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AZ CORP COMMISSION
DOCKET CONTROL

February 27, 2009

Docket Control Center
Arizona Corporation Commission
1200 W. Washington
Phoenix, Arizona 85007-2996

Arizona Corporation Commission
DOCKETED

FEB 27 2009

Re: *NewPath Networks, LLC*
Docket No. T-20567-07-0662



Dear Sir or Madam:

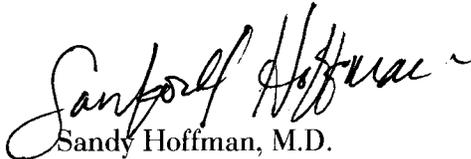
On behalf of the DC Ranch Association, the DC Ranch Community Council and the Covenant Commission, we are submitting this letter to the Arizona Corporation Commission. DC Ranch is a 3,200 acre community located in the City of Scottsdale, just west of the McDowell Mountains, east of Pima Road and generally north of Union Hills Road. Over 5,000 residents live in DC Ranch. DC Ranch was envisioned and designed with significant attention given to the desert environment, maximizing views and vistas, attention and detail to design features and architecture, and the promotion and execution of natural landscape methods and techniques. As part of the community private restrictions, we have detailed design guidelines that are utilized in the design of all building architecture, landscaping and public infrastructure features such as street lights and street signs. Specifically, our street lights and signs were designed for the DC Ranch community and are not based on a typical city standard. This design was done at significant cost. Additionally, in order to encourage a "dark sky" atmosphere in the community in accordance with City goals, the number of street lights have been limited.

We understand that NewPath Networks, LLC has filed an application for a Certificate of Convenience and Necessity to provide a Distributed Antennae System, portions of which would be in DC Ranch. While we are supportive of having improved cellular service in the community, we are concerned about the implications of NewPath's application and specifically how that will impact the design and aesthetic nature of our community. We are also unclear as to what rights NewPath would have as a public utility both in the public and private right of way areas of the community. We are concerned about the implications to the private rights of way, especially since a significant portion of the areas of our community are gated areas with

private roadways. Additionally, as noted above, because the number of street lights in the community is limited, there is not a significant amount of street light infrastructure on which to place the proposed antennae facilities. Given these issues, we are very concerned that granting of this application will limit or obviate our ability to work with NewPath on the design and placement of their facilities (because they are located in rights of way and utility easements). Given the significant focus on design in our community, construction or placement of antenna that is not properly designed or the use of stealth methods that are inconsistent with the environment that the developer has spent millions of dollars creating presents a major issue for us.

We request that the Commission provide us with a response as to how our concerns will be considered in the review of this application.

Sincerely,



Sandy Hoffman, M.D.
President
DC Ranch Association Board of Directors



Gerald Hrenchir
President
DC Ranch Community Council



Randy Zellers
President
The Covenant Commission



Vanessa Torre
Community Manager
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Suzanne Walden-Wells
Executive Director
DC Ranch Community Council



Jan Baratta
Design Review Manager
The Covenant Commission

Original and thirteen (13) copies
Filed this 27th day of February, 2009 with:

The Arizona Corporation Commission
Utilities Commission – Docket Control
1200 W. Washington Street
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Copy of the foregoing mailed this 27th day
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