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VIA ECFS

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

Re: Ex Parte Presentation

Accelerating Wireless Broadband Deployment by Removing Barriers to Infrastructure Investment, WT Docket No. 17-79

Dear Ms. Dortch:

On March 12, 2018, Christianna Barnhart of Charter Communications, Inc. (“Charter”), Jennifer Prime of Cox Enterprises (“Cox”), and Danielle Piñeres of NCTA – The Internet & Television Association (“NCTA”) met with Donald Stockdale, Garnet Hanly, and Jeffrey Steinberg of the Wireless Telecommunications Bureau (“WTB”) and Marcus Maher of the Office of General Counsel (with Dana Shaffer, Aaron Goldschmidt, Jennifer Salhus, and Mary Claire York of WTB participating by telephone), regarding the above-captioned docket.

NCTA and its member companies discussed the importance of ensuring that all consumers, whether they live in cities, suburbs, or rural America, have sufficient access to broadband. Accordingly, the meeting participants recognize that 5G will play an important role in broadband deployment, and noted that NCTA member companies are actively investing in and developing small cell technology to deliver next generation wireless service. The participants noted, therefore, that in today’s converging communications marketplace it is especially important for the Commission’s policies to promote infrastructure deployment in a technology neutral manner that avoids preferences for any industry.

Consistent with these objectives, the participants indicated that the Commission can advance the goal of promoting 5G deployment in this proceeding without creating competitive disparities by, among other approaches, focusing on streamlining the installation of small cell antennas and related equipment. The participants explained that streamlining the wired elements of wireless networks would introduce competitive disparities with providers of wired broadband that also need rights-of-way access.

In addition, the participants noted that the logic behind small cell streamlining is based on the fact that small cell deployments that are limited to antennas should be small and of minimal impact. It is therefore critical that the rules clearly define the small cell facilities entitled to the proposed exemption from environmental and historical review. In particular, small cell installations are not just limited to the small cell antenna—they actually involve many equipment components, including, for example, support structures, electric meters, disconnects, cabling, and potentially backup power supplies—and taken as a whole can exceed the size of many monopoles or macrocells. The cumulative size and weight of these components may also raise site-specific issues requiring individualized review.

The participants therefore proposed that the Commission adopt a definition of small cell facilities similar to what has been adopted in many states, which specifies that wireless equipment consists of a radio transceiver and antenna at a fixed location, as well as the associated coaxial or fiber-optic cable located on the wireless structure, regular and backup power supplies, and comparable equipment. The participants also proposed that the definition limit the size of the associated equipment with the small cell facility, which has also been adopted in many states. Finally, the participants proposed that the definition provide explicitly that the definition of small cell facilities does not include any wired backhaul or similar facilities. The participants noted that the cable and wireless industries negotiated with each other to craft similar exemptions for backhaul that were codified in state small cell legislation.

The participants provided a proposed addition to the draft rules that incorporates language that has been enacted in North Carolina, Florida, and Minnesota, with a few refinements as noted in the attached, including from the small cell bill pending in Georgia, to more clearly exclude backhaul and other wired facilities from the definition of small cells. NCTA also provided links to the laws and bills in these states, also attached to this letter.

Please address any questions regarding the foregoing to the undersigned.

Sincerely,

/s/ Danielle Piñeres

Danielle Piñeres

Attachments

cc: meeting participants