

MONTGOMERY COUNTY

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September 19, 2018

VIA ELECTRONIC FILING

Ms. Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, SW
Washington, District of Columbia 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 leadership of Montgomery County, Virginia writes to express our concerns over the Federal Communications Commission's proposed Declaratory Ruling and Third Report and Order regarding state and local governance of small cell wireless infrastructure deployment. Montgomery County celebrates a population quite diverse in socioeconomic makeup. While we have a large university and two urbanized towns within our boundaries, over 20% of our population lives in poverty and is currently suffering from the gap of the digital divide. Therefore, as a community, we share the Commission's objective of finding new ways to effectively deploy broadband technologies, especially in underserved communities; however, we are concerned that the proposed language would significantly impede local governments' ability to serve as trustees of public property, safety and welfare.

The 2018 session of Virginia's General Assembly stripped away much of the local authority over wireless facility and wireless support structures. The proposed order would compound these by significantly narrowing the amount of time for local governments to evaluate 5G deployment applications from communication providers – effectively hindering our ability to fulfill public health and safety responsibilities during the construction and modification of broadcasting facilities.

Our largest concern is that the FCC's proposed new collocation shot clock category is too extreme.

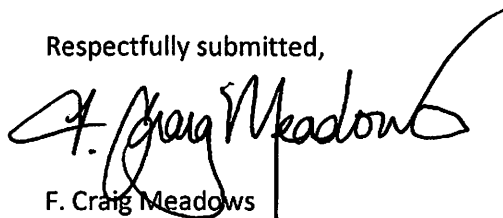
The proposal designates any preexisting structure, regardless of its design or suitability for attaching wireless equipment, as eligible for this new expedited 60 day shot clock. When paired with the FCC's previous decision exempting small wireless facilities from federal historic and environmental review, 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

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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.

Montgomery County continues to work with private businesses 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 urge you to oppose this declaratory ruling and report and order.

Respectfully submitted,



F. Craig Meadows
County Administrator

FCM/jk

cc: The Honorable Board of Supervisors
Dean Lynch, Executive Director, Virginia Association of Counties