



City of Alexandria, Virginia
301 King Street, Suite 2300
Alexandria, Virginia 22314



Allison Silberberg
Mayor

Office: 703.746.4500
Mobile: 571.319.9948
allison.silberberg@alexandriava.gov

September 18, 2018

VIA ELECTRONIC FILING

Ms. Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, SW
Washington, D.C. 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 Ms. Dortch,

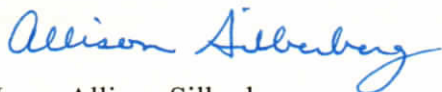
The City of Alexandria, Virginia, writes to express its concerns about the Federal Communications Commission's proposed Declaratory Ruling and Third Report and Order regarding state and local governance of small cell wireless infrastructure deployment. Alexandria is a city with 250 years of rich history. This long history, still preserved in our unique neighborhoods, allows residents and visitors alike to experience the past that makes our city the charming town it is today. Preservation of this historic character is a core value for our city and for the many visitors from around our nation and the world who visit us, and the proposed FCC rules would weaken our ability to maintain this essential historic character.

While we appreciate the Commission's efforts to engage with local governments on this issue and share the Commission's goal of ensuring the growth of cutting-edge broadband services for all Americans, we remain deeply concerned about several provisions of this proposal. Local governments have an important responsibility to protect the health, safety and welfare of residents, and we are concerned that these preemption measures compromise that traditional authority and expose wireless infrastructure providers to unnecessary liability. While eager for 5G network deployment in Alexandria, we feel our staff is best suited to work with telecommunications providers to determine where to locate these facilities, so they have a minimal impact on our unique neighborhoods' and residents' quality of life.

- **The FCC's proposed new collocation shot clock category 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 shot clock. 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 addition of up to three cubic feet of antenna and 28 cubic feet of additional equipment to a structure not originally designed to carry that equipment is substantial and may necessitate more review than the FCC has allowed in its proposal.
- **The FCC's proposed definition of "effective prohibition" is overly broad.** The draft report and order propose 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. While the Commission may have intended to preserve local review, this framing and definition of effective prohibition opens local governments to the likelihood of more, not less, conflict and litigation over requirements for aesthetics, spacing, and undergrounding. Given the City of Alexandria has six historic districts and over 40 structures on the National Register of Historic Places, the City's vocal and active citizens could complicate roll out of 5G through litigation.

In the past, Alexandria has worked with private business to build the best broadband infrastructure possible for our residents. We oppose this effort to restrict local authority and stymie local innovation, while limiting the obligations providers have to our community. We believe that preemption is unnecessary, will produce unintended consequences, and fundamentally runs afoul of the careful balance struck between federal and local authority. We urge you to oppose this declaratory ruling.

All my best,



Mayor Allison Silberberg
City of Alexandria