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BEFORE THE HEARING EXAMINER
CITY OF SEATTLE

In the Matter of the Appeal of
STOP ALKI CELL TOWERS
From a decision by the Director,
Department of Planning and Development
on a Master Use Permit

NO. MUP-15-016(U)
Department Reference 3018132
**APPELLANT STOP ALKI CELL
TOWERS' WITNESS AND EXHIBIT
LIST**

Pursuant to the June 23, 2015 Order Revising Prehearing Order, Appellant, Stop Alki Cell Towers, hereby discloses the following:

I. WITNESSES

Stop Alki Cell Towers may call the following witnesses at the June 22, 2015 hearing:

1. Branin Burdette, City of Seattle Department of Planning and Development

Mr. Burdette may testify about Verizon's application and submittals to the City for the proposed minor communication facility at issue in the appeal, correction notices issued by the City, Verizon's compliance with Director's Rule 19-2013, and facts surrounding the review and approval of an Administrative Conditional Use to Verizon.

2. Sarah Telschow, Odelia Pacific Corporation

Ms. Telschow may testify about the preparation of Verizon's application and submittals to the City for the proposed minor communication facility at issue in the appeal, including but not limited to the preparation of the project descriptions, development of the search ring, analysis

1 of least intrusive facilities and locations, responses to correction notices issued by the City, and
2 Verizon's compliance with Director's Rule 19-2013.

3 **3. Mei-I Funtanilla, Odelia Pacific Corporation**

4 Ms. Funtanilla may testify about the preparation of Verizon's application and submittals
5 to the City for the proposed minor communication facility at issue in the appeal, including but
6 not limited to the preparation of the project descriptions, development of the search ring, analysis
7 of least intrusive facilities and locations, responses to correction notices issued by the City, and
8 Verizon's compliance with Director's Rule 19-2013.

9 **4. Lap Tse, Verizon Wireless**

10 Mr. Tse may testify about the preparation of Verizon's application and submittals to the
11 City for the proposed minor communication facility at issue in the appeal, including but not
12 limited to the preparation of the project descriptions, development of the search ring, analysis of
13 least intrusive facilities and locations, responses to correction notices issued by the City, and
14 Verizon's compliance with Director's Rule 19-2013.

15 **5. Patrick Andre, Andre Consulting Inc.**

16 Mr. Andre may provide rebuttal testimony to Verizon's expert opinions on the need for
17 the proposed minor communication facility at issue in the appeal at the requested height and
18 location to achieve Verizon's capacity and coverage objectives. Mr. Andre may also testify
19 about other least intrusive facilities and locations that Verizon failed to consider that would
20 achieve the same coverage objectives.

21 Mr. Andre is a third party auditor for Thurston County and the City of Seattle and has
22 provided numerous expert opinions on the use of cellular transmitters. He has worked in the
23 Electromagnetic Compatibility field over 30 years. He is a Certified Engineer in both
24 Electromagnetic Compatibility and Electrostatic Discharge with the International Association for
25

1 Radio, Telecommunications, and Electromagnetics (iNARTE), and was honored as an iNARTE
2 Certified Master Design Engineer.

3 Stop Alki Cell Towers reserves the right to call other witnesses for rebuttal and/or
4 impeachment purposes.

5
6 **II. EXHIBITS**

7 Stop Alki Cell Towers may use the following exhibits at the June 22, 2015 hearing:

8 Ex. #	Date	Title	# of Pages
9 1	2/2/2014	Director's Rule 19-2003	5
10 2		Verizon Project Description and List of Alternative Sites	18
11 3		Verizon Revised Project Description	15
12 4		SEA Tribble - Radio Frequency (RF) Documentation (Letter and Propagation Maps)	6
13 5	7/22/2014	AT&T Plan Set for 2724 Alki Ave SW	20
14 6	7/25/2015	Email from Seattle Department of Planning and Development regarding SMC 23.60A	3
15 7	4/24/2014	Email exchanges re RF correspondence Lap Tse	5
16 8	3/23/2015	City of Seattle Analysis and Decision of the Director of the Department of Planning and Development	4
17 9	12/23/2014	City of Seattle Correction Notice #1	3
18 10	1/20/2015	City of Seattle Correction Notice #2	2
19 11	1/22/2015	City of Seattle Correction Notice #3	3
20 12	1/28/2015	City of Seattle Correction Notice #4	3
21 13	11/11/2014	Verizon Plan Set for 6023 SW Stevens Street	29

1	14	2/5/2015	Revised Photo Simulations for 6023 SW Stevens Street	9
2	15	11/13/14 (revised 3/9/15)	Verizon Non-Ionizing Electromagnetic Exposure Analysis & Engineering Certification	12
3	16	3/11/2015	Verizon Revised Application for Administrative Conditional Use Permit Required Findings	3
4	17		Maps of Alternative Sites, Coverage, Zoning	5
5	18	7/15/15	Email from Scott Thomsen at City of Seattle with Map of Verizon Small Cell Sites in West Seattle	2
6	19		Photo of AT&T Facility at 2724 Alki Ave SW	1
7	20		Shoreline Management Act excerpts (SMC 23.60 and SMC 23.60A)	5
8	21	12/30/2014	Email from Sarah Telschow to City regarding response to Correction Notice #1	1
9	22	1/16/2015	Email from Sarah Telschow to City regarding response to Correction Notice #1	2
10	23	3/4/2015	Email from Sarah Telschow to City regarding revised RF documentation	2
11	24	9/15/2011	Letter from Sarah Telschow to City regarding 6609 SW Admiral Way project and Ex. C	5
12	25	11/7/2013	Email exchanges between Mei-I Funtanilla and Alki Properties	2
13	26		Photo of Small Cell Site Example	1
14	27		Photo of Notice of Proposed Land Use Action Alki Properties	1

20 Stop Alki Cell Towers reserves the right to use demonstrative exhibits and other exhibits
21 for rebuttal and/or impeachment purposes. Stop Alki Cell Towers reserves the right to modify
22 this list and/or include additional exhibits that may become available after this filing.

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DATED this 15th day of July, 2015.

ELEMENT LAW PLLC

By s/ Julie S. Nicoll
Julie S. Nicoll, WSBA #40953
Attorney for Appellant Stop Alki Cell Towers

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DECLARATION OF SERVICE

I declare under penalty of perjury under the laws of the State of Washington that on this date I caused the foregoing document to be served on the following persons via the methods indicated:

Branin Burdette
City of Seattle Department of Planning &
Development
Branin.Burdette@seattle.gov

- Overnight Delivery via Fed Ex
- First Class Mail via USPS
- Hand-Delivered via ABC Legal Messenger
- Facsimile
- E-mail

Charles Maduell
Davis Wright Tremaine
1201 Third Avenue, Suite 2200
Seattle, Washington 98101-3045
chuckmaduell@dwt.com
Attorney for Verizon Wireless

- Overnight Delivery via Fed Ex
- First Class Mail via USPS
- Hand-Delivered via ABC Legal Messenger
- Facsimile
- E-mail

Dated at Seattle, Washington, this 15th day of July, 2015.

s/ Julie S. Nicoll
Julie S. Nicoll, WSBA #40953