



**Jenny Prime**

Director, Regulatory Affairs  
Public Policy Office

March 16, 2018

**VIA ECFS**

Ms. Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12th St., S.W.  
Washington, DC 20554

Re: Cox Communications, Inc.; Ex Parte Presentation Accelerating Wireless Broadband Deployment by Removing Barriers to Infrastructure Investment, **WT Docket No. 17-79**

Dear Ms. Dortch:

On March 15, 2018, Barry Ohlson and the undersigned of Cox Enterprises, on behalf of Cox Communications, Inc. (collectively "Cox"), spoke by phone with Louis Peraertz, senior legal advisor to Commissioner Clyburn, regarding the above-captioned docket and the Draft Second Report and Order ("Draft Order").<sup>1</sup>

During the conversation, we expressed our support for the March 9, 2018, ex parte letter by NCTA – The Internet and Television Association and specifically NCTA's proposed definition of small cell facilities.<sup>2</sup> We explained how revising the Draft Order to adopt NCTA's definition would address concerns raised in the record while still encouraging the goal of promoting 5G by streamlining the deployment of antennae/small cells themselves and directly associated equipment such as power supply.<sup>3</sup>

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<sup>1</sup> Accelerating Wireless Infrastructure Streamlining by Removing Barriers to Infrastructure Investment, Draft Second Report and Order, WT Docket No. 17-79 (rel. Mar. 1, 2018) ("Draft Order").

<sup>2</sup> See Letter from Rick Chessen, NCTA – The Internet and Television Association, to Marlene H. Dortch, FCC, WC Docket No. 17-79 (filed Mar. 9, 2018) ("NCTA Ex Parte").

<sup>3</sup> See e.g., Letter from Gerald Lavery Lederer, representing the Cities of Boston, Massachusetts, Portland, Oregon, and the Texas Coalition of Cities for Utilities, to Marlene H. Dortch, FCC, WC Docket No. 17-79 (filed Mar. 14, 2018) ("Cities Ex Parte"). In response to a question from Mr. Peraertz about the Cities Ex Parte discussion of the 2016 Amendment to the Colocation NPA, we agreed that the Draft Order does not adequately define small cell facilities and should clearly exclude backhaul and other wired facilities from the definition.

We urged Mr. Peraertz to have the FCC adopt NCTA's proposed definition. At a minimum, the FCC should explicitly state that the definition of small cell facilities ultimately adopted by the FCC applies only to the NHPA/NEPA consultation process considered in this proceeding.

Sincerely,

/s/ Jenny Prime

Jenny Prime  
Director, Regulatory Affairs  
Cox Enterprises, Inc.

cc (via email): Louis Peraertz