

June 3, 2019

Dear Congress Person:

I am writing to relay comments to WT Docket No. 19-17 and 19-36 and believe you should not pass these proposed rules for the FCC for the following reasons.

I question whether the FCC has the legal authority to use OTARD rules to bypass zoning for hub devices over which Congress reserved local zoning authority. I also question the fairness of the proposed OTARD rules component that automatically stays local enforcement upon a provider's application to the FCC.

There is currently litigation, HR 530, which seeks to invalidate the FCC September 26, 2018 ruling to accelerate the deployment of 5G small cells throughout the U.S. I believe the 2018 ruling will likely be overturned and if this added OTARD rule is passed, it will have to be addressed with yet another legal fight. The FCC is out of control and it's your job to stop this captured agency!

As well, the EMS disability component needs to be addressed. I personally am disabled by electromagnetic sensitivities. EMF emissions from wireless devices cause me disabling health effects. The proposed rules would allow the added proliferation of EMF-emitting wireless antennas without regulation blocking the assertion of my disabled rights and my due process. This alone should help you make a decision as these frequencies are becoming more and more prevalent and they have become an access barrier to many public places in my community, to include my neighborhood and my own home!

Let's keep our constitutional powers, allowing local governments and communities the ability to decide their own needs and not be overruled by yet another FCC regulation!

*Jodi Nelson*

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