

1. PROPERTY / SITE INFORMATION:

LOCATION	Street Address: 13 Vanderhoof Court		
	City: Vernon	State: NJ	Zip: 07462
Tax Map	Page: 14, 18, 19	Block: 141	Lot(s): 12.02
	Page:	Block:	Lot(s):
Property Information – Area:		Easements / Deed Restrictions: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Zone: C-3	Has this property been deemed a Historic Landmark <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		

2. APPLICANT INFORMATION:

Name(s): Diamond Communications LLC (“Diamond”) and T-Mobile Northeast LLC (“T-Mobile”)			
Street Address: 820 Morris Turnpike, Suite 104			
City: Short Hills	State: NJ	Zip: 07078	
Email Address:		Telephone:	Fax:
Applicant is a: <input type="checkbox"/> Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Entrepreneur <input type="checkbox"/> Individual <input checked="" type="checkbox"/> LLC			

3. DISCLOSURE STATEMENT:

Pursuant to N.J.S. 40:55D-48.1, the names and addresses of all person owning 10% of the stock in a corporate applicant or 10% interest in any partnership applicant must be disclosed. In accordance with N.J.S. 40:55d-48.2 that disclosure requirement applies to any corporation or partnership which owns more than 10% interest in the applicant followed up the chain of ownership until the names and addresses of the non-corporate stockholders and partners exceeding the 10% ownership criterion have been disclosed. Use attached form or applicant’s can use their own form. See attached Disclosure Statements.

4. IF OWNER IS OTHER THAN THE APPLICANT – provide the following information:

Name(s): Jersey Central Power & Light (JCP&L)			
Street Address: 800 Cabin Hill Drive			
City: Greensburg	State: PA	Zip: 15601	
Email Address:		Telephone:	Fax:

5. APPLICANT’S ATTORNEY:

Name(s): Judith A. Fairweather, Esq., Pinilishalpern, LLP			
Street Address: 160 Morris Street			
City: Morristown	State: NJ	Zip: 07960	
Email Address: jfairweather@pinilishalpern.com		Telephone: 973-401-1111	Fax: 973-401-1114

6. APPLICANT’S ~~ENGINEER~~ ARCHITECT:

Name(s): Frank Colasurdo, RA, FC Architects			
Street Address: 350 Clark Drive , Suite 304			
City: Mount Olive	State: NJ	Zip: 07826	
Email Address: fcolasurdo@fcarchitectsinc.com		Telephone: 973-726-7164	Fax: 973-726-7204

7. APPLICANT'S PLANNER:

Name(s): Paul N. Ricci, PP, AICP, RicciPlanning, LLC

Street Address: PO Box 737

City: Clark	State: NJ	Zip: 07066	
Email Address: paul@ricciplanning.com	Telephone: 908-642-0070	Fax: 908-350-4501	

8. APPLICANT'S SURVEYOR:

Name(s): James S. Murphy, Jonathan Murphy Professional Land Surveying

Street Address: 10505 Leafwood Place

City: Raleigh	State: NC	Zip: 27613	
Email Address: raleigh@murphygeomatics.com	Telephone: 919-280-8189	Fax:	

9. APPLICANT'S OTHER PROFESSIONALS (TRAFFIC, ENVIRONMENTAL ETC.):

Name(s):

Street Address:

City:	State:	Zip:	
Email Address:	Telephone:	Fax:	

10. APPLICATION IS FOR THE FOLLOWING:

SUBDIVISION: N/A

Minor (including lot line adjustment) Major – Preliminary Major - Final

Number of Lots to be created (includes remainder lot) _____

Number of proposed dwelling units (if applicable) _____

SITE PLAN:

Minor Major – Preliminary Major - Final Amendment / Revision to an Approved Site Plan

Number of Proposed Buildings? _____

Total Impervious area (s.f.) _____ impervious area from Structures (s.f.) _____

Total area to be disturbed (s.f.) _____

INFORMAL / CONCEPTUAL REVIEW: N/A

Subdivision Site Plan Other

CONDITIONAL USE APPROVAL: N/A

NJSА 40:55D-67

ISSUANCE OF A PERMIT FOR BUILDING OR STRUCTURE: N/A

NJSА 40:55D-34 (permit building or structure in the bed of a mapped street or public drainage way, flood control basin or public area reserved pursuant to NJSА 40:55D-32)

NJSА 40:55D-35 (permit building or structure not related to an official suitably improved street pursuant to NJSА 40:55D-35).

VARIANCES PURSUANT TO NJSА 40:55D

Bulk Variance

(C1) (hardship)

(C2) (flexible); benefits v. detriment

Use Variance

(D1) A use or principal structure in a district restricted against such use or principal structure (use variance)

(D2) An expansion of a nonconforming use

(D3) Deviation from a specification or standard pursuant to Section 54 of P.L. 1975, c.291 (C.40:55D-67) pertaining solely to a conditional use

(D4) An increase in the permitted floor area ratio as defined in Section 3.1 of P.L. 1975, c.291 (C.40:55D-4)

(D5) An increase in the permitted density as defined in Section 3.1 of P.L. 1975, c.291 (C.40:55D-4) except as applied to the required lot area for a lot or lots for detached one or two dwelling unit buildings which lot or lots are either an isolated undersized lot or lots resulting from a minor subdivision.

(D6) A height of a principal structure which exceeds by 10 feet or 10% the maximum height permitted in the district for a principal structure.

APPEAL/INTERPRETATION PURSUANT TO NJSA 40:55D-70, (a) & (b): N/A

(a) Appeal to Board of Adjustment of Order, Requirement, Decision or Refusal by an administrative officer based on or made in the enforcement of the zoning ordinance.

(b) Request for Interpretation of the zoning map or Ordinance or for Decisions upon other special questions upon which the Board of Adjustment is authorized to pass by any zoning or offered map or ordinance.

Attached additional pages if needed in responding to items 8, 9, 10, and 12.

11. LIST ORDINANCES SECTIONS for which variance(s) and/or interpretation(s) are requested:

Section 330-187(D)(1)(c)[1][a][iii] - setback from residential property line.

Section 330-187(D)(1)(c)[1][c][i] - maximum tower height.

Section 330-186(D) - use variance - does not meet conditional standards

Schedule B Bulk and Yard Requirements - C-3 Zone - minimum front yard setback

12. LIST SUBMISSION WAIVERS REQUESTED:

Note – submission waivers must be approved by a majority vote of the Land Use Board prior to being deemed complete and prior to the application being heard by the Board.

Checklist Item No.	Description	Reason
	See attached waiver request letter.	

13. LIST THE DESIGN WAIVERS REQUESTED:

Ordinance Section	Description	Reason
	See attached waiver request letter.	

14. OFFICIAL NOTICE TO APPEAR:

Attach a copy of the Notice to appear in the official newspaper of the municipality to be mailed to the owners of real property, as shown on the current tax map within 200 feet in all directions of the property which is the subject of this application. The Applicant must request this list from the Tax Assessor. The Notice must specify the sections of the Ordinance from which relief is sought, if applicable, and identify the proposed use of the building(s), structure(s) and/or property. **SEE ATTACHED.**

The publication and the service on the affected owners must be accomplished at least 10 days prior to the date scheduled by the Board Secretary for the hearing.

An affidavit of service to all property owners and a proof of publication must be provided to the Board Secretary at least five (5) days before the hearing can proceed.

15. NATURE OF APPLICATION:

Explain in detail the exact nature of the application and the changes to be made at the premises, including the proposed use of the premises (attach additional pages as needed):

See attached Proposal.

16. UTILITIES TO BE UTILIZED: (Check all that apply) None - N/A

Public Sewer Private Septic Public Water Private Well

Note: For public water or sewer, provide a "will serve" letter from the respective utility company.

17. CHECK ANY OTHER APPROVALS WHICH MAY BE REQUIRED AND DATE PLANS SUBMITTED: (Check all that apply)

Type of Approval	Filed YES	Filed NO	Date Plans Submitted
<input type="checkbox"/> County Health Department	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<input type="checkbox"/> County Planning Board	<input checked="" type="checkbox"/>	<input type="checkbox"/>	9/28/18
<input type="checkbox"/> County Soil Conservation District	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<input type="checkbox"/> NJDEP (Wetlands)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<input type="checkbox"/> NJDEP (Sewer Extension Permit)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<input type="checkbox"/> Sanitary Sewer Connection Permit	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<input type="checkbox"/> NJDEP (Stream Encroachment Permit)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<input type="checkbox"/> NJDEP (Potable Water Construction Permit)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<input type="checkbox"/> Other	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<input type="checkbox"/> NJDOT (Department of Transportation)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<input type="checkbox"/> Township Sewer Utility	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<input type="checkbox"/> NJDEP (Flood Hazard)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<input type="checkbox"/> NJDEP (Highlands)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<input type="checkbox"/> NJDEP (Water allocation)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

18. PRIOR APPROVALS:

Indicate if, to your knowledge, this property was ever the subject of a prior application to the Planning or Zoning Board:

 Yes X No If yes, was the application approved? Please attach a copy of the resolution.

19. TAX COLLECTOR CERTIFICATION:

Certification from the Tax Collector that all taxes due on the subject property have been paid must be furnished to the Board Secretary at the time the application is submitted. **See attached.**

20. FEE CALCULATION (SEE PAGES 11 AND 12, ASK BOARD SECRETARY FOR ASSISTANCE IF NEEDED):

Use Variance: application fee \$700.00/escrow fee \$1,200.00

Bulk Variance: application fee \$220.00/escrow fee \$1,100.00

Preliminary and Final Major Site Plan: application fee \$1,225.00 (\$1,000 + \$225 (1500 sq ft fenced compound x .15)/escrow fee \$1,225.00 (\$1,000 + \$225 (1500 sq ft fenced compound x .15)

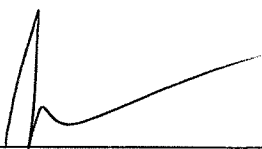
\$ 2,145.00 Application Fee

\$ 3,525.00 Escrow Fee

\$ 50.00 GIS Fee

21. CERTIFICATIONS:

- A. I certify that the foregoing statements and the materials submitted are true. I further certify that I am the individual applicant or that I am an Officer of the corporate applicant and that I am authorized to sign the application for the Corporation or that I am a general partner of the partnership applicant.
- B. I certify that I am the Owner of the property which is the subject of this application, that I have authorized the applicant to make this application and that I agree to be bound by the application, the representations made and the decision in the same manner as if I were the applicant. [If the owner is a corporation this must be signed by an authorized corporate officer. If the owner is a partnership, this must be signed by a general partner.]
- C. I understand that I submitted funds as calculated herein to be deposited into an Escrow account. In accordance with the Municipal Land Use Law, I further understand that the escrow account is established to cover the cost of professional services including engineering, planning, legal and other expenses associated with the review of submitted materials and the publication of the decision by the Board. I understand the escrow amount is a preliminary estimate, and the actual cost may be more or less. Sums not utilized in the review process shall be returned. If additional sums are deemed necessary, I understand that I will be notified of the required additional amount and shall add that sum to the escrow account within twenty (20) days or I will have my application revoked and will be subject to property liens and/or fines.
- D. I hereby authorize the Land Use Board Members, Land Use Board Professionals, and Township Staff to inspect the premises listed on this application as a part of the review process, and grant full right of entry (excluding the interior of buildings).



Signature of Applicant

Judith A. Fairweather
Attorney for Applicant

Print Name

September 28, 2018

Date

See attached Owner's Consent

Signature of Owner (If different)

Print Name

Date

PROPOSAL

Applicants: Diamond Communications LLC (“Diamond”) and
T-Mobile Northeast LLC (“T-Mobile”)
820 Morris Turnpike, Suite 104
Short Hills, NJ 07078

Property: 13 Vanderhoof Court
Block: 141 Lot: 12.02
Township of Vernon, Sussex County

The applicants, Diamond Communications LLC (“Diamond”) and T-Mobile Northeast LLC (“T-Mobile”) jointly (“Applicants”) are proposing to construct a 199 foot telecommunications lattice tower within a fenced compound on the subject Property. T-Mobile is a federally licensed communications carrier which intends to place twelve (12) telecommunications antennas at the top of the tower and related equipment at the base of the tower inside the compound. The property is located in the C-3 Zone. The Applicants are seeking a use variance for not meeting the conditional use standards, a height variance, variance for setback from residential property, front yard setback for the C-3 zone and preliminary and final major site plan approval.

BACKGROUND

By way of background, wireless communication services (“WCS”) telephones, still commonly referred to as cell phones, operate by transmitting an extremely low power radio signal between the handheld unit and antennas operated by T-Mobile. In order to function, these antennas must be placed in strategic locations and at appropriate heights throughout the area. The antennas are connected to equipment shelters. To provide continuous service to its customers, there must be a continuous interconnected series of antenna sites, which create a grid pattern similar to a honeycomb. Each site must be placed within a limited area, which is not too close or too far from other sites.

In Vernon Township, there is insufficient WCS coverage and inadequate service in the area surrounding the proposed site if the existing site is taken off air and not replaced. Therefore, anyone attempting to use T-Mobile’s WCS service would not be able to do so. Without the proposed site, T-Mobile is unable to provide coverage in the area, which it is mandated to do pursuant to its FCC license.

LEGAL ANALYSIS

In order to promote competition in the wireless telecommunications industry, Congress enacted the Telecommunications Act of 1996. The Telecommunications Act of 1996 (“TCA”) is the federal law which governs the regulation of the placement, construction, and modification of personal wireless service facilities by any State or local government. Specifically, the TCA, 47 U.S.C. § 332(c)(7)(B) provides in part:

(i) The regulation of the placement, construction, and modification of personal wireless service facilities by any State or local government or instrumentality thereof;

(I) shall not unreasonably discriminate among providers of functionally equivalent services; and

(II) shall not prohibit or have the effect of prohibiting the provision of personal wireless services.

(ii) Any State or local government or instrumentality thereof shall act on any request for authorization to place, construct or modify personal wireless service facilities within a reasonable period of time after the request is duly filed with such government or instrumentality, taking into account the nature and scope of such request.

(iii) Any decision by a State or local government or instrumentality thereof to deny a request to place, construct, or modify personal wireless service facilities shall be in writing and supported by substantial evidence contained in a written record.

(iv) No State or local government or instrumentality thereof may regulate the placement, construction, and modification of personal wireless service facilities on the basis of the environmental effects of radio frequency emissions to the extent that such facilities comply with the Commission’s regulations concerning such emissions.

(v) Any person adversely affected by any final action or failure to act by a State or local government or any instrumentality thereof that is inconsistent with this subparagraph may, within 30 days after such action or failure to act, commence an action in any court of competent jurisdiction. The court shall hear and decide such action on an expedited basis. Any person adversely affected by an act or failure to act by a State or local government or any instrumentality thereof that is inconsistent with clause (iv) may petition the Commission for relief.

The TCA further provides at § 253(a):

No State or local statute or regulation, or other State or local legal requirement, may prohibit or have the effect of prohibiting the ability of any entity to provide any interstate or intrastate telecommunications service.

While there have been many cases relating to the TCA, the seminal case in New Jersey relating to the siting of telecommunications facilities pursuant to the TCA is Smart SMR of New York, Inc. d/b/a Nextel Communications v. Borough of Fair Lawn Board of Adjustment. 152 N.J. 309 (1998). As this Board is well aware, §70 of the New Jersey Municipal Land Use Law governs the granting of variances by land use boards in New Jersey. N.J.S.A. 40:55D-70, et seq. An applicant must satisfy the positive and negative criteria of the statute. To satisfy the positive criteria, an applicant must prove that the use promotes the general welfare because the proposed site is particularly suitable for the proposed use. See Medici v. BRP Co., 107 N.J. 1, 4 (1987). To satisfy the negative criteria, an applicant must demonstrate that the variance can be granted without substantial detriment to the public good and that the variance will not substantially impair the intent and purpose of the zone plan and zoning ordinance. Id. at 21-22.

In Smart, the New Jersey Supreme Court held that in the case of telecommunications facilities, an FCC license established that the use promotes the general welfare. Smart at 336. In order to satisfy the remainder of the positive criteria, an applicant holding an FCC license must demonstrate that the use is particularly suited for the proposed site. Id. at 332. To demonstrate that a site is particularly suited for a telecommunications facility, an applicant must show need for the facility at that location. See, New Brunswick Cellular Telephone Co. v. Borough of South Plainfield, 160 N.J. 1 (1999).

The Supreme Court in Smart then turned to the negative criteria. As stated, to satisfy the negative criteria, an applicant must demonstrate that the variance can be granted without substantial detriment to the public good and will not substantially impair the intent and purpose of the zone plan and zoning ordinance. With telecommunications facilities, the Supreme Court held that it would weigh “the positive and negative criteria and determine whether, on balance, the granting of the variance would cause a substantial detriment to the public good”. Smart at 332. This balancing requires the use of the Sica four part balancing test. Sica v. Board of Adjustment, 127 N.J. 152, 165-166 (1992). The prongs of the balancing test are as follows:

1. The Board must identify the public interest at stake. Some uses are more compelling than others.
2. The Board must identify the detrimental effect that will ensue from the granting of the variance.
3. In some situations, the Board may reduce the detrimental effect by imposing reasonable conditions on the use. Mitigating conditions can be imposed, the weight accorded the adverse effect should be reduced by the anticipated effect of the conditions.

4. The Board should then weigh the positive criteria and negative criteria and determine, whether, on balance, the grant of the variance would cause a substantial detriment to the public good.

The beginning impetus for the drive to the next generation of wireless communications began with a Memorandum authored by President William Jefferson Clinton to the heads of all Federal executive departments and agencies which was released October 13, 2000. In his Memorandum, the President established a national priority for a modern wireless telecommunications network in the United States, stating:

[T]he value of wireless communications increased as the number of users and types of use increased. Today's second generation wireless technology increased services and information offered to users and increased competition among providers. Digital "personal communications services" (PCS) provided added messaging and data features, including such services as voice mail, call waiting, text messaging, and, increasingly, access to the World Wide Web. These first and second generation services increased productivity and reduced costs for thousands of businesses as well as Government agencies.

The next generation of wireless technology holds even greater promise. Neither the first nor the second generation of wireless technologies were designed for multi-media services, such as the Internet. Third generation wireless technologies [3G] will bring broadband to hand-held devices. Higher speeds and increased capability will lead to new audio, video and other applications, which may create what many are calling "mobile commerce" (m-commerce) that people will use in ways that are unimaginable today. Moreover, an international effort is underway to make it possible for the next generation of wireless phones to work anywhere in the world.

Memorandum of Advanced Mobile Communications/Third Generation Wireless Systems, 3 Pub. Papers 2171 (Oct. 13, 2000).

In his Memorandum, President Clinton ordered all Federal agencies and departments to take steps to facilitate the development and implementation of modern wireless communications. *Id.* In a corresponding Press Release, President Clinton declared as the public policy of the government to "allow consumers to enjoy a wide range of new wireless tools and technologies, such as hand-held devices that combine services like a phone, computer, a pager, a radio, a customized newspaper, a GPS locator, and a credit card." *Statement on Action to Support the Third Generation of Wireless Technology*, 3 Pub. Papers 2170, 2171 (Oct. 13, 2000). President Clinton's prescient vision was that "time is of the essence. If the United States does not move quickly to allocate this spectrum, there is a danger that the U.S. could lose market share in the industries of the 21st century." *Id.*

President Clinton's initiative was expanded upon in 2009 when the Federal Government allocated billions of dollars for broadband services. President Barack Obama unveiled his Wireless Expansion Plan declaring that "we can't expect tomorrow's economy to take root using yesterday's infrastructure." President Obama stated in his State of the Union Address, in January 2010, that within the next five years carriers "will be able to deploy high-speed wireless to 98 percent of the population". He addressed the need for "a firefighter who can download the design of a burning building onto a handheld device; a student who can take classes with a digital textbook; or a patient who can have a face-to-face video chat with her doctor".

REASONS FOR RELIEF

In this case, T-Mobile has proposed to place its telecommunications antennas on a proposed tower in a C-3 zone. T-Mobile requires this site in order to provide service to its customers. As set forth in Smart, T-Mobile is a federally licensed carrier; therefore, the proposed site promotes the general welfare. However, to satisfy the remainder of the positive criteria, they must demonstrate the particular suitability of this site. This site is particularly suitable because of its location will resolve a service deficiency. The Applicants will provide radio frequency engineering testimony at the hearing before the Board, which will demonstrate that without this site, there will be inadequate T-Mobile coverage in the surrounding area. Therefore, there is a significant gap in the area and a need for the proposed site. (See, AT&T v. Borough of Ho-Ho-Kus, 197 F.3d 64, 70 (3rd Cir. 1999), holding that zoning decisions have the effect of prohibiting wireless services if they result in significant gaps in the availability of wireless services). T-Mobile clearly requires this site to provide coverage pursuant to its FCC licenses.

As for the negative criteria, the proposed site will not be a substantial detriment to the public good and will not substantially impair the intent and purpose of the zone plan and zoning ordinance. The Property is in a Commercial zone, contains an existing substation, is surrounded by wooded areas and has an existing parking area and utility line to the west. The proposed site will not produce any noise, vibration, smoke, dust, odors, heat, or glare. It will not require any municipal services such as water, sewer, police or fire and will require only infrequent maintenance. The site will not have any adverse impacts on adjoining properties. In fact, the proposed site will provide improved wireless communications in the area. Wireless telephones enhance safety by allowing people to report accidents and crimes. They also provide an enhanced ability for people to communicate on both personal and business matters. On balance, as required by Sica, the public benefit far outweighs any potential detrimental effect of the site.

At the hearing, the Applicants will provide testimony from an architect, radiofrequency engineer and professional planner to support its application.

In summary, the Applicants meet both the positive and negative criteria by showing that the proposed facility promotes the general welfare, is particularly suited to the site, and does not result in any impairment to the zoning ordinance and master plan. In light of the foregoing, the Applicants respectfully request that its application be granted.

OWNER'S CONSENT

THE FOLLOWING IS TO BE COMPLETED BY THE OWNER WHERE APPLICANT IS NOT THE OWNER OF THE SUBJECT PROPERTY:
(If the applicant is a corporation, this must be signed by an authorized corporate officer. If the applicant is a partnership, this must be signed by a general partner.)

STATE OF NEW JERSEY)
) **SS:**
COUNTY OF MONOUTH)

I, **JAMES V. FAKULT**, OF FULL AGE, BEING DULY SWORN ACCORDING TO LAW, UPON MY OATH, DEPOSE AND SAY:

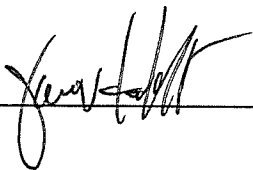
I AM THE **PRESIDENT, JERSEY CENTRAL POWER & LIGHT, CO.**, OWNER IN FEE OF THE SUBJECT PROPERTY KNOWN AS

BLOCK **141**, LOT(s) **12.02** ON THE TAX MAP

OF THE _____ TOWNSHIP OF VERNON _____
(Municipality)

AND BEING ALSO KNOWN AS _____ **13 Vanderhoof Court** _____
(Street Address)

APPLICANT, **Diamond Towers II LLC d/b/a Diamond Communications and T-Mobile Northeast LLC**, ARE HEREBY AUTHORIZED TO MAKE THE WITHIN APPLICATION AND THE UNDERSIGNED HEREBY CONSENTS TO THE MAKING OF SAME.



SWORN AND SUBSCRIBED TO
BEFORE ME THIS 24 DAY
OF September 2018



NOTARY PUBLIC OF THE STATE OF NEW JERSEY

EARLEEN AGBAYANI
NOTARY PUBLIC OF NEW JERSEY
My Commission Expires 3/16/2021

CORPORATION OR PARTNERSHIP FORM

Applications before the Land Use Board by a Corporation or a Partnership for a subdivision of 6 or more lots or 25 or more family units, or for approval of a site plan or approval of lands for commercial purposes shall list below the names and addresses of all stockholders or individual partners owning at least 10% of its stock of any class or at least 10% of the interest in the partnership, as the case may be, as required by N.J.S.A. 40:55D-48.1 et. Seq.

SEE ATTACHED

Name _____ Address _____

Name _____ Address _____

Name _____ Address _____

Name _____ Address _____

Name _____ Address _____

Name _____ Address _____

Name _____ Address _____

Signature of Officer/Partner Date

Name of Applicant Corporation/Partnership

CORPORATE OWNERSHIP DISCLOSURE STATEMENT
DIAMOND COMMUNICATIONS LLC

In accordance with N.J.S.A. 40:55D-48 and 48.2, please be advised that Diamond Communications LLC, which has a business address of 820 Morris Turnpike, Suite 804, Short Hills, New Jersey 07078, is 100 % wholly owned by Diamond Communications Holdings LLC.

CORPORATE OWNERSHIP SCHEDULE

Entity	Shareholder	Ownership
T-Mobile Northeast LLC	T-Mobile USA, Inc. 12920 SE 38 th Street Bellevue, WA 98006	100%
T-Mobile USA, Inc. shareholders with greater than 10% ownership of any class of stock	T-Mobile US, Inc. 12920 SE 38 th Street Bellevue, WA 98006	100%
T-Mobile US, Inc. shareholders with greater than 10% ownership of any class of stock T-Mobile US, Inc. (NASDAQ: TMUS) is a publicly-traded company listed on the NASDAQ Global Select Market of NASDAQ Stock Market LLC	Deutsche Telekom Holding B.V.	Approx. 65.48%
Deutsche Telekom Holding B.V.	T-Mobile Global Holding GmbH Kennedyallee 1-5 53175 Bonn, Germany	100%
T-Mobile Global Holding GmbH shareholders with greater than 10% ownership of any class of stock	T-Mobile Global Zwischenholding GmbH Friedrich-Ebert-Allee 140 53111 Bonn, Germany	100%
T-Mobile Global Zwischenholding GmbH shareholders with greater than 10% ownership of any class of stock	Deutsche Telekom AG Friedrich-Ebert-Allee 140 53111 Bonn, Germany	100%
Deutsche Telekom AG shareholders with greater than 10% ownership of any class of stock Deutsche Telekom AG is an Aktiengesellschaft organized and existing under the laws of the Federal Republic of Germany. Its principal trading market for its ordinary shares is the Frankfurt Stock Exchange. Deutsche Telekom's ordinary shares also trade on the Berlin, Düsseldorf, Hamburg, Hanover, München and Stuttgart stock exchanges in Germany. Deutsche Telekom's American Depository Shares, each representing one ordinary share, trade on the OTC market's highest tier, OTCQX International Premier (ticker symbol: DTEGY)	Federal Republic of Germany c/o Federal Ministry of Finance Wilhelmst. 97 10117 Berlin PA: P.O. Box 272 10117 Berlin Kreditanstalt fuer Wiederaufbau, a bank controlled by the German Government Palmengartenstrasse 5-9 60325 Frankfurt am Main	Approx. 14.83% Approx. 16.87%