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September 10, 2018

Received & Registered

SEP 14 2018

FCC Pasadena

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To the Federal Communications Committee:

**Re: Challenge and Opposition to Declaratory Ruling and Third Report and Order ("Order")**

**WT Docket No. 17-79; WC Docket No. 17-84**

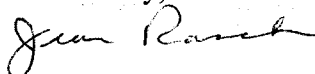
I ask for reconsideration to the Order, and I oppose the Order as illegal.

The Order is vague and capricious in that the Order disregards the public interest and that land use issues are entitled to reasonable time for review, notice, and comment, which is impossible to do for small cell antenna tower applications within 60 days. How is a public entity such as a City to do engineering, legally required public notices, proper review, and allow mandated time for appeal within 60 days?

The Order is unconstitutional as against the Tenth Amendment in that interpretation of law resides in the Court. "The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people." The power to regulate lies with the State and people and not with regulatory agencies. The Order is illegal in that the FCC is a corporate arm of the telecom industry and not the voice of elected people.

I ask for reconsideration, and I oppose the Order as illegal.

Sincerely,



Jean Rasch  
Attorney at Law

cc: Jeff Van Eaton, Attorney at Law

Jimmy Panetta, Congressman of 20<sup>th</sup> District Congressional District  
City of Monterey, California  
Disability Rights Advocates

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