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DATE: September 30, 2012
TO: Richard Stogner, Chief Operating Officer/Executive Assistant
Cellular Tower Task Force
FROM: Cornelia Louis, Interim Deputy Director of Finance – DIAL
SUBJECT: AT & T Master Lease Agreement # 96-6703
RE: Compliance/Financial Cellular Tower Audit – June 2006 through March 2011

Internal Audit conducted an examination of Master Lease Agreement # 96-6703 between DeKalb County Government and AT&T. The agreement allows AT&T and its successors to build and operate Cellular Towers on land owned by the County.

The audit was conducted at the request of the Cellular Tower Task Force to determine if AT&T is in financial compliance with all agreements under Master Lease Agreement #96-6703. The audit conducted was for the period June 2006 through March 2011. The audit report outlines our findings.

Please feel free to contact me if you have any questions or concerns relating to our audit report.

Cornelia Louis

CL/KRW

Cc: John Matelski, Chief Information Officer/Director of Information Technology
Lisa Chang, Chief Legal Officer/County Attorney
Kelvin Walton, Chief Procurement Officer/Director, Purchasing & Contracting
Joel Gottlieb, Chief Financial Officer/Director of Finance
Rhonda Naadueba, Deputy Director of Finance, DTAS

**DEKALB COUNTY GOVERNMENT
CELLULART TOWER AUDIT 2011
COMPLIANCE & FINANCIAL
REVIEW**

**AT & T MASTER LEASE AGREEMENT # 96-6703
COMPLIANCE/FINANCIAL CELLULAR TOWER AUDIT
JUNE 2006 THROUGH MARCH 2011**

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EXECUTIVE SUMMARY

DeKalb County Contract # 96-6703-Master Agreement (MA), dated October 3, 1996, allows AT&T and its successors to build and operate Cellular Towers on land owned by the County.

AT&T has towers in operation at multiple locations throughout DeKalb County, each administered by an individual Site Agreement (SA)/Short Form Lease (SFL). The primary locations of the cellular towers are three County Fire Stations:

- I. Fire Station #6 – 2520 McAfee Road, Decatur, GA 30032
 - Corresponding AT&T Site ID - FA # 10081264 (AT 213)
- II. Fire Station #18 – 4588 Barclay Drive, Chamblee, GA 30083
 - Corresponding AT&T FA Site ID# 10081048 (AT 073)
- III. Fire Station #24 – 4154 Redan Road, Stone Mountain, GA 30083
 - Corresponding AT&T Site ID - FA # 10081263 (AT 209)

Rental fees (Ground Rents) are due monthly with an initial contractual payment of \$ 1,585 that increases annually by 2%. The initial terms of the Site Agreements (SA)/Short Form Leases (SFL) allowed payments to be satisfied by “In-Kind Consideration”, in which the County is to receive a specified number of radio units in lieu of monetary payments, and of comparable value. Thereafter, monetary payments may be remitted to “Radio Fund Accounts” for the purchase of radio units. Payments for two of the three sites commenced in 1997, and in calendar year, 2000 for the third.

AT&T may sublease part of the tower to a third party, referred to as “Collocation”. Twenty-five (25%) percent of revenues (Revenue Shares) received by AT&T, from third party agreements, are to be remitted to the County. AT&T is not required to provide documentation to the County regarding collocations amounts or the terms of agreement.

Two sites are paying an additional “Expansion Rent” of \$500 or \$1,000; whereby AT&T has the right to expand the premises of the cell tower site.

GENERAL INFORMATION

The Master Lease Agreement (MA), DeKalb County contract # 96-6703, allows the County to lease certain properties to AT&T for use in building and operating cellular towers. There are 17 approved sites, primarily Fire Stations and Parks, covered under this agreement.

In addition to the Master Lease Agreement (MA) and Site Agreements (SA); Internal Audit (IA) has found other contractual agreements which govern each individual site. Outlined in **Exhibit 1** are the agreements the County currently has on-hand, listed by site. In general, the Site Agreements for each of the primary locations are similar, with the following terms:

I. Terms

- Initial Term – 5 years.
- Renewal Terms – Three automatic, 5-year terms.

II. Ground Rent

- Initial Payment of \$1,585; commencing after the Due Diligence Period (or 6 months after the Short Form Lease (SFL) Date).
- Escalating rental amount of 2% per annum.

III. Revenue Share

- Allow for collocation to use the cellular tower for antennas or satellite dishes in exchange for 25% of rental amount received, by AT&T, from a 3rd party.
- No obligation by AT&T to provide DeKalb County evidence of 3rd party collocation/rental amounts or the terms of agreement.

IV. Expansion Rents

- Only applicable for two, of three site agreements.
- Contractual amounts are \$500.00 per month for Fire Station #6, and \$1000.00 per month for Fire Station #24.

Our audit covered the period of June 1, 2006 through March 31, 2011. Our focus was on Fire Stations #6, # 18, and #24, under the Master Lease Agreement # 96-6703. We examined all contracts and documentation, on-hand; accounting records; and copies of available payment remittances pertaining to each site to determine (1) the total amount due to the County during the specified audit period (2) how much has been remitted, by AT&T, to the County during the specified audit period.

FINDINGS & RECOMMENDATIONS

Finding I – Schedule of Payments

In our review, we found there to be variances in the amounts contractually due versus what was remitted by AT&T for monthly Ground Rents. We found evidence of this for all three sites.

Exhibit F provides a comparative overview of what we have calculated as contractually due, for the audit period, versus what has been remitted by AT&T. Based on our findings, the County is due \$322,560.37 in Ground Rents, for the audit period. AT&T remitted a total of \$253,836.88 for the audit period; resulting in a shortfall of \$68,723.49.

We cross-checked DeKalb County records against the remittance information provided by AT&T. We found instances of missed payments for Ground Rents, Revenue Shares, and Expansion Rents. In some cases, we found that although AT&T provided payment information, we were unable to verify receipt of payments against our records. AT&T denoted some payments as “unverified” indicating that although a check number existed, evidence of bank clearance could not be confirmed. We have outlined each of these scenarios in **Exhibits A** through **Exhibit E**, resulting in a shortfall of \$124,505.81.

Our findings conclude that DeKalb County is due a grand total of \$193,229.30.

Recommendation I – Schedule of Payments

We believe the Ground Rent variances to be as a result of a discrepancy in commencement dates, coupled with the annual escalation of Ground Rent payments. We found that the calculated Ground Rent amounts were equivalent; at issue is when the escalated amounts were due. We recommend that all future contracts include a detailed schedule of payments: commencement dates, initial contractual amounts due, amounts of escalated payments, and the respective due dates of those payments.

Finding II – Documentation – One Source

Internal Audit (IA) found an issue in being able to obtain all the contractual agreements, currently under the Master Lease Agreement # 96-6703, from one source. Requests were made to DeKalb County’s Purchasing & Contracting and Information Technology Departments for copies of the agreements. IA also made a request to AT&T for copies of the contractual agreements, in an effort to secure the documentation as a source of cross-referencing remittances. IA resorted to compiling contractual agreements from various sources, as well as using past audit work-papers to obtain copies of the various agreements. IA cannot determine with any amount of certainty that we have been able to secure all the contractual agreements currently in effect under the Master Lease Agreement # 96-6703.

Recommendation II – Documentation – One Source

We recommend that copies of all contracts and subordinate documentation, as it relates to the current and any future cell tower agreements, be housed in the Purchasing & Contracting Department and the custodial department (currently Information Technology). This will ensure ease in obtaining the documentation from one source, as well as assurance that any interested party has the contractual terms of agreement, in its entirety.

OBSERVATIONS & RECOMMENDATIONS

Observation I – Documentation – Revenue Shares

AT&T is not required to submit documentation as it relates to collocation rental amounts it receives from 3rd parties. AT&T's only requirement is to remit 25% of collocation rental amounts to the County. As a result, IA found that we were unable to verify the validity of the amounts remitted as collocation rental amounts/revenue shares.

Recommendation I – Documentation – Revenue Shares

We recommend that all future contracts as it relates to cell tower lease agreements and collocations require all vendors to submit documentation to the County outlining the terms of agreement. The documentation should include a payment schedule or reference to the payment structure between the vendor and the 3rd party tenant.

Observation II – Submission and Handling of Remittances

Remittances by AT&T for Cellular Tower payments were difficult to identify against DeKalb County records. In our review we found that remittances were being handled by various individuals, and posted to different accounts. In addition, the remittance advice provided by AT&T was coded in such a way that it was only identifiable to AT&T. Internal Audit did a significant amount of research to determine the breakdown of each check; as some remittances were coded as "one-time payments" or "back rent payments". AT&T's remittance advice, in terms of Revenue Share payments, was only coded as "RS" or "RS1, RS2, or RS3". Without the direct assistance of AT&T personnel, we could not have identified the Collocator /3rd party of some Revenue Share payments because AT&T is not obligated to provide copies of its collocation agreements or disclose the amounts they are receiving in monthly rent.

Recommendation II – Submission and Handling of Remittances

As a result of the audit, all payments are now being handled by one Department. However, we further recommend that DeKalb County set up General Ledger sub-accounts to reflect each Cellular Tower payment category: Ground Rent, Revenue Share, and Expansion Rents. This will aid in being able to identify if the payment terms of agreement are in compliance. To that end, we suggest that AT&T provide to the County a separate detailed breakdown of each remittance in which to cross-reference each payment. This is especially beneficial with the collocators, having multiple agreements, at various sites.

Observation III – Mergers & Acquisitions

In our review, we found that DeKalb County loss revenue due to mergers and acquisitions by AT&T. This was evident in Collocation/Revenue Share payments & Expansion Rents. We found several instances where this classification of payments was no longer being received. Upon further research, and confirmation by our Legal Department, we concluded that AT&T is not contractually obligated to continue to remit revenue shares or expansion rents for 3rd party agreements due to its ownership through a merger or acquisition.

Recommendation III – Mergers & Acquisitions

We recommend, in all future Cellular Tower contracts, that the contractual terms include verbiage to address circumstances of mergers and acquisitions, and a change in terms to recover any loss revenue.

Observation IV – Contractual Renewals

The current agreements allows for three, 5-year automatic renewals. In addition to the initial 5-year term, the current agreements are in effect for a total of 20 years, unless notification is provided by either party, for specified reasons.

Recommendation IV – Contractual Renewals

DeKalb County should consider implementing a review of terms, at each renewal period. This would permit the County a chance to update any terms of the agreement, and reduce the possibly of loss revenue due to mergers and acquisitions, as well as changes in market trends.

CONCLUSION & RECOMMENDATION

We conclude that based on available documentation AT&T has not satisfied its contractual payment requirement, as evidenced by the **Exhibits A through F**. We recommend that the custodial department, Information Technology, contact AT&T and request compensation based on our findings, or provide verifiable evidence that all payments have been remitted.

-EXHIBIT 1- LISTING OF DEKALB COUNTY CELL TOWER AGREEMENTS*

<u>DeKalb County Site ID</u>	<u>AT&T Associated Site ID</u>	<u>Agreements</u>	<u>Contract #</u>	<u>Contract Date</u>
		Master Lease Agreement (including Exhibits A through E) Executive Summary of Master Lease Agreement	96-6703 None Denoted	10/3/1996 None Denoted
FS # 6 - 2520 McAfee Road, Decatur, GA 30032	FA # 10081264 (AT213)	Lease Agreement (LA) Short Form of Lease (SFL) 1st Amendment to Lease Agreement BMI/SprintCom Sublease Agreement Bill of Sale	96-6703-1 96-6703-3 96-6703-5 None Denoted 99-7501	11/19/1996 8/12/1997 7/24/1998 3/12/1998 4/30/1999
FS # 18 - Tilley Mill - 4588 Barclay Drive, Chamblee, GA 30341	FA # 10081048 (AT073)	Lease Agreement (LA) Short Form of Lease (SFL) 1st Amendment to Master Lease Agreement 1st Amendment to Lease Agreement 2nd Amendment to Lease Agreement (formerly 96-6703) Master Collocation Sublease Agreement aka Site Lease Acknowledgment (SLA)-Exhibit A (including Exhibits 1 through 6) Memorandum of Site Lease Acknowledgment (SLA)-Exhibit B Master Collocation Sublease Agreement Fee Schedule-Exhibit C Master Collocation Sublease Agreement Entry and Testing Agreement-Exhibit D Memorandum of Site Lease Acknowledgment (SLA)-Attachment 1	96-6703-6 96-6703-7 96-6703-8 96-6703-6 07-800324 None Denoted None Denoted None Denoted None Denoted None Denoted	8/25/1999 8/25/1999 8/25/1999 3/21/2002 12/15/2009 9/12/2001 None Denoted None Denoted None Denoted None Denoted 9/12/2001
FS #24 - 4154 Redan Road, Stn Mtn, GA 30083	FA # 10081263 (AT209)	(Site) Lease Agreement (LA) (including Exhibit A) Short Form of Lease (SFL) 1st Amendment to Lease Agreement Bill of Sale	96-6703-2 96-6703-4 96-6703-9 99-7500	11/19/1996 8/12/1997 9/1/2000 4/30/1999

* This listing includes ONLY those Cell Tower contractual agreements which are on-hand; and may not be all-encompassing under the Master Lease Agreement dated, October 3, 1996.

Key

<u>AT&T Site ID</u>	<u>DeKalb County Site ID & Location</u>
FA # 10081264 (AT213)	FS # 6 - 2520 McAfee Road, Decatur, GA 30032
FA # 10081048 (AT073)	FS # 18 - Tilley Mill - 4588 Barclay Drive, Chamblee, GA 30341
FA # 10081263 (AT209)	FS #24 - 4154 Redan Road, Stn Mtn, GA 30083

-EXHIBIT SUMMARY-

	Total Due
Exhibit A - GROUND RENT - No Record of Remittance/No Information Provided by AT&T	\$ 24,520.87
Exhibit B - GROUND RENT - No Record of Remittance/Check Information Provided by AT&T	\$ 24,971.90
Exhibit C - Other AT&T Cell Tower Remittance Issues	\$ (7,647.19)
Exhibit D - REVENUE SHARES - No Record of Remittance/No Information Provided by AT&T ¹	\$ 23,321.50
Exhibit E - EXPANSION RENTS & AMENDMENTS - No Record of Remittance/No Information Provided by AT&T	\$ 59,338.72
Exhibit F - GROUND RENT - Remittance Variances Overages/Shortages (Contractual Amount Due vs. Amount Paid) ²	<u>\$ 68,723.49</u>
GRAND TOTAL	<u>\$ 193,229.30</u>

(1) - The contractual agreements do not require AT&T to provide DeKalb County any documentation regarding collocation/3rd party rental amounts. DeKalb County only requires AT&T to remit 25% of any collocation/3rd party rental amounts - denoted as Revenue Shares. This exhibit reflects those months in which no Revenue Share was remitted by AT&T; and the payment history reflects that Revenue Shares were remitted in either prior months or in subsequent months. Therefore, the Revenue Share amount due can only be estimated.

(2) - Our audit found that monthly remittances for Ground Rent were not equivalent to payments calculated as per the contractual agreement. We calculated, for each site, what was contractually due versus what was remitted by AT&T.

-EXHIBIT A-

GROUND RENTS - No Record of Remittance/No Information Provided by AT&T

Omitted Payment Month/Year	Fire Station #	Amount Due ¹	Explanation
Aug-06	FS #6	\$ 1,857.08	Omitted Ground Rent Payment - No Payment Information Provided by AT&T
Aug-06	FS #24	\$ 1,857.08	Omitted Ground Rent Payment - No Payment Information Provided by AT&T
Mar-07	FS #6	\$ 1,894.22	Omitted Ground Rent Payment - No Payment Information Provided by AT&T
Jun-07	FS #6	\$ 1,894.22	Omitted Ground Rent Payment - No Payment Information Provided by AT&T
Nov-07	FS #6	\$ 1,894.22	Omitted Ground Rent Payment - No Payment Information Provided by AT&T
Mar-07	FS #18	\$ 1,820.67	Omitted Ground Rent Payment - No Payment Information Provided by AT&T
Jun-07	FS #18	\$ 1,820.67	Omitted Ground Rent Payment - No Payment Information Provided by AT&T
Nov-07	FS #18	\$ 1,820.67	Omitted Ground Rent Payment - No Payment Information Provided by AT&T
Mar-07	FS #24	\$ 1,894.22	Omitted Ground Rent Payment - No Payment Information Provided by AT&T
Jun-07	FS #24	\$ 1,894.22	Omitted Ground Rent Payment - No Payment Information Provided by AT&T
Sep-09	FS #6	\$ 1,970.75	Omitted Ground Rent Payment - No Payment Information Provided by AT&T
Sep-09	FS #24	\$ 1,970.75	Omitted Ground Rent Payment - No Payment Information Provided by AT&T
Apr-10	FS #18	\$ 1,932.11	Omitted Ground Rent Payment - No Payment Information Provided by AT&T
Grand Total Ground Rent Due-		\$ 24,520.87	

Totals by Site-Ground Rent Due

FS #6 - FA # 10081264 (AT213)	\$ 9,510.49
FS #18 - FA # 10081048 (AT073)	\$ 7,394.11
FS #24 - FA # 10081263 (AT209)	\$ 7,616.27

(1) Amount Due is according to DeKalb County Government based on contractual agreements for each site.

Key

AT&T Site ID	DeKalb County Site ID & Location
FA # 10081264 (AT213)	FS # 6 - 2520 McAfee Road, Decatur, GA 30032
FA # 10081048 (AT073)	FS # 18 - Tilley Mill - 4588 Barclay Drive, Chamblee, GA 30341
FA # 10081263 (AT209)	FS #24 - 4154 Redan Road, Stn Mtn, GA 30083

-EXHIBIT B-

GROUND RENTS - No Record of Remittance/Check Information Is Provided by AT&T

Disputed Payment Month/Year	Fire Station #	Amount Due ¹	AT&T Referenced Check #	Full Check Amount per AT&T Records	Comments
Apr-08	FS #18	\$ 1,857.08	15039013	\$ 5,128.54	Payment deemed unverified as per AT&T records
May-08	FS #18	\$ 1,857.08	12669142	\$ 8,446.91	Payment deemed unverified as per AT&T records
Sep-09	FS #18	\$ 1,894.22	14848016	\$ 2,777.67	Payment deemed unverified as per AT&T records
Oct-09	FS #18	\$ 1,894.22	15055057	\$ 2,777.67	Payment deemed unverified as per AT&T records
Nov-09	FS #18	\$ 1,894.22	15214685	\$ 2,777.67	Payment deemed unverified as per AT&T records
Jan-10	FS #18	\$ 1,894.22	15485052	\$ 2,777.67	Payment deemed unverified as per AT&T records
Feb-10	FS #18	\$ 1,932.11	15611864	\$ 2,777.67	Payment deemed unverified as per AT&T records
Mar-10	FS #18	\$ 1,932.11	15756759	\$ 2,777.67	Payment deemed unverified as per AT&T records
May-10	FS #18	\$ 1,932.11	16003194	\$ 3,077.67	Payment deemed unverified as per AT&T records
Jun-10	FS #18	\$ 1,932.11	16125372	\$ 3,077.67	Payment deemed unverified as per AT&T records
Jul-10	FS #18	\$ 1,932.11	16255835	\$ 3,077.67	Payment deemed unverified as per AT&T records
Jan-11	FS #6	\$ 2,010.16	3313791135	\$ 5,451.48	No check copy-No check remittance -Only information (breakdown) provided by AT&T contact deemed unverified as per AT&T records
	FS #24	\$ 2,010.16			
Grand Total Amount Due¹-		\$ 24,971.90		\$ 44,925.96	<i>Grand Total - Full Check Amount per AT&T Records</i>

(1) Amount Due is according to DeKalb County Government based on contractual agreements for each site.

Key

AT&T Site ID DeKalb County Site ID & Location

FA # 10081264 (AT213)	FS # 6 - 2520 McAfee Road, Decatur, GA 30032
FA # 10081048 (AT073)	FS # 18 - Tilley Mill - 4588 Barclay Drive, Chamblee, GA 30341
FA # 10081263 (AT209)	FS #24 - 4154 Redan Road, Stn Mtn, GA 30083

-EXHIBIT C- Other AT&T Cell Tower Remittance Issues

Referenced AT&T Check #	Referenced Check Amount Per AT&T Records	Comments
12378881	\$ 464.52	No check copy-No check remittance- Only information (breakdown) provided by AT&T contact who (color) coded this information as unverified with their records. Referenced as Jan-Feb 2008 Revenue Share payment. Amount is inconsistent with any other remitted payments.
12514217	\$ -	Payment for April 2008 for FS #6m FS #18, & FS #24. Denoted as VOID by AT&T contact
15432479	\$ (8,111.71)	Check Copy/No Remittance Advice avail for check breakdown. No other information provided by AT&T contact (after multiple requests), only denoted as a payment for Aug 2006. Check amount inconsistent with prior or subsequent payments.
Total -	\$ (7,647.19)	

Key

AT&T Site ID	DeKalb County Site ID & Location
FA # 10081264 (AT213)	FS # 6 - 2520 McAfee Road, Decatur, GA 30032
FA # 10081048 (AT073)	FS # 18 - Tilley Mill - 4588 Barclay Drive, Chamblee, GA 30341
FA # 10081263 (AT209)	FS #24 - 4154 Redan Road, Stn Mtn, GA 30083

-EXHIBIT D-

REVENUE SHARES - No Record of Remittance/No Information Provided by AT&T

Fire Station #	REVENUE SHARE Omitted Payment Month/Year	AT&T Referenced Collocator	Date of REVENUE SHARE Remittance Prior to Omitted Payment	Amount Remitted	Date of REVENUE SHARE Remittance Subsequent to Omitted Payment	Amount Remitted	Estimated Revenue Share Due	Comment
FS #6	Mar-07	Cingular/BMI	Feb-07	\$ 450.00	Apr-07	\$ 450.00	\$ 450.00	
FS #6	Jun-07	Cingular/BMI	May-07	\$ 450.00	Jul-07	\$ 450.00	\$ 450.00	
FS #6	Sep-09	Clearwire	Aug-09	\$ 300.00	Oct-07	\$ 300.00	\$ 300.00	
FS #6	Jan-11	Clearwire	Oct-10	\$ 300.00	Feb-07	\$ 300.00	\$ 300.00	
FS #6	Mar-07	Sprint	Feb-07	\$ 323.44	Mar-07	\$ 371.95	\$ 323.44	Conservative Estimate of Revenue Share Due
FS #6	Jun-07	Sprint	May-07	\$ 371.95	Jun-07	\$ 371.95	\$ 371.95	
FS #6	Nov-07	Sprint	Oct-07	\$ 371.95	Dec-07	\$ 371.95	\$ 371.95	
FS #6	Sep-09	Sprint	Aug-09	\$ 371.95	Oct-09	\$ 371.95	\$ 371.95	
FS #6	Jan-11	Sprint	Dec-10	\$ 371.95	Feb-11	\$ 371.95	\$ 371.95	
FS #18	Mar-07	Sprint	Feb-07	\$ 434.73	Apr-07	\$ 434.73	\$ 434.73	
FS #18	Mar-07	TMobile	Feb-07	\$ 321.88	Apr-07	\$ 321.88	\$ 321.88	
FS #18	Jun-07	Sprint	May-07	\$ 434.73	Jul-07	\$ 434.73	\$ 434.73	
FS #18	Jun-07	TMobile	May-07	\$ 321.88	Jul-07	\$ 321.88	\$ 321.88	
FS #18	Nov-07	Sprint	Oct-07	\$ 434.73	Dec-07	\$ 447.77	\$ 434.73	Conservative Estimate of Revenue Share Due
FS #18	Nov-07	TMobile	Oct-07	\$ 331.53	Dec-07	\$ 331.53	\$ 331.53	
FS #18	Apr-08	Sprint	Mar-08	\$ 447.77	Jun-08	\$ 447.77	\$ 447.77	
FS #18	Apr-08	TMobile	Mar-08	\$ 331.53	Jun-08	\$ 331.53	\$ 331.53	
FS #18	May-08	Sprint	Mar-08	\$ 447.77	Jun-08	\$ 447.77	\$ 447.77	
FS #18	May-08	TMobile	Mar-08	\$ 331.53	Jun-08	\$ 331.53	\$ 331.53	
FS #18	Sep-09	Sprint	Aug-09	\$ 464.33	Dec-09	\$ 475.04	\$ 464.33	Conservative Estimate of Revenue Share Due
FS #18	Sep-09	TMobile	Aug-09	\$ 435.50	Dec-09	\$ 445.55	\$ 435.50	Conservative Estimate of Revenue Share Due
FS #18	Oct-09	Sprint	Aug-09	\$ 464.33	Dec-09	\$ 475.04	\$ 464.33	Conservative Estimate of Revenue Share Due
FS #18	Oct-09	TMobile	Aug-09	\$ 435.50	Dec-09	\$ 445.55	\$ 435.50	Conservative Estimate of Revenue Share Due
FS #18	Nov-09	Sprint	Aug-09	\$ 464.33	Dec-09	\$ 475.04	\$ 464.33	Conservative Estimate of Revenue Share Due
FS #18	Nov-09	TMobile	Aug-09	\$ 435.50	Dec-09	\$ 445.55	\$ 435.50	Conservative Estimate of Revenue Share Due
FS #18	Jan-10	Sprint	Dec-09	\$ 475.04	Aug-10	\$ 478.26	\$ 475.04	Conservative Estimate of Revenue Share Due
FS #18	Jan-10	TMobile	Dec-09	\$ 445.55	Aug-10	\$ 448.57	\$ 445.55	Conservative Estimate of Revenue Share Due
FS #18	Feb-10	Sprint	Dec-09	\$ 475.04	Aug-10	\$ 478.26	\$ 475.04	Conservative Estimate of Revenue Share Due
FS #18	Feb-10	TMobile	Dec-09	\$ 445.55	Aug-10	\$ 448.57	\$ 445.55	Conservative Estimate of Revenue Share Due
FS #18	Mar-10	Sprint	Dec-09	\$ 475.04	Aug-10	\$ 478.26	\$ 475.04	Conservative Estimate of Revenue Share Due
FS #18	Mar-10	TMobile	Dec-09	\$ 445.55	Aug-10	\$ 448.57	\$ 445.55	Conservative Estimate of Revenue Share Due
FS #18	Apr-10	Sprint	Dec-09	\$ 475.04	Aug-10	\$ 478.26	\$ 475.04	Conservative Estimate of Revenue Share Due
FS #18	Apr-10	TMobile	Dec-09	\$ 445.55	Aug-10	\$ 448.57	\$ 445.55	Conservative Estimate of Revenue Share Due
FS #18	May-10	Sprint	Dec-09	\$ 475.04	Aug-10	\$ 478.26	\$ 475.04	Conservative Estimate of Revenue Share Due
FS #18	May-10	TMobile	Dec-09	\$ 445.55	Aug-10	\$ 448.57	\$ 445.55	Conservative Estimate of Revenue Share Due
FS #18	Jun-10	Sprint	Dec-09	\$ 475.04	Aug-10	\$ 478.26	\$ 475.04	Conservative Estimate of Revenue Share Due
FS #18	Jun-10	TMobile	Dec-09	\$ 445.55	Aug-10	\$ 448.57	\$ 445.55	Conservative Estimate of Revenue Share Due
FS #18	Jul-10	Sprint	Dec-09	\$ 475.04	Aug-10	\$ 478.26	\$ 475.04	Conservative Estimate of Revenue Share Due
FS #18	Jul-10	TMobile	Dec-09	\$ 445.55	Aug-10	\$ 448.57	\$ 445.55	Conservative Estimate of Revenue Share Due
FS #18	Apr-10	Clearwire	Feb-10	\$ 482.14	Aug-10	\$ 300.00	\$ 482.14	Conservative Estimate of Revenue Share Due
FS #18	May-10	Clearwire	Feb-10	\$ 482.14	Aug-10	\$ 300.00	\$ 482.14	Conservative Estimate of Revenue Share Due
FS #18	Jun-10	Clearwire	Feb-10	\$ 482.14	Aug-10	\$ 300.00	\$ 482.14	Conservative Estimate of Revenue Share Due
FS #18	Jul-10	Clearwire	Feb-10	\$ 482.14	Aug-10	\$ 300.00	\$ 482.14	Conservative Estimate of Revenue Share Due
FS #24	Aug-06	Metro	UNKNOWN	UNKNOWN	Sep-06	\$ 375.00	\$ 375.00	Estimate of Revenue Share Due
FS #24	Mar-07	Metro	Feb-07	\$ 431.25	Apr-10	\$ 431.25	\$ 431.25	
FS #24	Jun-07	Metro	May-07	\$ 431.25	Jul-07	\$ 431.25	\$ 431.25	
FS #24	Sep-09	Metro	Aug-09	\$ 431.25	Oct-09	\$ 431.25	\$ 431.25	
FS #24	Jan-11	Metro	Dec-10	\$ 431.25	Feb-11	\$ 431.25	\$ 431.25	
FS #24	Mar-07	BellSouth	Feb-07	\$ 600.00	Apr-07	\$ 600.00	\$ 600.00	
FS #24	Jun-07	BellSouth	May-07	\$ 600.00	Jul-07	\$ 600.00	\$ 600.00	
FS #24	Aug-06	BellSouth	UNKNOWN	UNKNOWN	Sep-06	\$ 600.00	\$ 600.00	Estimate of Revenue Share Due
FS #24	Apr-08	BellSouth	Mar-08	\$ 600.00	Jun-08	\$ 600.00	\$ 600.00	
FS #24	May-08	BellSouth	Mar-08	\$ 600.00	Jun-08	\$ 600.00	\$ 600.00	

\$ **23,321.50** GRAND TOTAL of
ESTIMATED OMITTED REVENUE SHARE PAYMENTS

Key

AT&T Site ID	DeKalb County Site ID & Location
FA # 10081264 (AT213)	FS # 6 - 2520 McAfee Road, Decatur, GA 30032
FA # 10081048 (AT073)	FS # 18 - Tilley Mill - 4588 Barclay Drive, Chamblee, GA 30341
FA # 10081263 (AT209)	FS #24 - 4154 Redan Road, Stn Mtn, GA 30083

-EXHIBIT E-

EXPANSION RENTS & AMENDMENTS - No Record of Remittance/No Information Provided by AT&T

OMITTED EXPANSION RENT PAYMENTS

Fire Station #	EXPANSION RENT	
	Omitted Payment Month/Year	Expansion Rent Amount Due
FS #6	Aug-06	\$ 500.00
	Mar-07	\$ 500.00
	Jun-07	\$ 500.00
	Nov-07	\$ 500.00
	Sep-09	\$ 500.00
	Jan-11	\$ 500.00
	Total	\$ 3,000.00

FS #18 Expansion Rent not applicable for this site.

FS #24
 NO EVIDENCE IN DEKALB COUNTY RECORDS THAT EXPANSION RENT, AS PER CONTRACTUAL AGREEMENT, HAS EVER BEEN REMITTED. AT&T HAS PROVIDED NO EVIDENCE OF REMITTANCES FOR MONTHLY EXPANSION RENT FOR FIRE STATION #24/FA# 10081263 (AT 209). BELLSOUTH MOBILITY WAS OFFICIALLY DEFUNCT IN 2004 DUE TO AN ACQUISITION BY CINGULAR WIRELESS. Amount in question totals \$58,000 in relation to audit period from June 2006-March 2011.



COMPARISON OF EXPANSION RENT PAYMENTS (DUE vs. PAID)

Fire Station #	Contract #	Total Expansion Rent Due (Audit Period)	Total Expansion Rent Paid (Audit Period)	Net Shortfall/ (Overage) ¹
FS #6	96-6703-5	\$ 29,000.00	\$ 30,661.28	\$ (1,661.28)
FS #18	Not Applicable	Not Applicable	Not Applicable	Not Applicable
FS #24	96-6703-9	\$ 58,000.00	\$ -	\$ 58,000.00
	Totals	\$ 87,000.00	\$ 30,661.28	\$ 56,338.72

GRAND TOTAL - EXPANSION RENT DUE² \$ 59,338.72

(1) Per contractual agreement 96-6703-5 - Expansion Rent amount is \$500/mo. PLUS a 25% Revenue Share amount due from BMI/Sprint. Based on the remittance advice for FS #6, the overage amount reflected is assumed to be as a result of the Expansion Rent PLUS the Revenue Share due combined into a single payment. Per the contractual agreement, the BMI/Sprint Revenue Share is to increase of 2% annually.

(2) Grand Total - Expansion Rent Due - a total of omitted payments PLUS payment shortfall total.

Key

AT&T Site ID	DeKalb County Site ID & Location
FA # 10081264 (AT213)	FS # 6 - 2520 McAfee Road, Decatur, GA 30032
FA # 10081048 (AT073)	FS # 18 - Tilley Mill - 4588 Barclay Drive, Chamblee, GA 30341
FA # 10081263 (AT209)	FS #24 - 4154 Redan Road, Stn Mtn, GA 30083

-EXHIBIT F-
GROUND RENT - Remittance Variances Overages/Shortages
(Contractual Amount Due vs. Amount Remitted)

Fire Station #	Contract #	Total Ground Rent Due -Audit Period- ¹	Total Ground Rent Paid -Audit Period-	Shortfall/ (Overage)
FS #6	96-6703-1	\$ 108,930.09	\$ 89,794.13	\$ 19,135.96
FS #18	96-6703-6	\$ 104,700.20	\$ 72,418.74	\$ 32,281.46
FS #24	96-6703-2	\$ 108,930.09	\$ 91,624.01	\$ 17,306.08
	Totals	\$ 322,560.37	\$ 253,836.88	\$ 68,723.49

(1) - "Total Ground Rent Due - Audit Period" is the amount calculated as contractually due each month **including** the annual increase of 2%. Excluded amounts are payments due for current audit period - June & July 2006 (AT&T Check # 10741572).

Key

AT&T Site ID	DeKalb County Site ID & Location
FA # 10081264 (AT213)	FS # 6 - 2520 McAfee Road, Decatur, GA 30032
FA # 10081048 (AT073)	FS # 18 - Tilley Mill - 4588 Barclay Drive, Chamblee, GA 30341
FA # 10081263 (AT209)	FS #24 - 4154 Redan Road, Stn Mtn, GA 30083