



September 11, 2018

VIA ELECTRONIC FILING

<https://www.fcc.gov/ecfs/filings>

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

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

Dear Secretary Dortch:

The City of College Park Council voted unanimously during our September 11, 2018 meeting to oppose the Federal Communications Commission's proposed Declaratory Ruling and Third Report and Order regarding state and local governance of small cell wireless infrastructure deployment.

We appreciate the Commission's efforts to engage with local governments, and we share the Commission's goal of ensuring the growth of cutting-edge broadband services for all Americans. However, we are very concerned about several provisions of this proposal. Local governments have an important responsibility to protect the health, safety and welfare of residents, and these preemption measures compromise that authority and expose wireless infrastructure providers to unnecessary liability.

- **The FCC's proposed new collocation 60-day review requirement is too extreme.** The proposal designates any preexisting structure, regardless of its design or suitability for attaching wireless equipment, as eligible for this new expedited 60 day review. When paired with the FCC's previous decision exempting small wireless facilities from federal historic and environmental review, this places an unreasonable burden on local governments to prevent historic preservation, environmental, or safety harms to the community.
- **The FCC's proposed definition of "effective prohibition" is overly broad.** The draft report and order proposes a definition of "effective prohibition" that invites challenges to long-standing local rights of way requirements unless they meet a subjective and unclear set of guidelines.

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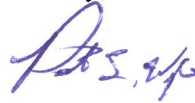
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- **The FCC's proposed recurring fee structure is an unreasonable overreach that will harm local policy innovation.** We disagree with the FCC's interpretation of "fair and reasonable compensation" as meaning approximately \$270 per small cell site. Local governments share the federal government's goal of ensuring affordable broadband access for every American, regardless of their income level or address. That is why many cities have worked to negotiate fair deals with wireless providers, which may exceed that number or provide additional benefits to the community.

The City of College Park understands the importance of safe, efficient, and effective small cell deployment. We oppose this effort to restrict local authority and stymie local innovation, while limiting the obligations providers have to our community. We urge you to oppose this declaratory ruling and report and order.

Sincerely,



Patrick L. Wojahn
Mayor