

September 12, 2018

Marlene Dortch
Office of the Secretary
445 12th St., SW
Washington DC 20554

EX PARTE
Cindy Sage, MA, Sage Associates

Accelerating Wireless Broadband Deployment }
by Removing Barriers to Infrastructure Investment }

D 17-79, D 17-84

Dear Ms. Dortch:

The FCC has introduced proposed rules under D 17-79 and 17-84 that will significantly impair the ability of local agencies and municipalities to exercise their existing siting authorities for wireless facilities. Under the 1996 Telecommunications Act, local agencies retain certain authorities that allow for responsible community siting with respect to aesthetics and visual impairment, community planning and zoning directives that currently help to maintain public health, welfare, safety and compatibility with local adopted plans and policies. For more than a decade, the existing federal rules have allowed for limited, but very important local controls over wireless facility siting. This proposal would virtually eliminate all local siting considerations.

The FCC has not yet concluded the 2014 proceeding to review RF public safety limits in light of substantial scientific evidence that RF is both carcinogenic and neurotoxic. More than 900 comments were submitted. The FCC has an obligation to conclude its open proceeding on health effects that have been shown to occur at legal levels (significantly below current FCC limits for uncontrolled public access) before opening the floodgates to industry to massively increase the number of wireless facilities across the US. This appears to be another run at pre-empting local controls similar to FCC Docket 16-421 (February 2017) to which the BioInitiative Working Group has already filed substantial comments in opposition (see attached).

I urge you to postpone any action on D 17-79 and D 17-84:

- The 100-page draft order is not even posted on your webpage, preventing any reasonable expectation that the public can read, review and comment in the extraordinarily limited time allowed (2 weeks after first available).
- The Order should be posted and at least a 90-day review period for comments should be given. A two-week comment limit essentially eliminates public and local governments' ability to read, evaluate, and comment.
- The proposed Order removes virtually all regulatory power from states and local governments over small cells and other wireless infrastructure and in effect, mandates wireless infrastructure of any size and power output to be located in any location, regardless of how inappropriate, unsafe, unsightly and out-of-compliance with local plans.

Submitted by:
Cindy Sage, MA, Sage Associates