

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554**

In the Matter of)	
)	
Completing the Transition to Electronic Filing,)	WT Docket No. 19-212
Licenses and Authorizations, and Correspondence)	
in the Wireless Radio Services)	
)	

**REPLY COMMENTS OF
AMERICAN TOWER CORPORATION**

American Tower Corporation (“American Tower”) hereby submits these comments in response to the Notice of Proposed Rulemaking released by the Federal Communications Commission (“FCC” or “Commission”), which seeks comment on proposed rule changes to streamline and improve filing under the Universal Licensing System (“ULS”) and supporting systems.¹ American Tower appreciates the opportunity to comment on this important item and commends the Commission’s continued efforts to modernize its systems to increase efficiency, transparency, and accessibility. American Tower supports the FCC’s proposed rule changes because, as noted by the Commission in the NPRM, these changes will “reduc[e] regulatory burdens and environmental waste, and mak[e] interaction with these systems more accessible and efficient for those who rely on them.”²

¹ *Completing the Transition to Electronic Filing, Licenses and Authorizations, and Correspondence in the Wireless Radio Services*, Notice of Proposed Rulemaking, FCC 19-87, ¶ 1 (Sept. 3, 2019) (“NPRM”).

² *Id.*

I. INTRODUCTION

American Tower is a global real estate investment trust and a leading independent owner, operator and developer of multi-tenant communications real estate, operating over 40,000 tower sites in the United States. Given our large national footprint, American Tower engages with many FCC systems to file the necessary registrations to meet our compliance obligations. Through constant interaction with these systems for over 20 years, we have witnessed the FCC's continuous efforts to modernize its systems to streamline processes in ways that equally benefit the Commission and those it regulates. We applaud this NPRM as the latest effort by the Commission to further evolve to meet the needs of those subject to FCC regulation.

II. ELECTRONIC FILING

a. Mandatory Electronic Filing

American Tower supports the FCC's proposal to mandate that all ULS and Antenna Structure Registration (ASR) System filings be made in electronic form.³ Electronic communications and filings are near-instantaneous, increasing operational efficiency for businesses and individuals alike. Further, electronic communications ease the administrative burden that accompanies traditional, non-electronic record keeping and allows for the creation of a more robust record for each transaction at a lower cost. Conducting business electronically is ubiquitous in almost every industry and government, making this move a win-win for the Commission and those it regulates. For these same reasons, American Tower also supports the NPRM's proposal to require that requests by members of the public for environmental reviews of ASR towers, and pleadings or comments relating to such requests, be filed and served

³ *Id.* at ¶ 10.

electronically.⁴ Through electronic means these filings would be submitted faster and instantly added to the record, allowing more time for review and response by an applicant or licensee.

American Tower also agrees that a six-month transition timeframe is sufficient.⁵ Many organizations, including American Tower, already file electronically, so the only necessary compliance step is ensuring that all email addresses are up-to-date. Those that do not currently file electronically are likely smaller entities whose transition to an electronic filing system would not be overly complicated or time-consuming given their organizational size. Therefore, American Tower supports the NPRM's proposed six-month transition window.

b. TCNS and the E-106 Systems

In addition to supporting the updates for the ULS and ASR systems, American Tower also supports the Commission's efforts to encourage use of the Tower Construction Notification System ("TCNS") for notifications and responses to Tribes and Native Hawaiian Organizations ("NHOs").⁶ American Tower prefers to conduct as many filings as possible through TCNS but believes there are barriers to use of the system that prevent more wide-spread adoption. Enhanced rural broadband connectivity, which the FCC is diligently working towards, will likely increase use of TCNS. However, we encourage the FCC to work with Tribes, NHOs, and other stakeholders to determine if other issues (e.g., technology, training, etc.) are creating barriers to adoption. In the meantime, we think that the Commission could encourage use of TCNS by making it more user-friendly.

⁴ *Id.*

⁵ *Id.* at ¶ 9.

⁶ *Id.* at ¶ 11.

While TCNS is not necessarily cumbersome, certain alterations would make the system easier to use and encourage adoption by Tribes and NHOs. For example, TCNS should provide an easier way to search and view information previously submitted using classifications other than a TCNS number (e.g., by county, consultant, address, or other categories). We believe that similar modifications would also enhance use of the E-106 system among State Historic Preservation Officers (“SHPOs”).

In our experience, many SHPO offices have different people reviewing various aspects of a report depending on their specialty. Allowing multiple users within a state to search projects in E-106 using information other than just FCC file number would make the information more accessible. Additionally, permitting SHPOs to more easily sign off on the different aspects of a project might streamline the SHPO review process within TCNS and encourage more use.

The above are only a few examples of ways to streamline the Tribal, NHO, and SHPO reviews through TCNS and E-106. If the FCC decides to take further action, it should directly reach out to representatives of these stakeholders for additional inputs and suggestions.

III. OTHER SYSTEM UPDATES

a. Email Addresses

Recognizing that a transition to mandatory electronic filing will require reliable, up-to-date electronic contact information, American Tower supports the Commission’s proposals to update rules and system controls surrounding email addresses. For example, American Tower supports the FCC proposal to add “change of an email address” to the non-exhaustive list of minor modifications in section 1.929(k).⁷ First, the change is consistent with current law since an

⁷ *Id.* at ¶17.

email address is directly analogous to the classes of information already listed in section 1.929(k), such as addresses and telephone numbers.⁸ Second, this change would be consistent with the FCC's stated goals in the NPRM by reducing regulatory burdens and streamlining the process for minor, but important changes to contact information.

b. Electronic Notices, Correspondence, and Alerts

In making these proposed changes, the FCC is attempting to make its electronic filing systems better match the practices of its regulated persons and entities. For this reason, we ask that the FCC allow at least three email addresses to be associated with the filing of each license. We have experienced scenarios where a third party handled the backhaul licenses for a particular site. In those instances, we would need one email for our FCC/FAA contact, one for our environmental contact, and one for the third-party backhaul contact. It is our impression that adding more emails to an application would not be overly burdensome for the FCC and would actually increase efficiency by including the contact information for the most relevant representative at the outset. Efficiency and accountability could be further increased if applicants were allowed to assign a particular email address as primary (an individual that receives all communications) and other email addresses as secondary (for individuals who only receive emails related to particular subject matter).

Regarding the electronic communications themselves, efficiency is increased when a communication includes all pertinent information. For this reason, each email should include the actual substance of the communication. Additionally, due to the volume of emails that email-users receive on a daily basis, alerts are also valuable and should be incorporated into FCC filing

⁸ 47 C.F.R. §1.929(k).

systems in a manner allowing export to a separate calendar or system. For example, there should be an alert in the ULS and ASR System to let users know that a notice was sent to their on-file email address along with a link to the notice, and that list of alerts should be able to be exported to an outside system.

We also support the inclusion of alerts in addition to those proposed in the NPRM.⁹ Examples of helpful alerts include when: (i) an environmental pleading has been filed on an application; (ii) additional pleadings are received or uploaded on that application; and (iii) a Finding of No Significant Impact becomes available. However, when it comes to courtesy letters (e.g., letters reminding applicants of an obligation to build by a certain date), we prefer a separate electronic communication with pertinent information along with an alert.¹⁰ Therefore, we encourage the FCC to send electronic alerts for less material status updates and full-content email communications and alerts for material messages.

IV. CONCLUSION

By undertaking the proposed system enhancements, the FCC will accomplish its laudable goals of reducing regulatory burden, reducing environmental impact, and making its systems more user-friendly. For the reasons stated above, American Tower supports these efforts and encourages the Commission to take action necessary to enhance its systems to meet the challenges of an increasingly demanding virtual world.

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⁹ See NPRM at ¶ 22.

¹⁰ *Id.* at ¶ 23.

Respectfully submitted,

AMERICAN TOWER CORPORATION

/s/ Richard Rossi

Richard Rossi
Senior Vice President,
General Counsel – U.S. Tower
10 Presidential Way
Woburn, MA 01801

/s/ Jacob Lopes

Jacob Lopes
Government Affairs Attorney
American Tower Corporation
3500 Regency Parkway
Suite 100
Cary, NC 27518
919-466-5395 office
jake.lopes@americantower.com

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