

November 7, 2019

Marlene H. Dortch, Secretary
Federal Communications Commission
445 Twelfth Street, S.W.
Washington, DC 20554

**Re: Motion for Extension of Time to File Reply Comments, WT Docket No. 19-250, WT RM-11849, WT Docket No. 17-79, WC Docket No.17-84
Notice of Ex Parte Communications**

Dear Ms. Dortch:

The Edison Electric Institute (EEI), the National Rural Electric Cooperative Association (NRECA) and the Utilities Technology Council (UTC) (collectively “Utility Trade Associations”) respectfully urges the Federal Communications Commission (FCC or Commission) to grant, pursuant to 47 C.F.R. § 1.46, the Motion for Extension of Time filed in the above-captioned proceedings by the National League of Cities; the United States Conference of Mayors; the National Association of Telecommunications Officers and Advisors; the National Association of Counties; Clark County, Nevada; Cobb County, Georgia; Howard County, Maryland; Montgomery County, Maryland; the City of Ann Arbor, Michigan; The City of Arlington, Texas; the City of Bellevue, Washington; the City of Boston, Massachusetts; the City of Burlingame, California; the Town of Fairfax, California; the City of Gaithersburg, Maryland; the City of Greenbelt, Maryland; the Town of Hillsborough, California; the City of Kirkland, Washington; the City of Lincoln, Nebraska; the City of Los Angeles, California; the City of Monterey, California; the City of Myrtle Beach, South Carolina; the City of New York, New York; the City of Omaha,

Nebraska; the City of Portland, Oregon; the City of San Bruno, California; the Michigan Coalition to Protect Public Rights-of-Way; the Texas Municipal League; the Texas Coalition of Cities for Utility Issues; City of Beaverton, Oregon; City of Carlsbad, California; City of Cerritos, California; City of Coronado, California; Town of Danville, California; City of Encinitas, California; City of La Mesa, California; City of Lawndale, California; League of Oregon Cities; League of California Cities; City of Napa, California; City of Oxnard, California; City of Pleasanton, California; City of Rancho Palos Verdes, California; City of Richmond, California; Town of San Anselmo, California; City of San Diego, California; City of San Marcos, California; City of San Ramon, California; City of Santa Cruz, California; City of Santa Monica, California; City of Solana Beach California; City of South Lake Tahoe, California; City of Thousand Oaks, California; City of Boulder, Colorado; Town of Breckenridge, Colorado; Colorado Communications and Utility Alliance; King County, Washington; City of Lacey, Washington; City of Olympia, Washington; City of Tacoma, Washington; Thurston County, Washington; and City of Tumwater, Washington (collectively, “Movants”).

The Movants are correct that the issues presented at this stage in proceeding are significant, complex and raise issues outside the scope of Public Notice.¹ The record therefore requires thorough review and the potential for response is substantial. Accordingly, the Utility Trade Associations support the Movants’ request that the time to file reply comments be extended twenty-one days, through December 4, 2019. The Movants’ are correct that the noticed reply comment schedule does not provide enough

¹ Wireless Telecommunications Bureau And Wireline Competition Bureau Seek Comment On WIA Petition For Rulemaking, WIA Petition For Declaratory Ruling And CTIA Petition For Declaratory Ruling, Public Notice, WT Docket No. 19-250, WC Docket No. 17-84 and RM-11849 (Sept. 13, 2019) (“Public Notice”).

time to address the number and complexity of issues raised in the Petitions and comments, which effectively precludes interested parties from fully developing the record. In light of the significant volume of material submitted in initial comments, granting an extension of time to develop reply comments would serve the public interest by developing a more complete record on the highly technical issues raised in the Petitions.

The Movants are also correct to point out that the Petitions and the initial comments filed do not merely request modest changes or mere “clarifications.” The CTIA Petition alone raises a combination of complex legal and technical issue which are reflected in initial comments. For example, Verizon and AT&T raise significant legal issues concerning the Commission’s ability to extend its jurisdiction to light poles. Moreover, Crown Castle and Extenet raise numerous new issues that are both complex and technical in nature. For example, Crown Castle’s comments, among other things, improperly expand the scope of the CTIA Petition by introducing objections to multiple types of construction standards, by multiple utility pole owners. In addition to standards that restrict use of the unusable space, Crown Castle opposes standards that: (i) prohibit placement of power meters on the pole; (ii) prohibit multiple antennas on the pole, based on RF concerns; and (iii) require placement of wireless antennas within certain “zones” of the pole. ExteNet goes so far as to request additional declarations by the Commission such as that a wireless “attachment” includes the antenna(s) and all auxiliary equipment, that pole owners may not demand an attachment rate in excess of the Cable Rate, or the Telecom Rate, where a pole has been replaced to accommodate a new attachment and that the attachment rate for strand-mounted small cells be calculated only on the basis of equipment that contacts the

pole. These proposals are significant deviations from the Commission's existing policies that warrant more time for response than the Commission has provided.

For the reasons stated above, the Commission should grant an extension of time to file reply comments through and including December 4, 2019.

Respectfully submitted,

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