



The Wireless Infrastructure Association

ACCELERATION OF BROADBAND DEPLOYMENT: REMOVING BARRIERS TO WIRELESS INFRASTRUCTURE DEPLOYMENT Federal Communications Commission – November 9th, 2011

IMMEDIATE ACTION IS NECESSARY TO ACHIEVE NATIONAL GOALS

- The Deployment of Wireless Infrastructure is Essential to Meeting National Goals as set by the National Broadband Plan and President Obama
 - Ubiquitous wireless broadband coverage
 - Spur competition and innovation in wireless services
 - Effective utilization of limited spectrum resources
 - Engage in efforts in furtherance of Executive Order 13579

RECORD DEMONSTRATES THE BREADTH OF BARRIERS TO WIRELESS FACILITY DEPLOYMENT

- Wide Geographic Scope of Barriers
- Variety of Barriers Account for Every Aspect of Deployment Process, Impacting New Infrastructure and Efficient Use of Existing Infrastructure
- Delays in Deployment of Wireless Broadband and Other Advanced Wireless Services

SOLUTIONS TO ACCELERATE BROADBAND DEPLOYMENT

- Ensuring Zoning Power Reserved in Section 332 Focuses on Land Use Decisions
 - Technological and operational aspects of deployment are outside of the land use and zoning considerations in section 332(c)(7)(A)
 - Solution: FCC should issue a rule that consideration of technical or operational justifications for a wireless facility or the type of wireless deployment is a technological and operational decision preempted by federal law
- Streamline Collocations & Modifications
 - Barriers to efficient use of existing infrastructure: de novo review of collocations/modifications and “legal, non-conforming use” designation of infrastructure
 - Case-by-case interpretations of Section 332(c)(7) actually provide wireless providers with less certainty as to what the statute means, particularly where a provider is deploying a regional or national network that encompasses multiple jurisdictions
 - Solution: the FCC should issue a rule interpreting sections 253 and 332(c)(7) that prohibits denying new requests to collocate on a structure where another provider is already located
- Additional Solutions within the Purview of the FCC
 - Adopt “no action” alternative in programmatic environmental assessment of ASR program
 - Streamline & clarify the Collocation Programmatic Agreement
 - Clarify that the term “essential communications” is not intended to suggest that towers used for commercial wireless service should be designated as Class III facilities under TIA-222-g design standard
 - Support bi-partisan federal legislation streamlining collocation & modification