

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
Universal Service Reform)	WT Docket No. 10-208
)	
Mobility Fund)	
)	

**REPLY COMMENTS OF
PCIA—THE WIRELESS INFRASTRUCTURE ASSOCIATION**

I. INTRODUCTION

PCIA—The Wireless Infrastructure Association (“PCIA”)¹ hereby submits these reply comments in response to the above captioned Federal Communications Commission (“FCC” or “Commission”) *Notice of Proposed Rulemaking* regarding the creation of a Mobility Fund to support wireless infrastructure deployments to provide 3G service to unserved areas.²

Commenters in this docket establish that collocation is a beneficial and effective wireless infrastructure option that promotes competition. At the same time, commenters overwhelmingly reject the Commission’s proposal to set a fixed number of collocators, or the rates and terms for collocations on wireless facilities constructed with Mobility Fund support. To avoid burdening a competitive market and promote efficient wireless infrastructure deployment, the Commission should require collocation opportunities on wireless support structures built with Mobility Fund support where feasible for the given deployment. Further, the Commission should avoid setting

¹ PCIA is a non-profit national trade association representing the wireless infrastructure industry. PCIA’s members develop, own, manage, and operate over 150,000 towers, rooftop wireless sites, and other facilities for the provision of all types of wireless and broadcast services.

² *In re* Universal Service Reform; Mobility Fund, *Notice of Proposed Rulemaking*, FCC 10-182 (rel. Oct. 14, 2010) (“Mobility Fund NPRM”).

a mandatory number of collocation opportunities or entering the market to set rates or terms for collocations on wireless support structures built with Mobility Fund support.

II. COLLOCATION ON MOBILITY FUND SUPPORTED INFRASTRUCTURE PROMOTES COMPETITION

Collocating wireless antennas on existing infrastructure is an efficient means of deploying all wireless services, including the 3G services that the Mobility Fund aims to make ubiquitous across the county. Collocation also facilitates the entry of new providers into established markets.³ By promoting collocation on existing infrastructure, including Mobility Fund supported wireless facilities, the Commission will be promoting its goals for improving coverage and competition across the nation.

The claim that collocation mandates may interfere with these goals is not supported in the record. The United States Cellular Corporation stands alone in its belief that “there is little reason to be confident that the Commission’s establishment of collocation requirements would in fact introduce competition in service areas in which auction winners receive Fund support.”⁴ This is belied by the reality that collocation does stimulate competition.

As the Commission noted in its 14th Mobile Wireless Competition Report, “the ability of wireless service providers to lease space for new cell sites on established towers can ease and speed their entry into new geographic areas by eliminating the need to build a new tower.”⁵ The Commission found that the neutral host wireless industry has “an incentive to maximize revenues by leasing space to as many service providers as possible.”⁶ As a result, “[w]hen

³ *In re* Implementation of Section 6002(b) of the Omnibus Budget Reconciliation Act of 1993, WT Docket No. 09-66, *Fourteenth Report*, FCC 10-81 ¶ 291 (rel. May 20, 2010) (“14th Mobile Wireless Competition Report”).

⁴ Comments of United States Cellular Corporation, WT Docket No. 09-66, at 21 (filed Dec. 16, 2010).

⁵ 14th Mobile Wireless Competition Report ¶ 291.

⁶ *Id.*

communications towers are owned by independent companies . . . it may increase efficiency in the industry, ease entry, and enhance wireless service competition.”⁷

Furthermore, the four largest national wireless carriers—Sprint, AT&T, T-Mobile and Verizon—generally support some requirement that structures built with Mobility Fund support allow collocation.⁸ T-Mobile asserts that opportunities for collocation “would facilitate competition and further the goal of universal service.” Sprint adds that it will do so “in markets in which entry by multiple service providers in competition with the subsidized carrier might otherwise be economically infeasible.”⁹

The Independent Telephone and Telecommunications Alliance states that the Commission should not confuse “the goal of extending coverage” with “expanding competition.”¹⁰ The record demonstrates that constructing wireless facilities with collocation opportunities is a common industry practice that promotes competition; there is no threat that the Commission seeks to expand competition at the cost of extending coverage. The Commission should facilitate competition by requiring collocation opportunities on Mobility Fund supported wireless infrastructure where feasible for the given deployment.

III. THE RECORD DOES NOT SUPPORT FCC MANDATED RATES, TERMS, OR A SET NUMBER OF COLLOCATION OPPORTUNITIES ON MOBILITY FUND SUPPORTED WIRELESS FACILITIES

While collocation fosters competition, any imposition of rates, terms or a minimum amount of collocations will have an adverse effect on auction winners’ ability to quickly site

⁷ *Id.*

⁸ See Comments of Sprint Nextel Corporation, WT Docket No. 09-66, at 7-8 (filed Dec. 16, 2010) (“Sprint”); Comments of AT&T Inc., WT Docket No. 09-66, at 21 (filed Dec. 16, 2010) (“AT&T”); Comments of T-Mobile USA, Inc., WT Docket No. 09-66, at 12 (filed Dec. 16, 2010) (“T-Mobile”); Comments of Verizon and Verizon Wireless, WT Docket No. 09-66, at 19-20 (filed Dec. 16, 2010) (“Verizon”).

⁹ T-Mobile at 12; Sprint at 7.

¹⁰ Comments of Independent Telephone and Telecommunications Alliance, WT Docket No. 09-66, at 13 (filed Dec. 16, 2010).

wireless facilities. The wireless infrastructure industry is characterized by robust competition, and the market is very effective at ensuring fair negotiation on reasonable rates and terms.

As Verizon aptly states in its comments, “terms and conditions of collocation should be left to marketplace negotiations just as these matters are determined in other areas.”¹¹ Indeed, the neutral host industry has helped create a market that maximizes collocations and streamlines the negotiation process of collocation agreements.¹² At a maximum, the Commission could require winning bidders to “negotiate in good faith . . . and on a nondiscriminatory basis.”¹³

Furthermore, the Commission must consider the local barriers to wireless facility siting when requiring collocation opportunities on Mobility Fund supported wireless facilities. In particular, a requirement of a minimum number of collocation opportunities on Mobility Fund supported facilities could adversely affect the siting process by limiting the locations in which a tower that meets the minimum requirements can be located.¹⁴ AT&T agrees that flexibility in wireless siting is key and “mandating a minimum number of collocation slots may eliminate some excellent unobtrusive locations as tower candidates.”¹⁵

The wireless industry maintains a robust marketplace for collocations that has led to increased coverage and capacity. The Commission should not interfere with this established market by mandating terms and rates for collocation. Additionally, the Commission should not constrain Mobility Fund supported wireless facilities with a minimum amount of collocation opportunities that could foreclose ideal locations and slow deployment.

¹¹ Verizon at 19.

¹² 14th Mobile Wireless Competition Report ¶ 291.

¹³ AT&T at 15.

¹⁴ See Comments of PCIA-The Wireless Infrastructure Association, WT Docket No. 09-66, at 7 (filed Dec. 16, 2010).

¹⁵ AT&T at 15 n.39.

IV. CONCLUSION

For the foregoing reasons, the Commission should require collocation opportunities on wireless support structures constructed with Mobility Fund support where feasible for the given deployment. To maximize flexibility and competition, the Commission should avoid mandating any minimum number of collocations and avoid setting terms or rates for collocations on wireless support structures constructed with Mobility Fund support.

Respectfully submitted,

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