



July 19, 2018

**VIA ELECTRONIC FILING**

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

**Re: Ex Parte Presentation**, *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*, WT Docket No. 17-84; *Streamlining Deployment of Small Cell Infrastructure by Improving Wireless Siting Policies*, WT Docket No. 16-421

Dear Ms. Dortch:

The next generation of wireless services, 5G, will unlock enormous benefits to the public and to the U.S. economy. Already, the U.S. wireless industry contributes \$475 billion annually to the American economy.<sup>1</sup> A 2017 study by Accenture Strategy calculated that 5G deployment could boost annual GDP by \$500 billion, create three million new jobs, and produce \$160 billion in benefits and savings from 5G-enabled Smart City technologies.<sup>2</sup> Accenture Strategy now estimates that **reducing regulatory review timelines to accelerate deployment by 12 months would unleash an additional \$100 billion in economic growth over the next three years**, according to a new study commissioned by CTIA.

In the attached study, *Accelerating Future Economic Value from the Wireless Industry*, Accenture Strategy adjusted its 2017 model to estimate the impact of accelerating 5G deployment by streamlining

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<sup>1</sup> *How the Wireless Industry Powers the U.S. Economy*, ACCENTURE STRATEGY (Apr. 2018), <https://www.ctia.org/news/how-the-wireless-industry-powers-the-u-s-economy>.

<sup>2</sup> See *Smart Cities: How 5G Can Help Municipalities Become Vibrant Smart Cities*, ACCENTURE STRATEGY (Jan. 2017), <https://www.ctia.org/news/accelenture-smart-cities-how-5g-can-help-municipalities-become-vibrant-smart>, attached to Letter from Scott K. Bergmann, SVP, CTIA, to Marlene H. Dortch, Secretary, FCC, WT Docket No. 16-421 (filed Jan. 13, 2017).



federal, state, and local infrastructure rules for small cells. Specifically, Accenture Strategy focused on updating rules for small cell deployments in rights-of-way and creating reasonable fee structures for small cells. Given that 300,000 small cells will need to be deployed in the next three to four years to make 5G a reality, the study recognizes that modernizing infrastructure processes will be critical to decreasing the amount of time required to roll out a 5G network and increasing America's chances of winning the race to 5G.

Consistent with our comments in these proceedings,<sup>3</sup> CTIA urges the Commission to ensure the wireless industry has reasonable access to public rights-of-way and publicly owned assets. Specifically, CTIA asks the Commission to establish clear timelines for the entire local review process, with enforceable remedies,<sup>4</sup> and ensure that fees charged by state and local governments are cost-based, non-discriminatory, and transparent. The Commission should also address specific types of regulations or requirements that have been identified as substantially delaying or deterring service, including denials of access to municipally-owned utility poles and other structures, requirements that all facilities along rights-of-way be underground, requirements to prove a service coverage gap or other business need, and subjective, unreasonable, or unpublished aesthetic restrictions or those that discriminate against wireless deployment.<sup>5</sup>

To that end, CTIA applauds the Commission for its proposal to adopt a Declaratory Ruling at its August Open Meeting, which will clarify that moratoria – whether express or *de facto*, interim or not – are barriers to wireless deployment and prohibited under the Communications Act.<sup>6</sup> As CTIA has

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<sup>3</sup> See, e.g., Comments of CTIA, WT Docket No. 17-79, WC Docket No. 17-84 (filed June 15, 2017); Reply Comments of CTIA, WT Docket No. 17-79, WC Docket No. 17-84 (filed July 17, 2017); Comments of CTIA, WT Docket No. 16-421 (filed Mar. 8, 2017); Reply Comments of CTIA, WT Docket No. 16-421 (filed Apr. 7, 2017).

<sup>4</sup> See Letter from Scott K. Bergmann, SVP, CTIA, to Marlene H. Dortch, Secretary, FCC, WT Docket Nos. 17-79 and 16-421, WC Docket No. 17-84 (filed June 20, 2018).

<sup>5</sup> See Letter from Kara Romagnino Graves, Director, CTIA, to Marlene H. Dortch, Secretary, FCC, WT Docket Nos. 17-79 and 16-421, WC Docket No. 17-84 (filed June 27, 2018).

<sup>6</sup> *Accelerating Wireline Broadband Deployment by Removing Barriers to Infrastructure Investment; Accelerating Wireless Broadband Deployment by Removing Barriers to Infrastructure Investment*, Draft Third Report and Order and Declaratory Ruling, FCC-CIRC1808-03, WC Docket No. 17-84, WT Docket No. 17-79 (draft rel. July 12, 2018), <https://docs.fcc.gov/public/attachments/DOC-352544A1.pdf>.



explained, there is no more absolute prohibition on deployment than refusing to accept or act on applications. A local law that bars acceptance of applications and a local agency's refusal to act on them have precisely the same impact – no deployment is permitted – and they are thus per se unlawful.<sup>7</sup>

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The Commission began these proceedings to advance a primary objective of the 1996 Telecommunications Act: to “accelerate rapidly private sector deployment of advanced telecommunication and information technologies and services to all Americans.”<sup>8</sup> Accenture Strategy's studies confirm that speeding deployment by removing local regulatory barriers will help achieve that objective, and will measurably benefit the U.S. economy.

Pursuant to Section 1.1206(a) of the Commission's rules, a copy of this letter is being electronically submitted into the record of these proceedings. Please do not hesitate to contact the undersigned with any questions.

Sincerely,

/s/ Scott K. Bergmann

Scott K. Bergmann

Senior Vice President, Regulatory Affairs

Attachment

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<sup>7</sup> See *infra*, note 5.

<sup>8</sup> *Accelerating Wireless Broadband Deployment by Removing Barriers to Infrastructure Investment*, Notice of Proposed Rulemaking and Notice of Inquiry, 32 FCC Rcd 3330 ¶ 5 (2017) (quoting Telecommunications Act of 1996, S. Rep. 104-230, at 1 (Feb. 1, 1996)).