

BOARD OF COUNTY COMMISSIONERS

Sublette County, Wyoming

P.O. Box 250

PINEDALE, WY 82941

www.sublettewyo.com

September 18, 2018

Ms. Marlene H. Dortch

Secretary, Federal Communications Commission

445 12th street SW Washington, DC 20554

VIA ELECTRONIC FILING

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:

As the elected representatives of the people of Sublette County, Wyoming, we are writing to express our deep concern with the Federal Communications Commission's proposed Declaratory Ruling and Third Report and Order regarding state and local governance of small cell wireless infrastructure deployment. This proposed order purports to represent our interests as a rural, underserved community while effectively doing the opposite.

We are the Commissioners of Sublette County, a large rural county in Northwest Wyoming with a proud history and an economy based on the ranching, agriculture, and minerals industries. We have a long and distinguished history of working with the private sector on important infrastructure and economic efforts, and on enabling private sector opportunity in Sublette County. Increasingly, our community is aware of the importance of broadband communications infrastructure to the long-term economic vitality of our county, as well as the importance of broadband for economic diversification.

For these reasons, we are deeply engaged in a multi-year effort to work with the private sector to expand broadband in our community. To this end, we have undertaken extensive planning, engineering, and economic analysis. Through both formal and informal mechanisms, we have reached out to and engaged with well over a dozen private internet service providers and have learned about their interests and concerns with regard to deployment and operation of broadband in a rural county such as ours. We have undertaken a request for information to the private sector and received a significant number of thoughtful and responsive proposals for public-private collaboration. And we

are currently engaged in developing a formal request for proposal to the private sector, as well as grant applications to state and federal entities, that will serve as the foundation of our long-term broadband and economic strategy.

Given all of this effort and local public-private collaboration in broadband, we are concerned by the FCC's draft order, which preempts our authority over our own property and with regard to local processes and efforts regarding broadband. The draft order would significantly impede our ability to protect public property, safety and welfare by limiting our ability to evaluate 5G deployment applications, effectively hindering our ability to fulfill public health and safety responsibilities during the construction and modification of broadcasting facilities. At the same time, the draft order would regulate us with regard to rates and fees, imposing on us federally-determined pricing for private use of public property -- and leaving us no authority to make these determinations locally or in collaboration with private businesses.

Not only is this challenge to local decision-making and authority inappropriate and unwarranted, but it also impedes our local efforts to develop public-private collaboration in broadband. The FCC's order to limit our authority over our own assets and the price we charge for use of our assets will undercut our efforts to build collaboration with the private sector that effectuates our broadband goals.

We are further concerned that the FCC is claiming that its attack on our authority is in our interests, purportedly because lower costs and less process for 5G deployment in cities will lead to more deployment in rural areas. We do not believe that preemption of local authority will lead to enhanced private broadband deployment in rural communities such as ours. Most of our rural county barely receives adequate mobile coverage at all and significant parts of the county do not have 3G or 4G service; as a result, we do not believe that the industry will deploy costly, emerging new technologies such as 5G in our county. While such efforts may reduce leasing costs for mobile carriers in cities and metropolitan areas, it will not change the economics of deployment in Sublette County or encourage investors to put more resources into Sublette County -- those things can be accomplished only through our own efforts and decisions.

We therefore express our deep opposition to FCC efforts to reduce local authority—as well as to the deceptive claim that these efforts will benefit rural communities. Rather, we feel we are being used as a rhetorical cover for an effort by an unelected body in Washington, DC to reduce the authority and rights of local elected officials in our community.

Sincerely,

A handwritten signature in black ink, appearing to read "AG Nelson".

Andrew G. Nelson
Chairman