

# Morgan Lewis

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March 1, 2018

**VIA ECFS**

Marlene H. Dortch, Secretary  
Federal Communications Commission  
445 12th Street, S.W.  
Washington, DC 20554

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

Dear Ms. Dortch:

Uniti Group Inc. (Nasdaq: UNIT), an internally managed real estate investment trust, is engaged in the acquisition and construction of mission critical communications infrastructure and a leading provider of wireless infrastructure solutions for the communications industry. Uniti Fiber is comprised of approximately five legacy companies including PEG Bandwidth, Tower Cloud, Hunt Telecommunications, Southern Light, and InLine. The company is a leading provider of infrastructure solutions, including cell site backhaul and small cell for wireless operators and for telecommunications carriers and enterprises, Ethernet, wavelengths and dark fiber.

Uniti Fiber works with the Nation's largest providers of wireless services to lay fiber so as to support the provision of voice and broadband wireless services. Yesterday, Commissioner Carr addressed the promise of 5G.<sup>1</sup> Uniti Fiber agrees that deploying next-generation networks is an essential component of America's continued global leadership in innovation. As highlighted by Commissioner Carr, autonomous vehicles, Internet of Things, enhanced emergency services and so much more will leverage the 5G network.<sup>2</sup> The "virtuous cycle," whereby the availability of robust broadband internet connectivity leads to the development of new applications enhancing demand for wireless and wireline services which in turn spurs the deployment of more next-generation network facilities, is a powerful force which promises to transform the future of communications.

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<sup>1</sup> Remarks of Commissioner Carr at the Consumer Technology Association's 5G Day, "Ensuring the United States is 5G Ready," Wash., D.C. (Feb. 28, 2018) ("*Carr's Remarks*").

<sup>2</sup> *Id.* at 2.

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But, Uniti Fiber and other companies deploying advanced networks face stiff headwinds. Uniti Fiber was excited to learn from Commissioner Carr's speech yesterday that the Commission would consider a proposed order modernizing the historic and environmental review processes applicable to wireless infrastructure deployments at its March 22, 2018, meeting.<sup>3</sup> As highlighted by Commissioner Carr, the Section 106 review process is broken. Uniti Fiber supports efforts to protect and to preserve cultural and historic interests of Tribal Nations. However, applying the current process designed to address concerns associated with the impact of macrocell installations to small cell deployments, that literally require the installation of thousands of small cells to cover a single metro area, is completely inapposite.

In addition to the examples cited by Commissioner Carr, Uniti Fiber incurs needless costs and substantial delays due to a process ill-suited for the practical reality associated with small cell installations. For example, and as further detailed in Exhibit A hereto, in order to install a single small cell node in downtown Milwaukee, Wisconsin, Uniti Fiber received requests from 42 different Tribes, with review fees totaling over \$15,500. Moreover, such review can add as many as 100 days to deploying small cells. And **none of these deployments involve the installation of facilities on Tribal Lands or within reservation boundaries.** A second Uniti Fiber small cell deployment site in Milwaukee is also subject to requests for review by, again, 42 separate Tribes.<sup>4</sup>

Uniti Fiber agrees with Commissioner Carr that "The record is clear. The process is broken." Uniti Fiber supports all efforts that streamline deploying small cell facilities including reform of the Section 106 review process. The current process is simply inapplicable to small cell deployments and needlessly drives up expense and drags down construction schedules associated with deploying critical broadband facilities that are essential to supporting 5G services. Accordingly, Uniti Fiber fully supports the efforts of the Commission to reform the Section 106 review process so that it ceases to be an obstacle to the future of high-speed wireless broadband services.

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<sup>3</sup> Carr's Remarks, at 4.

<sup>4</sup> Uniti Fiber's Milwaukee small cell project will consist of approximately 440 small cell sites.

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There are tremendous economic benefits associated with the Nation's transformation of its wireless infrastructure. The wireless industry will invest \$275 billion to deploy next-generation wireless networks, create three million new jobs and contribute \$500 billion to U.S. Gross Domestic Product.<sup>5</sup> It is also estimated that deploying 300,000 to 400,000 small cells will occur in the next three to four years to support 5G services<sup>6</sup> and potentially up to 800,000 by 2026.<sup>7</sup> In order to realize these goals and their attendant benefits, it is essential to streamline applicable regulations. Commissioner Carr was right to point out not only the promises of 5G but also the challenges associated with deploying broadband networks. Uniti Fiber supports the Commission's efforts to remove these barriers.

Sincerely,

*/s/ Ronald W. Del Sesto, Jr.*

Ronald W. Del Sesto, Jr.

Attorney for Uniti Fiber

cc: Jeffrey Strenkowski  
Vice President  
Deputy General Counsel of Governmental Affairs  
Uniti Group Inc.

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<sup>5</sup> Letter from Scott K. Bergmann, Vice President, Regulatory Affairs, to Marlene H. Dortch, Secretary, FCC at Attachment p. 5 (Sept. 8, 2017).

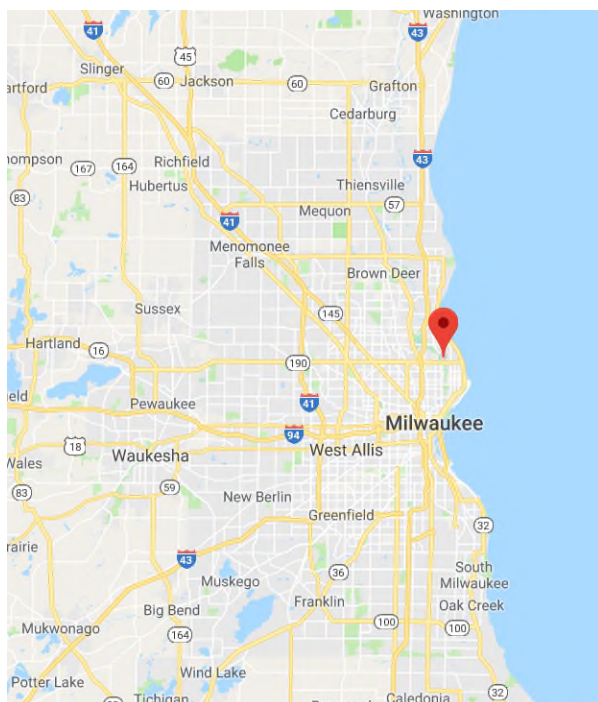
<sup>6</sup> *Id.* at 6.

<sup>7</sup> See S&P Global Market Intelligence, John Fletcher, Small Cell and Tower Projections through 2026, SNL Kagan Wireless Investor (Sept. 27, 2016).

## **Exhibit A**

### **Tribal Review Summary for a Single Small Cell Site in Milwaukee, Wisconsin**

#### **Location:**



**Total Review Fees Sought:** \$15,550

#### **Locations of Tribes Seeking Review:**<sup>8</sup>

- Iowa: 2
- Kansas: 2
- Michigan: 3
- Minnesota: 4
- Montana: 3
- Nebraska: 3
- North Dakota: 3
- Oklahoma: 11
- South Dakota: 6
- Wisconsin: 8

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<sup>8</sup> Several Tribes are located in areas that cross state lines. Thus, there are several more states represented in this summary than the number of individual Tribes seeking review.