



July 18, 2012

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

Via Electronic Filing

Re: *Written Ex Parte Communication*, WC Docket 11-59

Dear Ms. Dortch,

In light of President Obama's June 14th Executive Order—*Accelerating Broadband Infrastructure Deployment* (“Executive Order”),¹ PCIA—The Wireless Infrastructure Association and The DAS Forum, a membership section of PCIA, (hereafter “Parties”)² write to provide the Federal Communications Commission (“FCC” or “Commission”), as an advisory agency to the Broadband Deployment on Federal Property Working Group (“Working Group”), with recommendations for streamlining wireless deployment on federal lands.³

As noted in the Executive Order, “access to Federal property and rights of way can be essential to the deployment of both wired and wireless broadband infrastructure.”⁴ While each agency must examine its internal policies for ways to streamline broadband deployment, the Working Group is tasked with finding efficiencies *across* the federal government for “a coordinated and consistent approach in implementing agency procedures.”⁵

Predictability and consistency are vital to network planning and investment in any arena, but this need is amplified when planning deployment on federal property that often requires inter-agency review and coordination. The Working Group should implement a framework that encourages a coordinated and streamlined approach to broadband infrastructure deployment across each member agency. What follows

¹Accelerating Broadband Infrastructure Deployment, Exec. Order No. 13616, 77 Fed. Reg. 36903 (Jun. 14, 2012), <http://www.whitehouse.gov/the-press-office/2012/06/14/executive-order-accelerating-broadband-infrastructure-deployment>.

² PCIA is the national association representing the wireless telecommunications infrastructure industry. PCIA's members own and manage more than 125,000 telecommunications towers and antenna structures across the country upon which cell sites can be collocated. The DAS Forum's members include DAS providers and CMRS carriers that construct, modify, own, operate, lease and manage distributed antenna system facilities nationwide.

³ *Acceleration of Broadband Deployment: Expanding the Reach and Reducing the Cost of Broadband Deployment by Improving Policies Regarding Public Rights of Way and Wireless Facilities Siting*, Notice of Inquiry, 26 FCC Rcd 5384 (2011). See Comments of PCIA-The Wireless Infrastructure Association and The DAS Forum, WC Docket No. 11-59, at 53-54 (July 18, 2011); Reply Comments of PCIA-The Wireless Infrastructure Association and The DAS Forum, WC Docket No. 11-59, at 43-45 (Sept. 30, 2011); Written Ex Parte Communications of PCIA--The Wireless Infrastructure Association and The DAS Forum, WC Docket No. 11-59 (Feb. 6, 2012).

⁴ Exec. Order No. 13616, 77 Fed. Reg. at 36903.

⁵ *Id.*

below includes specific recommendations for the Working Group as well as sample deployments from which to draw broader conclusions.

Need for Consistency in the Federal Procurement Process

Consistency and predictability are vital in the federal procurement process and the deployment of broadband infrastructure. Often key information, from system requirements to service expectations, is not timely available to installers and operators as they propose in-building facilities.⁶

Greater collaboration between the industry and the government can help prevent small problems from becoming larger stumbling blocks later. To assist in coordination, the FCC and/or the General Services Administration should assemble and maintain a public database of subject matter experts and individuals with decision-making authority regarding the installation of wireless infrastructure. Further, Parties suggest that a “Project Board” be created for each project listing all participants including OEMs, wireless carriers, and government representatives as a resource for coordination and communication.

Need for Streamlined and Predictable Application Processes across Agencies

In order to invest resources into the deployment of wireless infrastructure and the expansion of wireless networks, carriers and neutral host providers (“NHPs”)⁷ alike must have consistent application processes and predictable review timelines. This applies to individual agencies and the federal government as a whole.

In many instances, the authorizations to construct distributed antennae systems (“DAS”) must be obtained by multiple federal, state and/or local jurisdictions. Obtaining authorization for multi-jurisdictional projects involving federal agencies can be some of the most time-intensive and uncertain projects to permit. Moreover, suggested modifications by one agency typically require resubmission of the project to all jurisdictions, including those jurisdictions that may have already approved the project as originally proposed.

Finally, agency rules and regulations applicable to proposed construction projects were in most instances developed long before there was a recognized need to deploy wireless broadband services. The impact of an uncertain process or timeline is ultimately thwarting investment because DAS providers either cannot construct wireless broadband networks on time, or their proposals are rejected during project award phases because specifications regarding timelines and costs are too uncertain.

Parties recommend a two-fold solution: (1) develop defined permitting timelines for projects involving federal jurisdictions; and, (2) designate a lead agency with coordination responsibility amongst the various jurisdictions. Such a solution would allow providers to ascertain what the parameters for a project will be and would significantly reduce the amount of time associated with resubmissions and coordination of responses.

Inconsistent Treatment of Neutral Host Providers

Federal agencies treat NHPs inconsistently. For example, there are rules in place that mandate that only a wireless licensee may install and operate wireless facilities, thus disallowing an important segment of the wireless infrastructure industry from participating in the design and construction of wireless facilities. Policies should be updated to allow for NHPs to participate in all aspects of the procurement of wireless technologies.

⁶ See generally TECHAMERICA FOUNDATION, GOVERNMENT TECHNOLOGY OPPORTUNITY IN THE 21ST CENTURY: IMPROVING THE ACQUISITION OF MAJOR IT SYSTEMS FOR THE FEDERAL GOVERNMENT (Oct. 25, 2010), http://www.techamerica.org/Docs/fileManager.cfm?f=gto_21.pdf.

⁷ Providers of wireless infrastructure unaffiliated with a wireless carrier.

Classified/Non-Classified Environments

Some agencies have classified and non-classified environments and do not understand how radio frequency (“RF”) can be managed to comply with both. Therefore they are reticent to proceed. Parties should work with the FCC to craft a standards document addressing this issue.

LEED Compliance

Many government facilities are, or will be, LEED compliant.⁸ LEED, by its very nature, reflects RF. As a result, the government facility will likely be left with little, or no, commercial wireless coverage. There is no program or educational venue that helps a federal agency deal with wireless RF proactively. The net result is an undesirable “RF black hole” and a huge incremental cost to mitigate the issue.

General contractors and federal agencies can be advised and educated on the effect of LEED, therefore avoiding the problem and significant added expense after the building has been completed/remodeled. Parties should collaborate with Working Group agencies to craft outreach sessions and materials to the agencies and general contractors so that DAS and small cell solutions are included in the initial building designs and technical plans.

Working with Industry Stakeholders and Annual Updates of Policies

Any rigid “one-size-fits-all” approach crafted today may be outdated tomorrow, threatening to hamper wireless facility siting and potentially reducing the number of cell sites deployed in the future. Carriers and infrastructure providers—those who plan, build and maintain wireless networks—are in the best position to determine workable, sustainable policy. The Commission should recommend coordination with stakeholders in developing such policies.

Education and Outreach

Wireless infrastructure has unique design and economic constraints distinct from other information technology (“IT”) projects. Often IT and telecommunications personnel in the federal agencies lack familiarity with these constraints which results in cumbersome and sometimes faulty technical evaluation processes. Public/private outreach training programs sponsored by the FCC should be held in order to educate key IT and telecommunications personnel on infrastructure technologies.

Specific Member Infrastructure Deployments

The Parties submit the following non-exhaustive list of examples as a showcase of current broadband deployments on federal lands and similar settings that highlight specific benefits gained by the individual agencies, government as a whole, and other users of government services. Deployments like those below have the ability to enhance an agency’s mission, connect with users in new and creative ways and improve public safety.

Mammoth Cave National Park, Kentucky

- Broadband infrastructure enables communication between visitors;
- Improved emergency response – visitors/staff can reach emergency personnel from any covered location;
- Using the available mobile applications, park visitors can find campground details, nearby hotels, learn about fees and permitting information, and review tips for the visit;

⁸ “LEED certification provides independent, third-party verification that a building, home or community was designed and built using strategies aimed at achieving high performance in key areas of human and environmental health: sustainable site development, water savings, energy efficiency, materials selection and indoor environmental quality.”, <http://www.usgbc.org/DisplayPage.aspx?CMSPageID=1988>.

- Direct access to Facebook, Instagram, Twitter and other social networking applications enables visitors to immediately upload photos and posts to friends and family all over the world and helps drive visitors to the Park.

Department of Veterans Affairs Hospitals⁹

- Enables communication for patients, family, hospital staff, and visiting physicians;
- Always-on coverage increases easy access to information for doctors and staff, promoting the highest quality of care;
- Creates a more comfortable user experience for our returning heroes and their families;
- Ability to communicate with family and loved ones via Skype, social media sites, and voice calls;
- Supplements and enhances Wi-Fi builds on campus by providing alternate cellular broadband data and voice streams that results in aggregate bandwidth for the end user doctors, nurses, patients and their families;
- Can provide a pipe for the execution of electronic medical records (“EMR”) out to the smart device, which is a critical component of the new healthcare initiative nationwide.

Smithsonian Institute, Washington, D.C.

- Enables better communication for staff and visitors;
- Using the Smithsonian app, visitors can easily target specific exhibits and use their time more effectively;
- Direct access to Facebook, Instagram, Twitter and other social networking sites enables visitors to immediately upload photos and posts to friends and family all over the world and helps drive visitors to the museum;
- Improved emergency response – visitors/staff can reach emergency personnel from any covered location.

House of Representatives, Washington, D.C.

- Enhanced communication for all members, staff, and visitors can help ensure the government works smoothly because of better reception and an increased chance of reaching the contact;
- Augmented security – no single point of failure for communications in/out;
- The ability for key political personnel to have on-campus to off-campus communications via voice and broadband data that allows them to stay in constant contact with their constituents, office staff and other key contacts;
- Enables secure access to key data for bills and other legislative information on the fly. This smart experience, with its fast broadband data speeds, mimics an “at the office” experience, therefore increasing the efficiency of each user.

Adirondack Park Agency, New York¹⁰

- After numerous concerns were raised related to access to public safety within the park, the New York State Legislature, the Park Agency, and industry representatives revisited tower siting policy to streamline the siting of wireless facilities to bring wireless service with first responder capabilities to the roadways within the park;

⁹ While not a VA Hospital, the DAS deployment cited here is a similar use case to what is possible in the VA Hospital setting. *Augmenting Mobile Broadband in Your Community - An Overview of Distributed Antenna Systems and Small Cell Solutions*, Federal Communications Commission, at LA Children’s Hospital Presentation (Feb. 1, 2012), <http://transition.fcc.gov/presentations/02012012/panel-2/marty-miller.pdf> and generally; <http://www.fcc.gov/events/augmenting-mobile-broadband-your-community-overview-distributed-antenna-systems-and-small-cel>.

¹⁰ While not federal property, the park is the largest state-level protected area in the contiguous United States and the largest National Historic Landmark.

- The agreed-upon policy allows for the modification of wireless facilities without burdensome and lengthy review, streamlines review of collocation, and kept permit review at the administrative level;
- The policy is reviewed by stakeholders on an annual basis to take into consideration the need for next generation alterations to existing networks and new technologies.

Conclusion

In order to effectively utilize federal lands, it is imperative that the federal government work with industry in a transparent way to ensure a streamlined, consistent and reliable way. Parties encourage the Commission to raise these issues in their capacity as an advisor agency to the Working Group.

Sincerely,

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