

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

In the Matter of)	
)	
Streamlining Deployment of Small Cell)	WT Docket No. 16-421
Infrastructure by Improving Wireless Facilities)	
Siting Policies)	
)	
Mobilitie, LLC Petition for Declaratory Ruling)	

COMMENTS OF THE VILLAGE OF WAYNE, ILLINOIS

These Comments are filed by The Village of Wayne, Illinois in response to the Public Notice, released December 22, 2016, in the above-entitled proceeding.

INTRODUCTION

The Village of Wayne is a historic community comprising approximately 2,500 residents in the Counties of DuPage and Kane, Illinois. The Village has received siting requests, and continues to receive siting requests, for small-cell facilities and towers from providers representing AT&T, Verizon and other major carriers.

The Village is a mature residential community committed not only to public health and safety, but also to maintaining its natural, rustic and pristine environment with numerous historic sites, parks, open space, trees, and horse and bike paths. As such, residential property values and the viability of the Village itself depend greatly on perceptions of public safety, aesthetics and maintaining unadulterated public rights of way.

CITY PRACTICES DO NOT PROHIBIT OR HAVE THE EFFECT OF PROHIBITING PROVISION OF SERVICE

Because of the critical importance of public health and safety, historic and natural aesthetics and maintaining public rights of way for residents, the Village expends substantial resources and attention on and to siting requests. The Village is supportive of siting requests provided the concerns of the Village and residents are fully addressed and resolved in a transparent and cooperative manner.

CITIES HAVE A PUBLIC DUTY TO POLICE THE RIGHTS OF WAY

The Village has extremely limited financial resources to carry out its duties. It nevertheless contracts with an Engineer and a Zoning Officer that review requests together with Board Members and Staff as well as other community stakeholders to ensure that personal and property health and safety concerns are fully addressed. Also, to ensure that proposed locations will not interfere with rights of way that are not only vital to the community's way of life, but also critical to ensuring that our limited Police and Fire/Rescue Protection resources have unadulterated access to serve and protect our residents. Moreover, because of the historic and rustic atmosphere that are so important to property values and the viability of the Village,

aesthetics is extremely important and carefully reviewed to ensure no potential for adverse consequences.

CITIES ARE WORKING PROACTIVELY TO DEPLOY WIRELESS INFRASTRUCTURE

The Village has a nimble and responsive process for reviewing requests so that they proceed smoothly and appropriately. The Village not only supports, but encourages pre-application consultations, voluntary agreements and engagement.

INDUSTRY SHOULD DO MORE VOLUNTARILY TO IMPROVE WIRELESS SITING

Of paramount concern to the Village is to ensure public health and safety. This includes ensuring that residents be fully informed of potential health and safety risks before any project proceeds. It further includes ensuring that all measures are taken to eliminate those risks, including perceptions of risks and maintaining unadulterated rights of way for Police, Fire and other emergency access.

In addition, as noted above, the Village is committed to maintaining its natural, rustic and pristine environment with numerous historic sites, parks, open space, trees, and horse and bike paths. As such, residential property values and the viability of the Village itself depend greatly on aesthetics and maintaining public rights of way for residents to enjoy.

Therefore, it is vital that locators and providers be obligated to work cooperatively with the Village to address its priorities and concerns and ensure its continued viability. The financial resources of the Village are extremely limited. Thus, it is imperative that the site locators and providers are legally obligated to (i) be transparent and cooperate with the Village and residents to address and resolve any health and safety, aesthetic and right-of-way concerns that are raised, and (ii) retain the financial and management responsibility for sites from their inception to decommissioning and removal.

CONCLUSION

The Village of Wayne would like to thank the Commission for its efforts to better understand the work being done at the local government level to ensure safe, responsible deployment of wireless infrastructure, particularly that are built in the public rights of way. We strongly urge the Commission to consider our comments, as well as those submitted by communities across the country, before taking any action that may adversely affect local governments' rights of way authority.

Respectfully submitted,

Village of Wayne

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