



October 26, 2012

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**Ex Parte**

Ms. Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
Washington, DC 20554

**Re: 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, WC Docket No. 11-59; National Environmental Policy Act Compliance for Proposed Tower Registrations, WT Docket 08-61; Effects of Communications Towers on Migratory Birds, WT Docket No. 03-187**

Dear Ms. Dortch:

On October 24, 2012, Kathy Grillo, Tamara Preiss, and Andy Lachance of Verizon met with Charles Mathias and Renee Wentzel of Chairman Genachowski's office to discuss issues in the above-captioned proceedings.

During the meeting, Verizon discussed four actions the FCC should take to expedite broadband deployment and wireless facilities siting, including:

- Adopt definitions of key undefined terms in Section 6409(a) of the Middle Class Tax Relief and Job Creation Act of 2012,<sup>1</sup> including the terms "modification that does not substantially change the physical dimensions of a tower or base station," and "base station." This action would help ensure consistent application of Section 6409(a) by state and local zoning authorities and reviewing courts.
- Exclude temporary cells on light trucks ("COLTs") and cells on wheels ("COWs") from the antenna structure notice requirements adopted last year.<sup>2</sup> This action is needed so that FCC notice requirements do not prevent carriers from deploying COLTs and COWs, and is justified because short-term COLT and COW deployments are unlikely to have a significant environmental impact.

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<sup>1</sup> Pub. L. No. 112-96, § 6409(a) ("Tax Relief Act").

<sup>2</sup> *National Environmental Policy Act Compliance for Proposed Tower Registrations*, WT Docket 08-61; *Effects of Communications Towers on Migratory Birds*, WT Docket No. 03-187, Order on Remand, 26 FCC Rcd 976 (2011).

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- Facilitate small cell deployment by clarifying that Note 1 to Section 1.1306 of the Commission's rules, 47 C.F.R. § 1.1306, applies to facilities mounted on structures such as utility poles and road signs and by adopting an exclusion to the historic preservation review process for small cells. These actions would help facilitate small cell deployment by excluding such cells from NEPA and NHPA review given that small cells are unlikely to have a significant impact on the environment or on historic properties.
- Assist with siting wireless facilities on Federal lands by engaging with the General Services Administration ("GSA") and the Federal Property Working Group in their efforts to develop common forms and fee schedules, master contracts, and uniform processes for deploying broadband facilities on Federal lands, buildings, rights-of-way, federally assisted highways, and tribal lands.<sup>3</sup>

This letter is being filed electronically pursuant to Section 1.1206 of the Commission's Rules. Should you have any questions regarding this letter, please contact the undersigned.

Sincerely,



cc: (via e-mail)  
Charles Mathias  
Renee Wentzel

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<sup>3</sup> The efforts being undertaken by the GSA and the Federal Property Working Group are mandated by the Tax Relief Act and Executive Orders, respectively. *See* Tax Relief Act § 6409 (b) and (c); Exec. Order No. 13,604, 77 Fed. Reg. 18,887 (2012); Exec. Order No. 13,616, 77 Fed. Reg. 36,903 (2012).