

Via ECFS

EX PARTE NOTICE

March 12, 2018

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

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

Dear Ms. Dortch:

On March 8, 2018, the undersigned met with Louis Peraertz, legal advisor to Commissioner Clyburn. In the meeting, INCOMPAS expressed support for the draft *Wireless Infrastructure Streamlining Order*.¹ The draft Order provides a balanced approach in protecting and preserving cultural and historic interests of Tribal Nations, while modernizing the application of the NHPA and NEPA rules to prevent unnecessary costs and delay in the deployment of next generation networks. Ensuring that federal historic preservation and environmental review rules that were designed for much larger structures are no longer applied to small cell deployments, streamlining the rules that will continue to apply to larger facilities, and clarifying when associated fees may be appropriate are significant steps in fostering the deployment of 5G networks and bringing broadband to more Americans. The application of outdated processes have substantially delayed the deployment efforts of wireless providers, as well as carriers that support the provision of voice and broadband wireless services.² Speed to deployment is important to the economy and the country being the leader in advanced wireless broadband services.

¹ Draft Second Report and Order, *In the Matter of Accelerating Wireless Broadband Deployment by Removing Barriers to Infrastructure Investment*, FCC-CIRC1803-01, WT Docket No. 17-79, rel. Mar. 1, 2018.

² See, e.g., Letter of Ronald W. Del Sesto, Jr. on behalf of Uniti Fiber, to Marlene H. Dortch, WT Docket No. 17-79 and WC Docket No. 17-84, dated Mar. 1, 2018 (describing how Uniti Fiber, a leading provider of wireless infrastructure solutions for the communications industry, incurs “needless costs and substantial delays due to a process ill-suited for the practical reality associated with small cell installations.”)

In addition to the adoption of this draft Order, INCOMPAS urges the Commission to move expeditiously to address certain aspects of the permitting processes of state and local governments, which can also substantially impact deployment. In particular, during the meeting, INCOMPAS expressed its support for a reduction in the current shot clocks for wireless siting applications, adoption of a “deemed granted” aspect to the shot clocks, and limiting right-of-way use charges and siting applications fees to the recovery of direct and actual costs associated with processing the application.³ The Commission should also promptly adopt pole attachment reforms that would allow new attachers the option of using a one-touch make-ready process to help speed fiber and small-cell deployment, as was recommended by the Commission’s Broadband Deployment Advisory Committee.

Respectfully submitted,

/s/ Karen Reidy

Karen Reidy
Vice President, Regulatory Affairs

cc: Louis Peraertz

³ See Reply Comments of INCOMPAS, WC Docket No. 17-79, at 7-10, filed Jul. 17, 2017.