

September 18, 2018

VIA ECFS

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

Re: In the Matter of: Accelerating Wireless Broadband Deployment by Removing Barriers to Infrastructure Investment; Accelerating Wireless Broadband Deployment by Removing Barriers to Infrastructure Investment Proposed Declaratory Ruling and Third Report and Order, WT Docket No. 17-79; WC Docket No. 17-84

Dear Ms. Dortch:

On Tuesday, September 18, 2018, representatives of the City of New York (the City), Rebecca Kagan, Bruce Regal, Tanessa Cabe and Kate Blumm, had a conference call with Commissioner Brendan Carr and with Will Adams. The City requested the call to convey its strong opposition to the above-listed proposed order and declaratory ruling in its entirety and to request that it be withdrawn.

In the brief meeting, the City discussed its position that the proposed order and declaratory ruling would be patently unlawful. The City conveyed its deep concerns about this and other matters including scarcity and demand for preferred sites and management thereof. The City conveyed its concerns about utilities and other demands for the rights of way, such as public safety. The City conveyed that the philosophical underpinnings of the order are misapplied, in the City's strong view; the City made efforts to assert that cutting fees to enrich companies will not result in a speculative build.

The City would also like to note that it remains open to discussing changes to federal law with the relevant parties, including the FCC and Congress. We think it is worth bringing to the FCC's attention the full scope of New York City's franchise agreement and compensation so that the FCC can appreciate the full impact of the above-listed proposed order on the City. The City's franchise agreements and other information may be found here: <https://www1.nyc.gov/site/doitt/business/mobile-telecom-franchises.page>. The FCC asked about the City's revenues. The City's revenue from fiscal year 2018 was \$12,565,956. Current per-pole franchise fee revenues may be described here:

Zone	Average	High	Low
A	\$326.10	\$425.23	\$262.96
B	\$107.06	\$236.12	\$60.24
C	\$23.21	\$42.73	\$12.30

(Figures based on current monthly pole comp rates including CPI adjustments)

Respectfully submitted,

/s/

Tanessa Cabe
Senior Counsel
New York City Department of Information Technology and Telecommunications