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March 1, 2013

Secretary
Federal Communications Commission
Washington, D.C. 20554

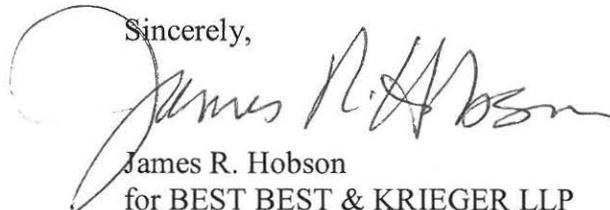
Re: Docket 11-59

Dear Madame Secretary:

On behalf of the City of Arlington, Texas; the City of Davis, California; the Padre Dam Municipal Water District; and Valley Center Municipal Water District, Bob Hunnicutt of Columbia Telecommunications Corporation, together with Nick Miller, Joe Van Eaton and the undersigned, plus (by phone) Rochelle Swanson of the City Council of Davis, CA, met on February 21, 2013 with Jane Jackson, Jeff Steinberg, Maria Kirby, Peter Trachtenberg, Won Kim, Stephen DelSordo and (by phone) Don Johnson of the Wireless Telecommunications Bureau to discuss the Bureau's guidance on Section 6409 of Public Law 112-96, released by Public Notice, DA 12-2047, January 25, 2013.

At the Bureau's suggestion, although the guidance is not docketed, we are filing in Docket 11-59 the attached slides and an appended brief description of the State of California's wireless collocation statute. Please direct any questions to the undersigned.

Sincerely,



James R. Hobson
for BEST BEST & KRIEGER LLP

cc: FCC participants



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**California Government Code
Sections 65850.6, 65964**

Section 65850.6 Simplifying for convenience, this section requires a locality to give zoning approval to attachments to facilities that have already undergone a discretionary review, as long as the co-location is consistent with the conditions established as part of that initial discretionary review. As part of the initial review of a facility that is intended to support co-located facilities, the locality adopts standards for matters like the permitted height, width, bulk and location of the facility, and the permitted design of the facility. There are important elements to the law, in addition to those mentioned, related to environmental concerns and enforcement of conditions. But, this "once and done" approach gives certainty to the industry, which can speed deployment and collocation by designing to local standards, and by obtaining approval for collocation facilities in advance. It protects localities by ensuring, for example, that a "stealth" facility remains a stealth facility, and by allowing for approval of facilities that are not intended to support multiple antennas (allowing for placement of small equipment in sensitive areas).

Section 65964 Cities may not:

- Require an escrow deposit for removal of a facility or any of its components. Cities can still require that a bond be posted to cover the cost of removal, but must "take into consideration" the project applicant's estimate of removal costs.
- Limit the duration of any permit for a facility to less than 10 years, unless there are "public safety reasons" or "land use reasons." Cities are still permitted to require a site to be built and operational within a certain amount of time.
- Require all facilities to be located on sites owned by particular parties.