September 18, 2018

Ms. Marlene H. Dortch, Secretary

Federal Communications Commission

445 12th Street SW

Washington, DC 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,

On behalf of the Tri-Valley region, we are writing to express the Tri-Valley Cities’ opposition to the Federal Communication Commission’s (FCC) proposed Declaratory Ruling and Third Report and Order regarding state and local governance of small cell wireless infrastructure deployment.

As written, the FCC's proposal upends local authority in the name of expediting corporate technological expansion. We share the FCC's goal of ensuring efficient, safe, and appropriate deployment of new broadband technology, but co-opting local infrastructure without local permission is the wrong solution.

The proposal would compel local governments to permit access to publicly owned infrastructure, prevent even reasonable local environmental and design review, and seriously hinder municipalities’ ability to negotiate fair leases or public benefits for the installation of “small cell” wireless equipment on taxpayer-funded property.

Additionally, limiting fees and rates to direct and actual costs strips cities of the ability to analyze and identify the cost-benefit of this technology to its residents. Cities regularly negotiate with providers to ensure appropriate compensation to taxpayers for private, profit-generating use of public property and to incentivize development that benefits community residents. Local governments should not be beholden to corporations’ bottom lines in setting local fees, have to justify permitting structures to private entities who want special treatment, or be forced to subsidize private development at the cost of other critical local services such as road maintenance and public safety.

The State of California considered similar legislation (SB 649) last year. The bill received widespread opposition from local jurisdictions, and though the bill passed both houses, Governor Brown vetoed the bill. It was not reintroduced in this session. California cities like ours understand that we cannot adequately govern if essential local decisions are outsourced to corporations who are not accountable to our residents. This should not be a corporate function, and local jurisdictions like Danville, Dublin, Livermore, Pleasanton, and San Ramon will fight to maintain purview over our own communities.

Our cities have always worked to expand wireless access so with the taxpayers’ best interests at heart. We cannot ensure that a private entity will share the same commitment to the public. We oppose this effort to restrict local authority, and urge the Commission to reconsider this proposal.

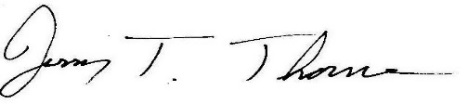
Sincerely,







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| Mayor Jerry T. Thorne |  | Mayor Bill Clarkson |

July 18, 2018

The Honorable Kamala Harris

112 Hart Senate Office Building

Washington, DC 20510

**RE: Opposition to STREAMLINE Small Cell Deployment Act S. 3157**

Dear Senator Harris,

On behalf of the Tri-Valley region, we are writing to express the Tri-Valley Cities’ opposition to any legislation that would limit local control of infrastructure, and specifically oppose the “Streamlining The Rapid Evolution And Modernization of Leading-edge Infrastructure Necessary to Enhance (STREAMLINE) Small Cell Deployment Act” (S. 3157).

As written, S. 3157 upends local authority in the name of expediting corporate technological expansion. We share Congress’s goal of ensuring efficient, safe, and appropriate deployment of new broadband technology, but co-opting local infrastructure without local permission is the wrong solution.

The bill would compel local governments to permit access to publicly owned infrastructure, prevent even reasonable local environmental and design review, and seriously hinder municipalities’ ability to negotiate fair leases or public benefits for the installation of “small cell” wireless equipment on taxpayer-funded property.

S. 3157 would also impose sharply reduced “shot clock” time limits for local governments to process potentially unlimited wireless facility applications for all sizes, and would “deem granted” applications for facilities when local governments are unable to meet the federally-mandated time limits, regardless of the proposal’s safety or environmental impacts or delays caused by incomplete applications.

Additionally, limiting fees and rates to direct and actual costs strips cities of the ability to analyze and identify the cost-benefit of this technology to its residents. Cities regularly negotiate with providers to ensure appropriate compensation to taxpayers for private, profit-generating use of public property and to incentivize development that benefits community residents. Local governments should not be beholden to corporations’ bottom lines in setting local fees, have to justify permitting structures to private entities who want special treatment, or be forced to subsidize private development at the cost of other critical local services such as road maintenance and public safety.

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Local governments should have the time and flexibility to ensure that small cell wireless infrastructure is deployed not just quickly, but safely and correctly, in communities throughout the nation.

We are concerned that shifting local authority to a for-profit industry will cause shareholder returns to potentially outweigh our resident, business, and community considerations for the health, safety, aesthetic, and public benefits of our region.

For these reasons, we urge you to oppose S. 3157. Thank you for your work on behalf of your constituents, and we look forward to working with you on this issue.

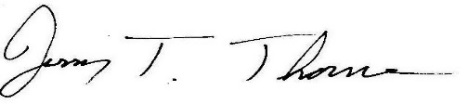
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July 18, 2018

The Honorable Mark DeSaulnier

115 Cannon House Office Building

Washington, DC 20515

**RE: Opposition to STREAMLINE Small Cell Deployment Act S. 3157**

Dear Congressman DeSaulnier,

On behalf of the Tri-Valley region, we are writing to express the Tri-Valley Cities’ opposition to any legislation that would limit local control of infrastructure. We are especially concerned about the “Streamlining The Rapid Evolution And Modernization of Leading-edge Infrastructure Necessary to Enhance (STREAMLINE) Small Cell Deployment Act” (S. 3157) as it is introduced in the Senate, and urge you to prevent any similar bills from being considered in the House.

As written, S. 3157 upends local authority in the name of expediting corporate technological expansion. We share Congress’s goal of ensuring efficient, safe, and appropriate deployment of new broadband technology, but co-opting local infrastructure without local permission is the wrong solution.

The bill would compel local governments to permit access to publicly owned infrastructure, prevent even reasonable local environmental and design review, and seriously hinder municipalities’ ability to negotiate fair leases or public benefits for the installation of “small cell” wireless equipment on taxpayer-funded property.

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For these reasons, we urge you to oppose any bills that limit local control of infrastructure, and specifically to oppose S. 3157 if it or any similar legislation is considered by the House. Thank you for your work on behalf of your constituents, and we look forward to working with you on this issue.

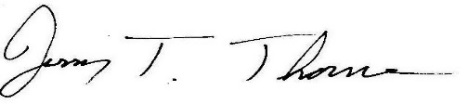
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July 18, 2018

The Honorable Eric Swalwell

129 Cannon House Office Building

Washington, DC 20515

**RE: Opposition to STREAMLINE Small Cell Deployment Act S. 3157**

Dear Congressman Swalwell,

On behalf of the Tri-Valley region, we are writing to express the Tri-Valley Cities’ opposition to any legislation that would limit local control of infrastructure. We are especially concerned about the “Streamlining The Rapid Evolution And Modernization of Leading-edge Infrastructure Necessary to Enhance (STREAMLINE) Small Cell Deployment Act” (S. 3157) as it is introduced in the Senate, and urge you to prevent any similar bills from being considered in the House.

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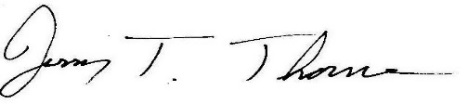
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