



**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554**

Before the Federal Communications Commission Washington, D.C. 20554

In the Matter of

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Accelerating Wireless Broadband Deployment by
Removing Barriers to Infrastructure Investment

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WT Docket No. 17-79

NOTICE OF PROPOSED RULEMAKING AND NOTICE OF INQUIRY

**Meeting Record from Kaw Nation with the Wireless
Telecommunications Bureau**

Representatives from the Kaw Nation of Oklahoma met with senior staff in the FCC's Wireless Telecommunications Bureau on February 8th, 2018.

In that meeting the Kaw reiterated a desire to find reasonable solutions to the deployment of 5G technology while maintaining the value and integrity of the TCNS program.

The Kaw representatives provided multiple positive examples of the TCNS program's value to tribal nations and to the protection of priceless cultural and historic resources. Through the TCNS process, the Kaw Nation's TCNS Administrator has been able to identify and flag a construction project that would adversely affect the Nation's sacred ceremonial grounds. Working together with the tower construction company, the Kaw are providing alternative locations in the vicinity for the build-out.

The Kaw representatives also provided background on issues experienced with carrier hired consultants and the need for clear communication channels with industry and tower construction companies. The Kaw cited multiple instances of overpayment and payment received that was addressed to other tribes. The Kaw representatives also noted continued issues of inconsistent and incomplete information provided in the TCNS tower siting package submissions. These omissions can lead to approval delays due to lack of proper or complete site locations, design specifications, and current contact information.

The Kaw reiterated a desire to meet directly with industry representatives, citing a recent meeting between the Kaw TCNS Administrator and Mobilite staff as a best-case scenario for quick and effective resolution to deployment issues.

The Kaw suggested several process improvements that could reduce the overall time, cost, and frustration for all parties using the TCNS program. These suggestions included:

- Creating well-defined standards for a complete submission package with design specification for the build out, specific coordinates for tower and/ or pole construction, and contact information for the carrier or tower construction company responsible for the build, not just the consultant processing the permitting paperwork. This last, in particular, is critical, as many of the third-party consultants have been the cause of major deployment delays due to insufficient oversight and accountability to their carrier clients.
- Provide a best practices sheet to industry and all involved parties.
- Require points of contact from each of the stakeholders to be included in the package. This will help ensure that, should issues arise, a timely solution can be found.

The Kaw representatives also expressed concern about the potential for dismantling or shelving of the TCNS Program and inquired about the FCC's intentions for the future of the TCNS program. The FCC representatives expressed that there is no current intention to mothball or dissolve the program.

The Kaw Nation

The Kaw Nation is located in North Central Oklahoma with its seat of government located in Kaw City. The Kaw Nation works with a variety of federal agencies on small and large projects in the compliance of federal laws, including but not limited to the National Historic Preservation Act (NHPA), the Native American Graves Protection and Repatriation Act (NAGPRA), Archaeological Resources Protection Act of 1979 (ARPA), and National Environmental Policy Act (NEPA). The Nation is active in protecting irreplaceable sites and locations that are of religious and cultural significance to its people by continuing the successful collaborative processes that have been established with federal agencies, other Indian tribes, and project developers.

Kenny Wheeler
TCNS Administrator

Chairman Ajit Pai
Commissioner Mignon Clyburn
Commissioner Michael O'Reilly
Commissioner Brendan Carr
Commissioner Jessica Rosenworcel
Garnet Hanly, Division Chief, Competition & Infrastructure Policy Division (CIPD), Wireless
Telecommunications Bureau (WTB)
Jeff Steinberg, Deputy Chief, CIPD, WTB
Dan Margolis, WTB