



June 12, 2015

**VIA ELECTRONIC FILING**

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

**Re: Notice of *Ex Parte* Communication  
WT Docket Nos. 13-238, 13-32; WC Docket No. 11-59**

Dear Ms. Dortch,

On June 10, 2015, Jonathan Adelstein along with staff and members of PCIA – The Wireless Infrastructure Association (“PCIA”)<sup>1</sup> met with Jeffrey Steinberg and other staff of the Wireless Telecommunications Bureau (“WTB”)<sup>2</sup> to provide an update on issues regarding implementation of the Acceleration of Broadband Deployment Report & Order (“Infrastructure Order”).<sup>3</sup> The issues discussed included Tribal consultation and application review processes, and ongoing collaboration of industry and state and local governments to implement the Infrastructure Order, Twilight Towers, and next steps for distributed antenna systems (“DAS”) and small cells.

Specifically, PCIA expressed concern with the functionality of the Tower Construction Notification System (“TCNS”), Tribal fees, and relations with native nations. PCIA member representatives noted TCNS’s overinclusive nature results in the FCC’s Tribal consultation process involving many more native nations and taking more time than other federal agency processes.<sup>4</sup> Additionally, PCIA informed Commission staff that industry continues to experience an increase in fees and requested FCC assistance with urging native nations to apply cost-based fees to their review process. PCIA members noted increased costs often involve pre-consultation field work and field monitoring at native nations’ request. These pre-consultation tasks often include hiring personnel to access the land and others to conduct research and analysis to identify potential sensitivities for native nations.<sup>5</sup>

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<sup>1</sup> A complete list of attendees is attached in Appendix A.

<sup>2</sup> *Id.*

<sup>3</sup> Acceleration of Broadband Deployment by Improving Wireless Facilities Siting Policies, *Report and Order*, 29 FCC Rcd 12865 (2014).

<sup>4</sup> PCIA members explained that the FCC Tribal consultation process consistently involves more than ten tribes attaching significance to a given project.

<sup>5</sup> PCIA members noted that other agencies through which they go through historical preservation review do not interpret the law to require applicants to conduct pre-consultation activities.

PCIA and WTB staff also discussed processes by which the FCC can help speed facilities siting after extended periods of inactivity on application reviews, unresponsiveness to applicants, and other unexplained delays. As PCIA has noted in previous comments, industry continues to experience increased timelines for Tribal consultation, which causes significant delays in infrastructure deployment.

PCIA discussed its experience working with local government associations to implement the Infrastructure Order. PCIA highlighted the continued progress industry has made in developing resources for states and local governments as they navigate updating their laws and policies to reflect the rules adopted in the Infrastructure Order. Over the last several months, PCIA met with staff from the National Association of Counties, the National League of Cities, the National Association of Telecommunications Officers and Advisors, and CTIA—The Wireless Association, forming the Broadband Acceleration Implementation Working Group (“Working Group”). The Working Group has successfully developed a checklist to streamline wireless infrastructure siting review processes, created a model ordinance chapter, and conducted webinars and provided contacts for education and assistance regarding the application process.<sup>6</sup> PCIA also updated WTB staff on in-person outreach the Working Group has conducted and future outreach and education opportunities.

PCIA membership noted that while the Working Group’s efforts has led to some progress, industry still face certain hurdles with state and local governments when applying to site facilities, such as an increase in consultants ratcheting up commercial broadband providers to Class III facilities under the TIA-222-G standard. PCIA membership urged the FCC to clarify that a municipality’s ability to review applications for health and safety compliance should not have the unintended result of commercial providers being designated Class III facilities.

PCIA and WTB also emphasized their desire to develop a solution for clearing Twilight Towers for collocation. PCIA will continue to work with member stakeholders and WTB staff to craft an efficient and effective way forward for these towers.

Finally, PCIA and WTB staff briefly discussed the FCC’s progress with developing a new Program Alternative for small cells and DAS as required by the Infrastructure Order. PCIA and members offered continued expertise and support to the Commission regarding experience building out small cells and DAS in communities.

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<sup>6</sup> See Comments of PCIA – The Wireless Infrastructure Association and CTIA – The Wireless Association®, WT Docket Nos. 13-238, 13-32; WC Docket No. 11-59 (filed Mar. 6, 2015).

Pursuant to Section 1.1206 of the Commission's rules, a copy of this letter will be filed via ECFS with your office. Please do not hesitate to contact the undersigned with any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Zac Champ". The signature is fluid and cursive, with the first name "Zac" and last name "Champ" clearly distinguishable.

D. Zachary Champ  
PCIA – The Wireless Infrastructure Association  
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Alexandria, VA 22314  
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CC: All Attendees in Appendix A

## APPENDIX A

<b>FCC ATTENDEES</b>	<b>PCIA ATTENDEES</b>
Jeffrey Steinberg	Jonathan Adelstein (PCIA)
Chad Breckinridge	D. Zachary Champ (PCIA)
Joanna Thomas	D. Van Fleet Bloys (PCIA)
Anne-Marie (By Phone)	Sade Oshinubi (PCIA)
Mania Baghdadi (By Phone)	Edward Roach (SBA)
Don Johnson	Mike Roden (AT&T)
Steven DelSordo	Colleen Thompson (AT&T)
Jill Springer	Monica Gambino (Crown Castle)
Joelle Gehring	Nick Limberopoulos (Crown Castle)
Paul D'Ari	Jenna Metznik (American Tower Corp.)
Dan Abeyta	
Anna Gentry	
Peter Adler Ash	