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June 21, 2018

Ex Parte

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: Accelerating Wireless Broadband Deployment by Removing Barriers to Infrastructure Investment, WT Docket No. 17-79; Accelerating Wireline Broadband Deployment by Removing Barriers to Infrastructure Investment, WC Docket No. 17-84

Dear Ms. Dortch:

On June 19, 2018, Beth Drohan, Vice President, Wireless Field Operations and Assurance, Will Johnson, Tamara Preiss, and I of Verizon met with Rachael Bender, Wireless and International Advisor, of the Chairman's office; Erin McGrath, Wireless, Public Safety, and International Legal Advisor, and Amy Bender, Wireline Legal Advisor, of Commissioner O'Rielly's office; Will Adams, Legal Advisor, and Connor Glisson, Intern, of Commissioner Carr's office; and Travis Litman, Chief of Staff and Senior Wireline and Public Safety Legal Advisor, and Umair Javed, Wireless and International Legal Advisor, of Commissioner Rosenworcel's office. We discussed issues raised in the Commission's *Wireless Notice*¹ on streamlining wireless infrastructure deployment. We also discussed issues raised in the Commission's *Wireline Notice*² on streamlining wireline infrastructure deployment. Our remarks were consistent with our filed comments and prior ex partes in these proceedings.³

Ms. Drohan explained that rapid growth in wireless usage demands continued investment in fiber facilities and small cells to support users' needs. Today, providers are increasing

¹ See *Accelerating Wireless Broadband Deployment by Removing Barriers to Infrastructure Investment*, Notice of Proposed Rulemaking and Notice of Inquiry, 32 FCC Rcd 3330 (2017) ("*Wireless Notice*").

² See *Accelerating Wireline Broadband Deployment by Removing Barriers to Infrastructure Investment*, Notice of Proposed Rulemaking, Notice of Inquiry, and Request for Comment, 32 FCC Rcd 3266 (2017) ("*Wireline Notice*").

³ See, e.g., Verizon Comments (June 15, 2017) and Reply Comments (July 17, 2017), WC Docket No. 17-84; Verizon Comments (June 15, 2017) and Reply Comments (July 17, 2017), WT Docket No. 17-79 & WC Docket No. 17-84; Ex Parte Letter from Katharine Saunders, Verizon, to Marlene Dortch, FCC, WT Docket No. 17-79 & WC Docket No. 17-84 (Mar. 8,

capacity by densifying their 4G LTE networks. At the same time, the move toward 5G also requires small cells and more ubiquitous fiber deployment. Ms. Drohan emphasized the need to deploy quickly to satisfy consumer demand and to ensure that the United States leads the world in 5G.

Ms. Drohan emphasized the need for Commission action to address state and local barriers to small cell deployment. Ms. Drohan reiterated that Verizon works closely with cities and localities in an effort to reach reasonable and mutually beneficial arrangements that facilitate wireless deployment. In many instances, these arrangements may also help to address other needs of local governments, such as enhancing smart city capabilities. While this collaborative approach has been successful in some cases, many municipalities unfortunately continue to demand exorbitant fees for access to rights-of-way and structures within them, including, for example, attachment fees that exceed \$4,000 per year. Some cities, where providers may have a competitive necessity to offer service, continue to use their considerable leverage to seek fees that far exceed their costs. Given the finite nature of capital budgets and the need to manage expense budgets, the resulting higher costs mean fewer resources are available for network infrastructure deployment in other parts of the country. Similarly, local permitting delays continue to stymie deployments. Ms. Drohan explained that a number of Florida cities have imposed moratoria on small cell applications, and other cities' refusal to accept or process applications results in *de facto* moratoria. A policy that ensures that fees are reasonable and cost-based and that localities act quickly on applications will best further the Commission's goals of ensuring fast and far-reaching deployment of advanced wireless services.

We also noted that many utilities charge a premium for access to utility-owned light poles or deny access altogether, taking the position that the pole attachment statute requires access only to electric distribution poles. Access to light poles is crucial to wireless infrastructure deployment in some locations. The Commission can resolve this uncertainty by declaring that the pole attachment statute requires access to all poles, including light poles, owned by covered utilities.⁴

Further, Ms. Drohan explained that another barrier to rapid and efficient deployment is the existing make-ready process that slows providers' ability to attach new network facilities to poles. She noted that the sequential nature of make-ready work under the current system means that one party's delay in completing its make-ready work delays other parties' ability to begin their make-ready work, and that existing attachers often have no incentive to prioritize make-ready above other customer-facing work. Ms. Drohan described her experience on prior projects where existing attachers' delays in completing make-ready significantly delayed or slowed our broadband deployment. As an example, she discussed issues Verizon faced in West Virginia as we built backhaul for our LTE network. Verizon used a third party to help with the build – but that third party faced multiple and extensive delays at every step of the make-ready process as existing attachers repeatedly missed deadlines. This meant that there were often teams of workers ready to complete the build who were sidelined as they waited for existing attachers to

2018); and Ex Parte Letter from Andre Lachance, Verizon, to Marlene Dortch, FCC, WT Docket No. 17-79 & WC Docket No. 17-84 (May 23, 2018).

⁴ See 47 U.S.C. § 224(f)(1) (“A utility shall provide a cable television system or any telecommunications carrier with nondiscriminatory access to *any pole*, duct, conduit or right-of-way owned or controlled by it.”) (emphasis added).

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finish their respective moves. This not only delayed deployment significantly but also drove up our costs as we waited for the ability to build. Ms. Drohan explained that based on her experience, the unpredictable timing and high costs of the existing make-ready system can reduce a new attacher's planned broadband deployment radius because every dollar spent on one broadband project is a dollar that cannot be spent elsewhere.

To address these delays and costs, Ms. Drohan reiterated our strong support for one-touch make-ready (OTMR) which would allow attachers, as well as pole owners, the option to use pole-owner-approved contractors to coordinate and do all work to add a new attachment. Instead of multiple parties performing sequential make-ready work on the pole, a new attacher could use a single pole-owner-approved contractor to complete all of the work at one time. She explained that by reducing the time and cost to deploy, OTMR would enable companies to consider a broader potential deployment. Ms. Drohan rejected the idea of imposing shorter deadlines on existing attachers since parties struggle to meet the existing make-ready deadlines; instead, she underscored that the best approach was to have a single, approved contractor complete all make-ready at one time.

Please contact me if you need any additional information.

Very truly yours,

A handwritten signature in black ink, appearing to read "Katharine R. Saunders", with a long horizontal flourish extending to the right.

Katharine R. Saunders

cc: Rachael Bender
Erin McGrath
Amy Bender
Will Adams
Connor Glisson
Travis Litman
Umair Javed