



April 16, 2018

VIA ELECTRONIC FILING

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 April 12, 2018, Kara Graves and Jen Oberhausen of CTIA, and D. Zachary Champ of the Wireless Infrastructure Association (“WIA”) collectively, the (“Associations”), met with Suzanne Tetreault, Garnet Hanly, Jill Springer, Mary Claire York, and Paul D’Ari of the Wireless Telecommunications Bureau of the Federal Communications Commission (“Commission”) to discuss the Twilight Towers Draft Program Comment in the above-captioned proceeding.¹ As indicated in the Associations’ joint filings in this proceeding, the public interest benefits of making Twilight Towers constructed in good faith available for collocation weigh heavily in favor of expediently resolving this issue, consistent with the draft released by the Commission.

Twilight Towers—*i.e.*, towers built between March 16, 2001 and March 7, 2005 that lack evidence or documentation of a completed Section 106 consultation process—exist as a result of ambiguities in earlier versions of the Commission’s rules and the 2001 *Nationwide Programmatic Agreement for the Collocation of Wireless Antennas* (“Collocation NPA”). As the Associations have explained in detail, the Commission’s rules during the Twilight period did not expressly mandate State Historic Preservation Office (“SHPO”) or Tribal consultation, such that a party could not reasonably be penalized for not going through SHPO or Tribal consultation or not maintaining records of the consultation. In short, the towers were built in compliance with the rules as they existed at that time the towers were constructed.

Making Twilight Towers available for collocation will support the additional infrastructure needed for broadband deployment, including FirstNet and next-generation 5G technologies and services. Doing so will not undermine the protection of historic properties of religious and cultural importance, and in fact will promote preservation goals, as each Twilight Tower that becomes

¹ See *Comment Sought on Draft Program Comment for the Federal Communications Commission’s Review of Collocations on Certain Towers Constructed Without Section 106 Review*, Public Notice, 32 FCC Rcd 10715 (2017) (“Public Notice”); see also *Draft Program Comment for the Federal Communications Commission’s Review of Collocations on Certain Towers Constructed Without Section 106 Review* (“Draft Program Comment”) (attached to Public Notice).

available for collocation could obviate the need for the construction of a new tower to provide similar service coverage. The record is complete and the Commission would be right to continue to move forward in solving an issue that has lingered for over a decade. CTIA and WIA therefore urged the Commission to move forward with its proposal for the ACHP to adopt the Draft Program Comment as drafted.

Pursuant to Section 1.1206 of the Commission's rules, a copy of this letter is being filed in ECFS and provided to the Commission participants. Please do not hesitate to contact the undersigned with any questions.

Sincerely,

/s/ Kara Romagnino Graves

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