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FCC Mailroom



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October 29, 2019

To: Federal Communications Commission (FCC), Wireless Telecommunications Bureau (WTB)  
and Wireline Competition Bureau (WCB)  
WT Docket No. 19-250, WC Docket No. 17-84, RM-11849, DA 19-913  
FCC Headquarters  
445 12th Street SW, Room TW-A325  
Washington, DC 205544

RE: Comment on a Petition for Rulemaking and a Petition for Declaratory Ruling filed by  
the Wireless Infrastructure Association (WIA), and a Petition for Declaratory Ruling  
filed by CTIA

**Notice of Opposition**

Dear FCC, WTB and WCB Commissioners,

The City of Ojai respectfully opposes the FCC agreeing to interpret Section 6409 of the Spectrum Act, 47 U.S.C. 1455, as requested in a Petition for Rulemaking and a Petition for Declaratory Ruling filed by the Wireless Infrastructure Association (WIA), and a Petition for Declaratory Ruling filed by CTIA. The City urges the FCC to reject this request as additional rules are not needed to effectively implement Section 6409 and the existing Communications Act provisions.

We share the concerns of the League of California Cities and numerous cities, counties, and local jurisdictions across the country that the actions requested in these petitions unreasonably extend the telecommunication industry's efforts to limit local authority over wireless facilities. Local governments and their elected and appointed officials are best placed to evaluate proposed wireless facilities and their expansions, and to ensure that the wireless industry continues to be able to serve their residents, businesses, and communities, while also protecting sensitive local resources from potential harms. Further adopting one size fits all rules

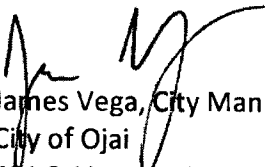
will harm the federalism inherent in the current regulations and will defeat local governments ability to best determine how to meet the needs of their communities.

Cities already must comply with various federal laws, state statutes and cities' own local ordinances when wireless providers seek approvals to place new antennas and equipment or modify existing ones. While local jurisdictions recognize the benefit of up-to-date communication installations, the process must allow for full public involvement, channeled through local municipal approval processes that give cities and local citizenry a fair say.

Existing laws more than adequately give this fair say, while also meeting the needs of industry and ensuring the continued vitality and development of the nation's communications network. Agreeing to the petitions' request to narrow interpretation of what is considered a substantial facility change; shorten the time allowed for local approval; prohibit conditional approvals, and allow construction prior to local approval would favor telecommunication companies at the undue expense of cities and the people they serve.

For these reasons we urge you to deny the requests in these petitions.

Sincerely,



James Vega, City Manager  
City of Ojai  
401 S. Ventura St.  
Ojai, CA 93023

cc. Ojai City Council  
League Channel Counties Representative

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