



City of Fairfax

Mayor David L. Meyer

City Council

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September 13, 2018

Ms. Marlene H. Dortch
Secretary, Federal Communications Commission
45 12th Street SW
Washington, D.C. 20554

Dear Secretary Dortch:

On behalf of the residents and elected officials of the City of Fairfax, Virginia, I would like to express to you our concern about the Federal Communications Commission's proposed Declaratory Ruling and Third Report and Order regarding state and local governance of small cell wireless infrastructure deployment. While we fully endorse the need for broadband internet access for all, the City of Fairfax is a small city in Northern Virginia that places significant value upon local input in making land use decisions.

The City of Fairfax has spent considerable funds on undergrounding utilities in our historic down town district. To thwart that initiative with a requirement of collocation of up to three cubic feet of antenna and 28 cubic feet of additional equipment would destroy the aesthetics of our historic district. We know that there is technology available to "hide" antennae in existing light poles and localities should be able to stipulate those requirements.

The mandated short approval process places an unreasonable burden upon our limited Planning staff to review and prepare for public comment. The proposed definition of "effective prohibition" would compromise existing local control over rights of way and invite challenges from competing wireless providers. In addition, the FCC's proposed fee structure of only \$270 per small cell site fails to take into account the cost of expert review, approval, oversight of installation and regular safety inspection that would be incurred by the locality

Land use decisions should rest with locally elected officials who best know their communities and the needs of their residents. The City of Fairfax has worked with private businesses to create license agreements and should retain the authority to determine the location of broadband infrastructure.

Sincerely,

A handwritten signature in black ink, appearing to read "David L. Meyer".

David L. Meyer
Mayor

CC: The Honorable City Councilmembers