



March 8, 2018

Via Electronic Submission

Ms. Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th St., SW, Room TW-A325
Washington, DC 20554

**Re: Ex Parte Communication
Accelerating Wireless Broadband Deployment by Removing Barriers to
Infrastructure Investment, WT Docket No. 17-79**

Dear Ms. Dortch:

On March 6, 2018, Charles McKee and I of Sprint met with Louis Peraertz, legal advisor to Commissioner Clyburn. We discussed the urgent need to reform the historic and environmental review processes that are hindering the deployment of small cells as carriers transition to 5G.

Sprint stated that the timetable outlined in the draft order is a reasonable time period for Tribal Nations to complete historic review, but Sprint cautioned that the Commission should ensure that the 15-day reminder letters are sent promptly. Sprint also stated that the Commission should require a tribe that wishes to become a consulting party to have evidence of a potential adverse impact at that specific site and not just general concerns over a broader geographic area.

We also discussed the size limitations in the draft order that exclude certain small cells from being an undertaking or major federal action. Sprint noted that the proposed decision addresses the application of NEPA and NHPA review of small cells only and does not eliminate local authority over permitting, including aesthetic concerns. Finally, Sprint noted that the pole height exclusion from the definition of an undertaking is generally consistent with the approaches taken by state legislation. For example, Texas defines a small cell pole as the lesser of 10 feet higher than existing nearby poles or 55 feet. North Carolina defines a small cell as up to 50 feet. Delaware defines small cell to include poles as the greater of: 50 feet or 10 feet higher than the nearby pole line.

Pursuant to Section 1.1206 of the Commission's Rules, a copy of this letter is being filed electronically in the above-referenced docket. If you have any questions, please feel free to contact me at (703) 592-2560.

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Sincerely,

/s/ Keith C. Buell

Keith C. Buell
Senior Counsel

cc: Louis Peraertz