

The FCC should deny the petition of CTIA to weaken local zoning authority over wireless antenna (cell tower) siting. Rather than weakening local agency review and authority for zoning decisions, the FCC should be promoting stronger community compatibility protections. This petition, if approved, would steam-roller the legitimate efforts of cities and counties in the United States to work with the telecom industry to achieve its siting goals, while balancing local planning, zoning and environmental protection for the public good.

CTIA ignores the basic protections, weak as they are now, under the 1996 Telecommunications Act, which allow local governments to participate in siting decisions for telecommunications facilities within their jurisdictions. Approving their petition would further weaken local agency discretionary authority and would send a message to the public that the FCC only cares about promoting industry interests.

No demonstration has been made by CTIA or any other group to support the claim that 'unreasonable delays' are occurring. What is obvious is that industry wants to run ahead to 'stake the territory' with approved telecom sites as a way to capture market share. This request is simply driven by industry greed and competition, and if the FCC approves this petition, it is putting the demands of industry above the needs of the public. It is callous for CTIA to attempt to roll back the meager protections that the Act affords to communities that must deal with the onslaught of telecom siting applications. Cities and counties in this country have the responsibility to adopt and enforce local rules to protect public health, safety and protect environmental resources. The telecom industry, through its lobby arm, CTIA, is simply trying to eliminate any voice at the local level.

Given the unprecedented rollout of these new technologies, and the concomitant demands on local governments to keep up with the thousands of new applications each year, what is unreasonable is CTIA's demand to make it all the harder for local governments to exercise their legitimate planning and zoning responsibilities by crying foul over the time it takes to process their applications. If developers of shopping malls and subdivisions cried wolf every time they felt their projects were taking too long to process, and tried to gain federal exemptions from local governance, they would be hooted out of the hearing room. CTIA and its army of telecom industry firms do not deserve special treatment.

This is not a NIMBY issue. There are highly charged opposing views on impacts from telecom facilities that affect public perception on health and safety, property valuation and land use compatibility issues. The FCC's obsolete public safety standards are already under challenge and the public will interpret any weakening of the existing safeguards afforded to local governments as more evidence that the FCC is dominated by the very interests it is intended to regulate. The FCC should deny this petition.

