



March 15, 2018

VIA ELECTRONIC FILING

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

Re: **Ex Parte Presentation**, *Accelerating Wireless Broadband Deployment by Removing Barriers to Infrastructure Investment*, WT Docket No. 17-79; *Use of Spectrum Bands Above 24 GHz for Mobile Radio Services*, GN Docket No. 14-177; IB Docket No. 15-256; WT Docket No. 10-112; IB Docket No. 97-95; *Expanding Flexible Use in Mid-Band Spectrum Between 3.7-4.2 GHz*, GN Docket No. 17-183

Dear Ms. Dortch,

On March 13, 14, and 15, 2018, Meredith Attwell Baker, CTIA President and CEO, and Scott Bergmann, Senior Vice President Regulatory Affairs, met separately with Chairman Ajit Pai and his Wireless and International Advisor, Rachael Bender; Commissioner Brendan Carr, and his Legal Advisor, Will Adams; Commissioner Mignon Clyburn, her Senior Legal Advisor, Louis Peraertz, and her intern, Joseph Kerins; and Commissioner Michael O'Rielly and his Legal Advisor, Erin McGrath, to discuss the above-captioned proceedings.

During the meetings, CTIA applauded the Commission for its efforts to ensure that America is 5G ready, and urged the Commission to adopt the *Draft Second Order*.¹ CTIA explained that, with the right policies in place, the U.S. wireless industry is expected to invest \$275 billion to deploy next-generation networks, which will create three million new jobs and spur \$500 billion for our nation's economy. With myriad economic and social benefits at stake, America is competing with countries across the globe for leadership in 5G. With the *Draft Second Order*, the Commission has the opportunity to modernize its infrastructure policies and promote our nation's continued leadership in wireless.

¹ *Accelerating Wireless Broadband Deployment by Removing Barriers to Infrastructure Investment*, Draft Second Report and Order, FCC-CIR1803-01, WT Docket No. 17-79 (rel. Mar. 1, 2018) ("*Draft Second Order*"); see also Comments of CTIA, WT Docket No. 17-79 (filed June 15, 2017) ("*CTIA Comments*").



Winning the global race to 5G requires taking a fresh look at regulations that may have made sense for the infrastructure of the past but no longer should apply to the technologies of tomorrow. As Accenture Strategy recently reported, wireless providers spent nearly \$36 million last year alone undergoing environmental and historic reviews for small wireless facilities that were designed with 250-foot towers in mind.² That's nearly one third of the total deployment costs per small cell. Modernizing federal reviews of new wireless infrastructure as the Commission proposes could lower the cost to deploy 5G networks by nearly \$1.6 billion, underscoring the need for action to reduce these costs and enable the rapid deployment of facilities needed to support advanced wireless services.

The *Draft Second Order* correctly recognizes the advancements in wireless infrastructure and the need for new rules for new technologies. Specifically, by clarifying that small wireless facilities are neither "undertakings" under the National Historic Preservation Act ("NHPA") nor "major federal actions" under the National Environmental Policy Act ("NEPA"), the Commission can reduce regulatory burdens, generating significant cost savings and spurring 5G deployment to support job creation and economic growth. CTIA also expressed its support for the *Draft Second Order's* proposals to modernize the process for Tribal participation for projects on non-Tribal lands and to streamline the processes for environmental assessments. Such reforms will provide greater certainty and transparency for applicants, the Commission, and the preservation community alike, and will promote the efficient deployment of wireless connectivity without impacting the environment or sites of historic significance.

Also during the meetings, CTIA urged the Commission to reject the misplaced proposal by NCTA—The Internet and Television Association ("NCTA"),³ which would serve only to perpetuate the competitive disparity that exists between similarly situated facilities. Today, wireless providers deploying small facilities on licensed spectrum are subject to NEPA and NHPA review, while facilities that are similar in size and function that are deployed by the cable industry on unlicensed spectrum are exempt from these costly and time-consuming requirements. Although NCTA professes to seek "technology neutral" rules, its proposed revisions would instead impose unnecessary limitations and restrictions on one industry while

² See *Impact of Federal Regulatory Reviews on Small Cell Deployment*, ACCENTURE STRATEGY (Mar. 12, 2018), attached to Letter from Scott K. Bergmann, CTIA, to Marlene H. Dortch, FCC, WT Docket No. 17-79 (filed Mar. 13, 2018).

³ *Ex Parte* Letter from Rick Chessen, NCTA—The Internet and Television Association, to Marlene H. Dortch, WT Docket No. 17-79 (filed Mar. 9, 2018) ("NCTA *Ex Parte*").



continuing to afford relief for another. Such a result is in direct conflict with the Commission's objectives to promote competition and facilitate broadband deployment.

Finally, CTIA applauded the Commission for committing to an auction of high-band spectrum in 2018. Next-generation wireless will require a mix of low-, mid-, and high-band spectrum dedicated to the terrestrial wireless services consumers increasingly demand, and getting millimeter wave spectrum into the hands of wireless providers is an integral step to ensuring our 5G future. In order to provide access to a robust supply of spectrum, CTIA urged the Commission to include as many millimeter wave bands as practicable in its planned November 2018 auction, and continue to move forward aggressively to provide more mid-band spectrum opportunities.

Pursuant to Section 1.1206 of the Commission's rules, a copy of this letter is being electronically submitted into the record of this proceeding and provided to the Commission participants. Please do not hesitate to contact the undersigned with any questions.

Sincerely,

/s/ Scott K. Bergmann

Scott K. Bergmann

Senior Vice President, Regulatory Affairs