

Exhibit 10

Kenneth A. Goldman
208 McCarty Drive
Beverly Hills, CA 90212

January 14, 2013

Beverly Hills City Council
455 N. Rexford
Beverly Hills, CA 90212

Re: Proposed AT&T Devices In Residential Areas

Members of the Council:

I am concerned about the proposed installation of 77 cell phone towers and accompanying 77 cell phone equipment boxes throughout the residential areas of Beverly Hills. [I've heard and seen both the number 77 and 76.] I totally understand and support the purposes and intended effects—to improve cell phone and public safety coverage throughout the City and to improve first responder safety through better communication.

But anytime one is considering the installation of non-residential elements into the residential areas of our City [in this case, 77 cell phone towers and 77 boxes], we should “think twice” in being sure we thoroughly understand the health and safety effects, as well as consideration of whether there may be alternatives which may not pose health or intrusive consequences.

I attended Thursday's meeting at City Hall and was struck by the number of basic questions to which there seemed to be no hard answers. Some of those basic questions and issues are the following:

1. Safety.
 - a. The City's informational flyer states that, “There are no known health effects from cell sites and no health risks to the general public have been shown.” Are there *any* contrary reliable conclusions you and we should be aware of?
 - b. Despite the above conclusion, it has been required by the City that none of the cell phone towers be closer than 500 feet (or, I was told at the meeting, 300 feet) from schools. If there is some safety concern about the health of school children because of emissions from the cell phone towers, why doesn't that same concern apply to a cell phone tower 15' away from that same child's bedroom at his/her home where he/she sleeps 8-10 hours a day?
 - c. I was told that technology has reduced “RF's” (radio frequencies) from 40 to 5 watts and that that reduced any safety concerns. Are there conclusive studies that indicate that the cell phone towers and boxes do or do not have potential harmful effects? (If so, why the concern surrounding the schools?)
 - d. I am told that many physicians do not put cell phones to their ear but instead use earphones. Are those cell phone emissions the same or similar to emissions from

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these cell phone towers? Does this mean they are concerned about cell phone emissions? Should we be?

2. Multiple Intrusions.

- a. I understand that every carrier (Sprint, Verizon, T-Mobile, etc.) has the right from the PUC to also put cell towers and boxes in the neighborhoods. Indeed, in the City's information release, it states, "there is no barrier or limitation on any other wireless company also constructing a similar network in the City." So what are the effects (on both safety and visually) if—instead of 77 towers and 77 boxes—there turn out to be 154 towers and boxes, or 231 towers and boxes, etc.?
 - i. I was told at the meeting that it was "unlikely" that the other companies would want to come in because AT&T already had the cables or wiring and the others do not. Does that mean AT&T will have an effective monopoly in our City? What does that mean for the future effectiveness of the cell phone system for the Police in BH?
 - ii. Obviously, "unlikely" does not mean that proliferation of these towers and boxes won't occur with different technology in the future. What are those implications?
 - iii. I was also told that there is room "in the AT&T boxes" for one more system. But I was also told that they would not use the same "antenna" (if that's the correct word) because of wave distortion, so that another antenna would have to be constructed on the same tower. Or a different tower built. With additional boxes.
 - iv. The City information flyer states that the equipment "will comply with all city noise regulations" and that AT&T will conduct "post-installation noise testing." Will the equipment produce *any* noise? To what levels? Will it add to the urban noise level already in the residential areas?

3. Effects of Power Outage on Public Safety.

- a. I understand that these towers won't work if the electricity goes out. Is that true?
- b. Will that hamper our Police in the event of a public emergency when the system is most needed?
- c. Of course, I realize that any such potential negative effects need to be balanced by improvements in the Police and Fire communication systems.

4. Visual Effects.

- a. What visual impact will these 77 towers (19' to 30' high) and 77 boxes (about 5'3" x 2' x 2') have on the residential nature of our residential areas? (Or any multiple of this if other companies want to install the same in the future, as they apparently have the right to do?)

5. Potential Effects on Property Values.

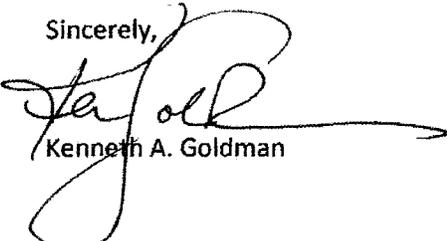
- a. Will the presence of these towers and boxes have a negative effect on property values when the current owner goes to sell?
 - i. Will a seller have to disclose the presence/effects of these towers and boxes in a legally required "Transfer Disclosure Statement" to a potential buyer?

- ii. Have any realtors/brokers been asked to assess the potential effects on value or sales?
6. Alternatives.
- a. What are the alternatives (if any)?
 - i. Can the towers and boxes instead be placed on top of the commercial buildings along Wilshire or elsewhere that would also improve cell reception but would not have the same adverse safety and/or visual impacts?
 - ii. Could some of the towers instead be placed in the alleys without losing material effectiveness?
 - iii. Are there other alternatives for some or all of these 77 sites?
7. Independent Analysis.
- a. I was struck that there seemed to have been no independent scientific analysis to support AT&T's conclusions. (At least I was not made aware of any.) Can the City hire an independent scientist or company at a reasonable cost to make an independent analysis of all these questions and issues (perhaps with AT&T reimbursing the City)?
8. Process.
- a. Wouldn't it have been better to bring in the residents and HOA's BEFORE 2 years of study were concluded and before decisions (even preliminary ones) had been made so perhaps these kinds of concerns could have been addressed earlier and more effectively?

I have no pre-conceived position on whether or not these towers and boxes should be installed in our City's residential neighborhoods. I just think these questions need to be answered definitively before any decision is made and the towers and boxes are implemented.

Thank you for your consideration of these issues.

Sincerely,



Kenneth A. Goldman



March 5, 2013

Ken Goldman
208 McCarty Drive
Beverly Hills, Ca 90212

Dear Mr. Goldman,

Thank you for attending the "oDAS Community Informational Meeting/Workshop" and for sending your attached letter to the City council regarding a number of questions and issues you have regarding the proposed AT&T oDAS project.

The following addresses each of your questions.

1. SAFETY

1a. AT&T has provided documentation to demonstrate that the RF emissions from the proposed oDAS network comply with the Federal Communications Commission's emissions limits. The FCC's RF emission limits include site specific RF emissions as well as the cumulative exposure to RF emissions from other wireless service facilities in the surrounding area. The engineering firm of Hammett and Edison studied the RF emissions from the proposed oDAS network and the surrounding RF emissions and found that the RF emissions are below those allowed by the FCC.

1b. The City of Beverly Hills is prohibited by the Federal Telecommunications Act ("TCA") from regulating the placement or construction of wireless service facilities on the basis of RF emissions when the facilities comply with the FCC RF emission limits. (TCA §332(c)(7)(B)(iv).) The Proposed Project will not exceed the FCC's RF emission limits and therefore, the City is federally preempted from considering RF emissions in permitting the oDAS network. The 300 foot limitation was voluntarily agreed to by AT&T and the City as an area they would not consider for sites, but it was not based on RF emissions.

1c. The AT&T oDAS network that is being proposed in Beverly Hills is designed using low power radio transmitters. The watts transmitted by each of the radio nodes vary based on the transmitting frequency and is in the range of 3 to 10 watts.

Hammet & Edison has performed an extensive cumulative RF Emission study based on total watts emission for each of the proposed nodes and has concluded that the proposed network complies with all FCC RF emission limits.

1d. Cell phone emissions are on the same frequency as the antennas but do not have the same emissions.

2. MULTIPLE INTRUSIONS

2a. Any other carriers proposal would need to be reviewed and permitted by the City at application time and the visual and safety impacts would have to be analyzed based on the circumstances at that time. The AT&T proposal would be part of the existing visual environment at that time and the RF emissions would be part of the cumulative RF emissions analyzed in the study of other carriers future proposals.

2a.i. If another carrier decided to place their own mobility fiber they would need to apply for excavation permits for work in the public right of way. That carrier would have to receive approval from the City for such a project to install their own oDAS fiber underground throughout the City. AT&T already has their own fiber infrastructure in place. Another carrier would most likely need to and could rent space from AT&T, but would need to install their own antenna. Other carriers can also apply for permits to put a variety of equipment and infrastructure in the City of Beverly Hills public right away. Other carriers can also install equipment on commercial and private property if they obtain building owners approval and approval from City's Planning Department.

2a.ii. It is speculative to guess at this time what may or may not happen with other carriers, other technology and any implications.

2a.iii. Yes there is room for another carrier in the proposed equipment cabinet and yes another carrier would need another antenna on the same pole (if feasible) or at another location. The City would need to evaluate and permit another carriers' construction at that time.

2a.iv. The equipment contains a small fan to cool the equipment on very hot days. The equipment must comply with all of the City's noise regulations and the MLA stipulates that AT&T must pay for post-installation noise testing to confirm that it meets City's noise ordinances.

3. EFFECTS OF POWER OUTAGE

3a. If the power service from Edison is interrupted at a particular node, it will not work until the service is restored. The size of the outage will define how many nodes are off service. Each node will have a generator plug, AND the City may permit placement of a generator in the ROW to bring temporary power to that node depending on the type of emergency.

3b. The rest of the oDAS system will still work if the power goes out at one node. If the power at the central office goes out, the rest of the existing wireless system will still work. If a power outage does affect the oDAS system, police units may not be able to access data services while in the field. However, 911 calls will continue to be received and dispatched over the City's public safety voice radio system which is separate and distinct from AT&T's system.

3c. Yes, without this oDAS system police and fire communications are currently hindered, as well as communications by residents who are serviced by AT&T.

4. VISUAL EFFECTS

4a. The goal was of the extensive assessment conducted prior to the development of the project description was to keep visual change to a very minimum and to not constitute a visual impact. The City engaged the services of a consultant (paid for by AT&T) to evaluate every individual pole and cabinet location and assess the visual impact, then make changes as appropriate.

5. POTENTIAL EFFECTS ON PROPERTY VALUES

5a.i. No disclosures are required to potential buyers.

5a.ii. Staff does not know how the project might affect home values and a realtor was not contacted.

6. ALTERNATIVES

6a.i. In 2010, when the Police and Fire Departments first reached out to AT&T about improving the coverage in Beverly Hills, AT&T's engineering team initially proposed 9 new sites for "macro" towers (larger cell antennas). AT&T currently has macros on private properties along Wilshire and Santa Monica Boulevards in and around the commercial areas. In 2010, the City stated that they would not approve 14 new macro sites because of the lack of viable available commercial locations and visual concerns.

Instead, AT&T's engineering team proposed the current proposed the current oDAS system as an alternative system which is basically a larger number of smaller antennas that are located throughout the City.

6a.ii. According to Public Works staff, locating nodes in the alleys was not a viable option primarily because there is no room in a 15 foot wide alley that currently houses:

- 300 Gallon garbage cans
- Gas Meters
- Water Meters
- SCE power poles
- Sewer, water and storm drain lines
- Gas and Telephone lines

Also, the City does not own any of the poles located in the alleys which are primarily owned by SCE.

6a.iii. The City working side by side with AT&T has determined that for maximum coverage, these are the most ideal locations for the 76 nodes. Each site has been visited on numerous occasions to assure limitation of visual impact from installation.

7. INDEPENDENT ANALYSIS

7a. Hammett & Edison is an independent consultant, hired by AT&T, to review the proposed RF and noise effects of AT&T's oDAS system.

8. PROCESS

8a. In September 20 and 24, 2012 City staff and AT&T presented the proposed DAS Project to members of the Technology and Disaster Communication Systems (DCS) Committees and the Health and Safety Commission respectively. City staff and AT&T returned to the Health and Safety Commission again in October 22, 2012 to answer additional questions regarding the antennas and cabinet.

On October 31, 2012, one hundred and ten (110) of the City's neighborhood block captains received an email from City of Beverly Hills Sergeant Mader with detailed information and an FAQ sheet which provided information about the project.

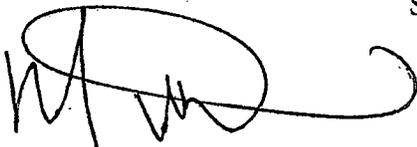
A presentation was made to the Beverly Hills Unified School District Board on January 8, 2013. The Homeowners Association received a short presentation January 9, 2013 and were asked to attend or have any of their homeowners attend the January 10 Community Meeting/City workshop about the proposed project.

On January 10, 2013 a City Hall Workshop encompassing all aspects of the project was held in the Municipal Gallery; to which 2,500 residents and property owners within 150 foot radius of each of the 76 nodes were invited by letter.

Then on January 17, 2013, in response to questions raised during the September 20 Technology Committee presentation about the possibility of further increasing the proposed wireless coverage footprint, staff returned to the Technology Committee for a final presentation with revisions to the design which resulted in less coverage gaps.

Staff would be more than happy to meet with you to further on any of these items. Approval of the subject MLA is scheduled to be heard at the April 2 City Council formal agenda starting at 7:00 pm. As you are aware, this is a very important Public Safety initiative and it is imperative that the project is thoroughly assessed and considered by the City Council.

Sincerely,



Mahdi Aluzri
Assistant City Manager
City of Beverly Hills



David Snowden
Chief of Police
City of Beverly Hills