Please explain what was meant by Nelson Santos, President of Scientel Solutions, when he stated at the September 20, 2017 hearing that construction of the Scientel Tower was "integral" to Scientel's business.

Scientel Response – *Scientel is excited by the relocation of our corporate Headquarters into the City of Aurora. Scientel sees its people as its most important asset. As such living and working in a city like Aurora is integral to Scientel's continued expansion goals. Scientel sees the City of Aurora as a vibrant city from which Scientel can continue our expansion and will be a great recruiting tool to continue to attract world class talent to our company. As Scientel expands its Managed Services offering to local businesses – i.e. Mortem Arboretum, White Eagle Golf Club – it will utilize its tower to connect to its customers wirelessly. Where wireless is not possible, fiber or a mixture of fiber and wireless will be utilized.*

8. Has Scientel considered using space on the CyrusOne tower as an alternative to constructing its own tower? Is there any reason Scientel cannot use space on the CyrusOne tower to meet its telecommunications needs once construction of the CyrusOne tower is complete? Please identify and describe in detail each reason, if any, Scientel believes it cannot use the CyrusOne tower to meet its telecommunication needs once construction of the CyrusOne tower is complete. Please describe any steps that Scientel believes would be necessary for it to overcome the limitations that would prevent Scientel from using the CyrusOne tower, so as to allow Scientel to successfully utilize the CyrusOne tower as an alternative to constructing its own, separate tower.

Scientel Response: *Scientel is a Universal Integrator that serves all customers - big and small - across numerous markets and technologies, and in order to continue to provide unsurpassed service a tower near multiple data centers is very important.*

In order Scientel to use the Cyrus One tower, Scientel would need 24/7/365 access to the tower with no prior notice given and the ability to climb and repair equipment during business hours. For example, if there is an issue with a Command Center antenna at noon on a Wednesday, Scientel would need show up to the tower immediately, then climb the tower and drop the antenna in front of other users during trading hours and then lift a new antenna in

front of other users during business hours. Freeze weekends/ days would not be permitted. Furthermore, this single point of network contention into Scientel's NOC is critical to Scientel's success. It would not be a good business practice to put our key business asset into the hands of a potential competitor. The fact that CyrusOne appears to be concerned with a competitor operating in close proximity to its business highlights our concerns on being on its tower. Furthermore, since Scientel will employ 30-50 professionals in our headquarters underscores our commitment to its customers, the City and the public safety applications which will be conducted from its headquarters and its tower and cannot cede control of such an integral piece of its infrastructure and future to a third party.

9. Please describe how the proposed location of the Scientel tower was selected, and identify and provide any studies that were done to support the location selection. Can blockage issues, and/or to avoid potential interference with the approved CyrusOne tower? If Scientel believes the proposed location of the Scientel tower cannot be moved, please set forth and explain each reason why Scientel believes the location cannot be moved. If Scientel believes the proposed location of the tower can be moved, please identify each potential alternative location, and identify and provide each study and/or analysis that was done to evaluate any such location.

Scientel Response: *Scientel selected its tower locations based on the land availability and the discussions of the various engineering firms that Scientel has employed. The tower location cannot be moved without having a serious impact on the design of corporate HQ building and the surrounding improvements which accompany its building of its headquarters, such as the retention pond and access road.*

10. Does Scientel intend to allow co-location on its tower by other users? If so, would those co-locators be permitted to utilize microwave technology? If co-location is proposed to be allowed, would the co-locators be permitted to use millimeter wave technology? If Scientel intends to allow co-locators to utilize microwave and/or millimeter wave technology, does Scientel have any plans to prevent co-locators from reserving or licensing frequencies on its tower that are not in actual use? If so, please provide a full description of the proposed plan. If Scientel intends to allow co-locators to utilize microwave and/or millimeter wave technology,

does Scientel intend to accommodate such users for purposes of accessing the CyrusOne data center? Will Scientel commit to making access to its tower available to co-locators at market rates?

Scientel Response – *Scientel reserves the right for co-location on the tower by other users, but we do not plan for it to be our primary or even secondary model for this tower.*

Scientel currently and will continue to use licensed FCC frequencies coordinators for the monitoring, reviewing and auditing of all new PCNs that are issued. These licensed coordinators will also provide notifications of any attempted reservations by individuals that are not official co-locators. This application would be automatically rejected during the PCN process to minimize any potential frequency squatting. Basically, this and all frequency related processes are handled by the FCC.

If Scientel should allow colocation in the future, Scientel would only analyze the application from a structural and spacing availability perspective. All licensing applications in any direction would be handled by the FCC and any issues based on the licensing would be handled and addressed via the FCC process

Scientel would not agree to collude with another entity to set help set the market rates as that is contrary to all of the rules of a healthy marketplace and perhaps violative of law. Should Scientel allow colocation in the future, the pricing would be set by Scientel's Business Development team without input or direction from CyrusOne or any other tower company.

Respectfully submitted,

Scientel Solutions, LLC

By one of its attorneys

Dated: October 2, 2017

Richard L. Williams
Griffin Williams LLP
21 N. Fourth St.
Geneva, Illinois 60134
(630) 457-1205
rwilliams@gwillplaw.com