**Proceeding: WT Docket No. 19-71**

**Updating the Commission’s Rule for Over-the-Air Reception Devices**

Proposed Changes (note: final rules could have further changes, eg. eliminating size or height restrictions):

“1. Amend Section 1.4000(a)(1)(i)(A) to read as follows:

(a)(1)(i)(A) An antenna that is used to receive direct broadcast satellite service, including directto-home satellite service, or to receive or transmit fixed wireless signals via satellite, including a hub or relay antenna, and”

“2. Amend Section 1.4000(a)(1)(ii)(A) to read as follows:

(a)(1)(ii)(A) An antenna that is used to receive video programming services via multipoint distribution services, including multichannel multipoint distribution services, instructional television fixed services, and local multipoint distribution services, or to receive or transmit fixed wireless signals other than via satellite, including a hub or relay antenna, and”

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**If these new rules are adopted, a network antenna located on private property would be exempt from local and state regulation (subject to size restrictions). This would include network systems for utility companies, broadband, wireless companies, and satellite, including SpaceX, OneWeb, etc.**

**The facilities would be exempt from permitting, public notice, public hearings, RF reports, discretionary permits, design guidelines, and all land use regulations, and they could be installed anywhere.**

**Unregulated and unpermitted co-location of multiple antennas on private property would also be possible.**

**Antennas would suddenly appear. Because they would be exempt, cities and counties would generally have no information about them – company name, specs, output, equipment, etc.**

**Property owners would be offered monthly income or free services to host these microwave facilities on their properties. Neighbor would be pitted against neighbor, as people signed contracts without regard for their neighbors. This would be open season.**

**This commandeering proposal by the FCC prohibits state and local governments from regulating the land within their jurisdiction and seems to violate the U.S. 10th amendment.**

**Interestingly, p. 16 of the FCC proposed rulemaking says:**

**“F. Federal Rules that May Duplicate, Overlap, or Conflict with the Proposed Rules**

**23. None.”**

**In addition to conflicting with U.S. Constitution protections for due process, privacy, and the rights of citizens, and protecting against search and seizure, the rules also conflict with the Americans with Disabilities Act for those disabled by electromagnetic sensitivity.**