

Qualls, Jacob

From: John Curtis Hucks <huckslaw@yahoo.com>
Sent: Thursday, September 29, 2016 11:56 AM
To: Jacob Qualls
Cc: David Eaton; Richard Stubbs
Subject: Fw: Cellphone Tower - City of New Meadows

Mac,

Below is Richard Stubb's response to my prior emails. You should probably post and include the entire chain in the record and council packets.

Thank you, John Hucks

John Curtis Hucks
Attorney at Law, P.C.
P.O. Box 737
New Meadows, ID 83654
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208-347-3994 - Facsimile
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----- Forwarded Message -----

From: Richard Stubbs <rlstubbs@careyperkins.com>
To: John Curtis Hucks <huckslaw@yahoo.com>
Cc: Melanie Hill <mhill@careyperkins.com>
Sent: Monday, September 12, 2016 4:10 PM
Subject: Re: Cellphone Tower - City of New Meadows

Good afternoon John,

I received the materials you emailed to me. I made the City aware of your inquiry and your client's concern.

Look forward to meeting you tonight.

Dick

Richard L. Stubbs

On Sep 12, 2016, at 3:07 PM, John Curtis Hucks <huckslaw@yahoo.com> wrote:

Richard,

I am just following up before this evening's hearing to confirm that you received the materials and to ask if you have communicated with the City Clerk or City Council regarding same.

Thank you, John Hucks

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----- Forwarded Message -----

From: John Curtis Hucks <huckslaw@yahoo.com>
To: "rlstubbs@careyperkins.com" <rlstubbs@careyperkins.com>
Cc: David Eaton <myboiseemail@gmail.com>
Sent: Thursday, September 8, 2016 4:23 PM
Subject: Cellphone Tower - City of New Meadows

Richard,

Thank you for taking the time to speak with me this afternoon. Per that conversation, please find attached a copy of the leading federal Circuit Court case that upheld the provision of the Telecommunications Act of 1996 which prohibits municipalities from denying installation of cellphone towers based upon fears of radio frequency emissions, provided that the equipment is FAA compliant. I have also attached a list of subsequent cases that have upheld the statutory provision and cited the Cellular Taskforce case in support.

I would appreciate you bringing this authority to the attention of the NM City Council prior to the upcoming hearing on September 12.

Thank you for your assistance, and I look forward to meeting you in the future.

Sincerely, John

Hucks

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<CELLULAR PHONE TASKFORCE v. F.C.C, 205 F.3d 82 (2d Cir.pdf)>

<Case History.pdf>