



Mayor Brenda T. Bodnar

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September 25, 2018

Secretary Marlene H. Dortch
Office of the Secretary
Federal Communications Commission
445 12th St., SW
Washington, DC 20554

Subject: Accelerating Wireline Broadband Deployment by Removing Barriers to Infrastructure Investment, WC Docket No. 17-84 and WT Docket No. 17-79

Dear Secretary Dortch,

I write to express my concerns about the Federal Communications Commission's proposed Declaratory Ruling and Third Report and Order regarding state and local governance of small cell wireless infrastructure deployment.

Mayfield Village welcomes the rapid deployment of new technology, both for our residents and businesses. While we appreciate the Commission's efforts to engage with local governments on this issue and share the Commission's goal of ensuring the growth of cutting-edge broadband services for all Americans, we remain deeply concerned about several provisions of this proposal. Local governments have an important responsibility to protect the health, safety and welfare of residents, and we are concerned that these preemptive measures compromise that traditional authority and expose wireless infrastructure providers to unnecessary liability.

The combined effect of the proposed limits on review timeframes and fees, and the unclear definition of effective prohibition, incentivizes the proliferation of small cell wireless facilities in public rights-of-way by telecom providers outside of a planned and coordinated process, and without consideration of public health, safety, and welfare.

Last year, many communities across Ohio worked in a collaborative fashion with wireless telecommunications companies to address our concerns with the small cell facility language enacted in a separate piece of state legislation. After months of work, a consensus resolution was reached that addressed the telecommunication industry's real concerns of ensuring greater predictability in deploying new technology throughout Ohio, while respecting the character of local municipalities and protecting our infrastructure investment. The outcome of that compromise is House Bill 478, which was signed into law earlier this year by Governor John Kasich. If the proposed rule were to take effect, the hard work and equitable compromise accomplished through the bill will be undone.

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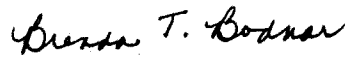
September 25, 2018

Page Two

Despite the concern regarding issues of local sovereignty and possible federal takings, should the Commission proceed with enacting this Order, we request an exemption for those states in which the wireless industry and municipalities have reached consensus regarding the placement and installation of small cell facilities and the associated fees, timelines and aesthetics.

On behalf of Mayfield Village, I urge you to oppose this declaratory ruling and report and order.

Sincerely,

A handwritten signature in cursive script that reads "Brenda T. Bodnar".

Brenda T. Bodnar
Mayor

cc: Senator Rob Portman
Congressman David Joyce
Mayfield Village Council