

Before the  
FEDERAL COMMUNICATIONS COMMISSION

Washington, D.C. 20554

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In the Matter of )  
)  
) WT Docket No. 08-165  
Petition for Declaratory Ruling to Clarify )  
Provisions of Section 332(c)(7)(B) to Ensure )  
Timely Siting Review and to Preempt under )  
Section 253 State and Local Ordinances that )  
Classify All Wireless Siting Proposals as )  
Requiring a Variance )  
)

COMMENTS OF THE INCORPORATED VILLAGE OF EAST HILLS

The following comments are filed by the Incorporated Village of East Hills to urge the Commission to deny the Petition filed by CTIA. It is submitted that the petition is not meritorious and lacks a foundation in law or fact.

The current process and procedures to address land use applications and the construction of wireless facilities ensures and protects the rights of citizens and communities to govern themselves and allows communities and villages to balance the interest of all parties.

Because these governmental entities are close to the scene, understand the issues of zoning and know the needs and desires of their residence, no further changes in the law are necessary and preemption is unwarranted. Greater intrusions into a process that now works are not needed, necessary, or warranted.

Respectfully submitted,

Mayor Michael R. Koblenz  
Incorporated Village of East Hills  
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September 29, 2008