



City of Inver Grove Heights

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VIA ELECTRONIC FILING

September 18, 2018

Ms. Marlene H. Dortch, Secretary
Federal Communications Commission
445 Twelfth Street, SW Washington, DC 20554

Re: Accelerating Wireless Broadband Deployment by Removing Barriers to Infrastructure Investment, WT Docket No. 17-79; In the Matter of Comment Sought on Streamlining Deployment of Small Cell Infrastructure, WT Docket No. 16-421

Dear Ms. Dortch:

The City Council of Inver Grove Heights hereby requests your acceptance of this letter for filing in the above-referenced docket on behalf of our community. Inver Grove Heights is a suburb of the Twin City Metropolitan Area located in northern Dakota County. We are home to over 35,000 residents and a growing economy. Our City prides itself on our ability to work cooperatively with various interests for the well-being of our residents and businesses. We also support the deployment of new broadband technology and have not taken any actions to delay or inhibit deployment within our boundaries.

Your proposed Small Cell order takes away local decision-making authority and is an unnecessary use of your rule-making ability. We base our position on the fact that significant changes were recently enacted to Minnesota's ROW law following the 2017 legislative session. These changes followed intense and lengthy negotiations between the League of Minnesota Cities (LMC), other local government associations, wireless carriers, and cable providers. We, along with many Minnesota cities have implemented or updated their ROW ordinances in accordance with the new law.

We also believe wireless providers and local governments in Minnesota are collaboratively working to deploy small cell wireless technology within the confines of state statute. This has been confirmed by wireless industry representatives during a hearing this past legislative session and through informal conversations with representatives of LMC. We feel Minnesota cities are being unjustly hampered by your proposed ruling that effectively grants the FCC jurisdiction over all public facilities within the public rights-of-way.

Public rights-of-way in our community have many competing interests. It is our responsibility to ensure all utilities can co-exist without causing damage or significant disruption to other users. Your draft ruling will greatly diminish our ability to successfully manage the public rights-of-way due to our limited staffing and the short time frames you are requiring.

The City of Inver Grove Heights hereby respectfully requests that the Commission refrain from implementing the above referenced preemptions. We would also ask for your consideration of the issues raised in the letter and provide us with the opportunity to work with industry to find mutually beneficial solutions.

Thank you for the opportunity to provide our position on this matter.

Sincerely,

A handwritten signature in black ink, reading "George Tourville". The signature is fluid and cursive, with the first name "George" and last name "Tourville" clearly legible.

George Tourville
Mayor

Cc: Senator Amy Klobuchar
Senator Tina Smith
Congressman Jason Lewis
Jodie Miller, NDCCTV