

City of Huntington Beach

2000 MAIN STREET

CALIFORNIA 92648

Erik Peterson
Mayor

October 10, 2019

Chairman Ajit Pai
Commissioner Michael O'Rielly
Commissioner Brendan Carr
Commissioner Jessica Rosenworcel
Commissioner Geoffrey Starks
Federal Communications Commission
445 12th Street SW
Washington, DC 20554

**Re: WIA Petition for Rulemaking (WT Docket No. 19-250);
WIA Petition for Declaratory Ruling (WC Docket No. 17-84); and
CTIA Petition for Declaratory Ruling (RM-11849)**

Honorable Chair Pai and Commissioners O’Rielly, Carr, Rosenworcel, and Starks:

On behalf of the City of Huntington Beach, thank you for allowing us to submit comments regarding the Wireless Infrastructure Association (WIA) and CTIA's petitions for Federal Communication Commission ("FCC") rulemaking and declaratory rulings. We strongly oppose any changes to the FCC's current rule that would result in further limitations on local control, and urge the FCC to reject these petitions.

The City of Huntington Beach strongly believe that local officials, government, and municipalities are best positioned to defend the interests of the people. As advocates of our residents, we are extremely alarmed by the misrepresentation of the role and utility of local ordinances in WIA and CTIA's petitions.

These proposed changes would further limit participation from the public and local governments in crucial decision-making procedures, modify the FCC's existing "substantial change" test, impose new procedural requirements on local decision-making, and alter the remedies for noncompliance with the FCC's existing shot clock regulations for eligible facilities requests.

These petitions also create undue burdens on cities like ours to gather information to disprove the misrepresentations. For example, the petitions ask for specific information on concealment elements in future modifications that could not possibly be known to local governments at the time of the petitions' publication, and could not reasonably be gathered within the comment period.

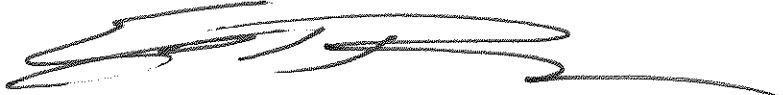
Although there are many misrepresentations in these three petitions, we find it most egregious that each petition asserts that local governments have been recalcitrant in their interactions with wireless providers. We pride ourselves on meeting the criteria laid out by the FCC with our streamlined permitting process on City owned assets. The City routinely exceeds the FCC's shot clock deadlines, and wireless providers are able to conduct business seamlessly. To put additional restrictions on local governments would be to tie the hands of municipalities overwhelmingly complying and collaborating with wireless providers, to poison heretofore excellent relationships, and to hinder cooperation in the future.

Given these reasons, the City strongly opposes the FCC's proposed rule.

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I appreciate your consideration in this matter. If you need further information, please contact Antonia Graham, Assistant to the City Manager, at antonia.graham@surfcity-hb.org regarding these comments.

Sincerely,

A handwritten signature in black ink, appearing to read 'Erik Peterson', with a long horizontal flourish extending to the right.

Erik Peterson
Mayor
City of Huntington Beach

cc: The Honorable Dianne Feinstein
The Honorable Kamala Harris
The Honorable Harley Rouda