



September 19, 2018

VIA ELECTRONIC FILING

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

RE: WC Docket No. 17-84, *Accelerating Wireline Broadband Deployment by Removing Barriers to Infrastructure Investment*

Dear Secretary Dortch:

The Washington Association of Telecommunications Officers and Advisors ("WATO") submits these comments in response to the above-captioned action. WATO's membership includes local government officials and staff members from across Washington state whose responsibility is to develop and administer telecommunications policy and the provision of telecommunications services for their communities. Our members include cities of all sizes, including the seven largest in the state. Together they represent over 2,402,615 residents, 33% of Washington's population. Our members also include counties representing over 4,386,743 residents, 60% of the state's population.

We are local governments, working directly with our communities to ensure they have the most advanced communications services needed to compete in a dynamic digital economy and best serves the needs of our residents. At the local level, we are in the unique position to understand what reliable, affordable broadband access means for our communities.

We write to you in response to the June 11, 2018, filing by the Internet & Television Association (NCTA) on this Docket. The NCTA's declare that "*local governments may not abuse routine permitting processes for construction activity as a backdoor way of extracting unwarranted authorizations and fees from cable operators and otherwise delaying the deployment of new facilities.*" They support this position by offering examples of unnamed, individual communities in six states that are using permitting requirements to place "*unwarranted impediments in [cable operators] efforts to deploy state-of-the-art broadband networks.*" One example is:

"A community in **Washington** refused to issue permits for additional facilities on franchised cable infrastructure claiming that "Internet of Things" service equipment was not authorized under the long-standing cable franchise because the equipment did not support any cable service purpose."



Washington Association of Telecommunications Officers & Advisors

We object to the NCTA making a claim of abuse against a *single, unnamed* community, while highlighting our entire state. We want to confirm that our members cities and counties recognize the essential nature of broadband and wireless technology for our communities' vitality and continued development. We also recognize that the need for broadband infrastructure is always under the pressure of meeting the demand for increased speeds and capacity. We have, and continue to, work cooperatively with telecommunications and broadband providers to ensure the needs and interests of our communities are met. We support our member communities in revising codes and workflows to modernize and streamline permitting processes used to meet communities' demands for next generation telecommunication services.

We ask you to recognize that the NCTA's use of unnamed claims against local government hampers the ability for the claim to be rebutted and, if the claim is true, limits your access to important context for a community's action. Further, Washington state has 281¹ cities and towns. Accepting a single exception case to justify federal action limiting local control for *all* communities is unsound; exceptions are most appropriately handled through existing legal recourse channels that give both parties the opportunity for fair consideration. Respect must prevail for the right of local governments to consider local needs and context when making decisions for our communities, and when provisioning access to our public rights-of-way.

Across Washington state our member communities understand what is necessary to provide for the advanced telecommunication needs of residents; that includes working proactively with industry providers while balancing the interests of safety, ascetics, and the community's right to recover revenue for the valuable use of its limited public property assets. In fulfilling our role to protect public interests, Washington communities are not barriers to telecommunications deployment. Federal action is not required to ensure continued cooperative relationships with telecommunications providers and assurance of the timely deployment of services desired by our residents. We appreciate you disregarding exceptional, unnamed abuse claims that infer otherwise.

Respectfully submitted,

Mike Connor
WATOA President

¹ WA Office of Financial Management, Forecasting & Research Division. *State of Washington - 2017 Population Trends Report*
Table 6. Rank of Cities and Towns by April 1, 2017, Population Size