



September 18, 2018

**VIA ELECTRONIC FILING**

Honorable Chairman Ajit Pai  
Honorable Commissioner Michael O’Rielly  
Honorable Commissioner Brendan Carr  
Honorable Commissioner Jessica Rosenworcel  
Federal Communications Commission  
445 Twelfth Street, SW  
Washington, DC 20554

**Re: Ex Parte Letter, Accelerating Wireless/Wireline Broadband Deployment by Removing Barriers to Infrastructure Investment, WT Docket No. 17-79, WC Docket No. 17-84; Streamlining Deployment of Small Cell Infrastructure, WT Docket No. 16-421; Promoting Investment in the 3550-3700 MHz Band, GN Docket No. 17-258; Expanding Flexible Use of the 3.7 GHz to 4.2 GHz Band, GN Docket No. 18-122; Use of Spectrum Bands Above 24 GHz for Mobile Radio Services, GN Docket No. 14-177, WT Docket No. 10-112.**

To the Honorable Chairman and Commissioners:

Next week, the Commission will take a critical step to promote job creation and economic growth by setting national guidelines for states and municipalities that reflect and are designed to promote the wireless networks of the 21st century. CTIA and the wireless industry applaud the Commission’s commitment to securing U.S. leadership in the wireless marketplace as countries around the globe race to be first to deploy the next generation of wireless networks and services, 5G. In this race, the stakes are high: the nation that leads in 5G will capture millions of new jobs and billions in economic growth. In order to ensure 5G leadership, it is essential that the Commission take steps to modernize siting rules to allow the accelerated deployment of new wireless networks and small cells. The U.S. needs a modernized, national policy framework for small cell deployment that accommodates state and local interests while advancing our national interest in 5G leadership. With the draft Wireless Infrastructure Declaratory Ruling and Third Report and Order that is being considered for the September Open Meeting, the Commission has



the opportunity to establish such a framework and facilitate the roll-out of advanced wireless connectivity to more communities more quickly.<sup>1</sup>

The U.S. led the world in 4G LTE deployment, enabling the wireless industry to add \$475 billion to the economy every year and support 4.7 million jobs.<sup>2</sup> The opportunities and economic benefits from 5G are likely to be even greater, with an expected \$275 billion in investment leading to three million new jobs and another \$500 billion to our economy. Removing regulatory barriers is critical to achieving success in the next generation of wireless, which is why CTIA urges the Commission to adopt the Draft Order and Ruling.

The Commission's recent infrastructure reforms, which removed barriers like state and local moratoria on reviewing siting applications and outdated reviews that impeded wireless infrastructure deployment, have already had a positive impact, expediting siting reviews and getting more facilities built faster to help meet the huge demand for wireless services. The Draft Order and Ruling – which will reduce siting timelines by adopting shorter shot clocks for localities to act on small wireless facilities applications, authorize presumptively reasonable, cost-based fees, and provide guardrails around local aesthetic reviews – will further speed deployment and reduce siting costs. The Commission's approach also builds from valuable lessons learned in the 20 states that have taken forward-thinking steps to modernize their infrastructure siting policies. And importantly, updating the nationwide framework for wireless facility deployment, including for small wireless facilities in particular, will accelerate investment to the benefit of our economy, businesses, and consumers. Indeed, a July 2018 report from Accenture Strategy concluded that reducing regulatory review timelines to accelerate deployment by one year would unleash an additional \$100 billion in economic growth over the next three years<sup>3</sup> – a tremendous boost to the

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<sup>1</sup> *Accelerating Wireless Broadband Deployment by Removing Barriers to Infrastructure Investment; Accelerating Wireline Barriers to Broadband Deployment by Removing Barriers to Infrastructure Investment*, Declaratory Ruling and Third Report and Order, WT Docket No. 17-79, WC Docket No. 17-84, FCC-CIRC1809-02 (draft rel. Sept. 5, 2018) (“Draft Order and Ruling”).

<sup>2</sup> See Letter from Scott K. Bergmann, CTIA, to Marlene H. Dortch, FCC, WT Docket Nos. 17-79 and 16-421, WC Docket No. 17-84 (filed Apr. 17, 2018).

<sup>3</sup> See *Accelerating Future Economic Value from the Wireless Industry*, ACCENTURE STRATEGY (July 2018), *attached to* Letter from Scott K. Bergmann, CTIA, to Marlene H. Dortch, FCC, WT Docket Nos. 17-79 and 16-421, WC Docket No. 17-84 (filed July 19, 2018).



economy and America's global competitiveness that safeguards localities' continued role in the siting review process.

The record establishes that, while some localities charge reasonable, cost-based fees for small wireless facilities, others impose excessive fees, some in the thousands of dollars per site. Given that small cell deployments often require hundreds of antennas across a community, these high fees frustrate investment and, on aggregate, can result in substantial barriers to deployment across the country. Indeed, a recent economic study from CMA Strategy Consulting assessing the harmful impact of high fees on deployment calculated that reducing small cell fees could reduce deployment costs by \$2.0 billion over five years. It further concluded that "[t]hese cost savings could lead to an additional \$2.4 billion in capital expenditure due to additional neighborhoods moving from being economically unviable to becoming economically viable," with 97 percent going toward investment in rural and suburban areas.<sup>4</sup>

Similarly, while many states and localities process siting applications quickly – including on timelines shorter than the Commission proposes to adopt here – many communities continue to hinder deployment by failing to act on facility requests in a reasonable period of time or neglecting to include all mandatory processes within the shot clock periods. By clarifying reasonable timelines for processing small wireless facility requests, providing guidance for courts for when those timelines are not met, and setting guardrails around practices that could otherwise hinder deployment, the Commission can ensure that localities' role in the siting process is protected while also fostering the rapid deployment of services that will benefit the citizens of those communities. As the Wallowa County, Oregon Board of Commissioners recently told the Commission, "[w]here every dollar matters, reducing regulatory barriers can make a big difference in how fast and how extensively broadband is deployed" to rural communities.<sup>5</sup>

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<sup>4</sup> See *Assessing the Impact of Removing Regulatory Barriers on Next Generation Wireless and Wireline Broadband Infrastructure Investment: Annex 3*, CMA STRATEGY CONSULTING (Sept. 2018), attached to Letter from Thomas J. Navin, Counsel to Corning Inc., to Marlene H. Dortch, FCC, WT Docket No. 17-79 (filed Sept. 5, 2018).

<sup>5</sup> See Letter from Chairman Todd Nash, Commissioner Susan Roberts, and Commissioner Paul Castilleja, Wallowa County, Oregon Board of Commissioners, to Commissioner Brendan Carr, FCC, WT Docket Nos. 17-79, 16-421, at 2 (filed Aug. 20, 2018).



In short, the record evidence is clear: outdated, burdensome regulation, wholly inappropriate for small cells, is deterring investment in new infrastructure and slowing deployment of next-generation connectivity to both urban and rural areas across the country. The Draft Order and Ruling, which is well within the Commission's legal authority and amply supported by an extensive factual record, will have a material impact on the economics of broadband deployment, driving expanded and more robust wireless connectivity that will benefit the U.S. in multiple ways. CTIA thus urges the Commission to adopt the Draft Order and Ruling.

Finally, CTIA applauds the Commission for scheduling five high-band auctions in the next year and taking steps to facilitate access to critical mid-band spectrum for next-generation connectivity. These efforts, particularly when coupled with modernizing infrastructure siting policies, will provide a dramatic boost to our nation's 5G-readiness and ensure that wireless providers can rapidly and efficiently put our airwaves to use to foster communications, public safety, telemedicine, education, accessibility, and other benefits across the country.

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,

Meredith Attwell Baker  
President and CEO

cc: Rachael Bender  
Erin McGrath  
Will Adams  
Umair Javed