



**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 Commissioner Carr and
Senior Staff**

Representatives from the Kaw Nation of Oklahoma met with Commissioner Carr and his Senior Legal Advisor on February 7th, 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 also noted that rural areas and tribal lands have been traditionally underserved by carriers. A vast section of America lacks even basic cell coverage, let alone 3G or 4G. While the FCC states a desire to provide coverage to all Americans for reasons of economic prosperity and safety, it is unlikely that 5G technology will be deployed to the rural areas of our country, including most of Indian country.

The Kaw expressed that their concern, along with that many other tribes, is that the FCC will use the streamlining of the review process for small cell deployment as a validation for discontinuing the TCNS program. Commissioner Carr responded to that concern with an assurance that neither he, nor the FCC, currently has the intention or inclination to dissolve the TCNS program.

While in the meeting, the Kaw representatives provided multiple positive examples of the TCNS program's value to tribal nations and 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 hired consultants and the need for clear communication channels with industry and tower construction companies. The Kaw representatives also noted continued issues of inconsistent and incomplete information provided in TCNS tower siting package submissions which leads 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 build-out, 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 sufficient 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 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 Adminsitrator

Chairman Ajit Pai
Commissioner Mignon Clyburn
Commissioner Michael O'Reilly
Commissioner Brendan Carr
Commissioner Jessica Rosenworcel
Will Adams, Legal Advisor, Wireless, Office of Commissioner Carr