

April 8, 2013

VIA ELECTRONIC FILING

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

Re: Ex Parte Communication, WC Docket No. 11-59; GN Docket No. 12-354

Dear Ms. Dortch,

On April 4, 2013, Jonathan Campbell and the undersigned of PCIA – The Wireless Infrastructure Association (“PCIA”) and The DAS Forum, a membership section of PCIA, Amos J. Loveday, Ph.D. of Atchley Hardin Lane LLC, and Craig E. Gilmore of Wilkinson Barker Knauer, LLP (collectively, the “PCIA Representatives”) met with Jane Jackson, Jeffrey Steinberg, Maria Kirby, Dan Abeyta, Don Johnson, Mania Baghdadi, Stephen DelSordo, and Peter Trachtenberg of the Wireless Telecommunications Bureau. The PCIA Representatives provided an overview of the letter PCIA filed March 19, 2013 that details steps the Federal Communications Commission (“FCC” or “Commission”) should take to streamline DAS and small cell deployment.¹ Dr. Loveday shared the findings of his report that compares DAS and small cell solutions to the FCC’s current environmental and historic preservation framework.²

In the meeting, the PCIA Representatives urged the Commission to address deployment difficulties created by FCC environmental and historic preservation rules through a rulemaking to add DAS and small cell solutions to the list of categorical exclusions within Note 1 to 47 C.F.R. § 1.1306. The PCIA Representatives stressed that such a rulemaking would provide notice to the public and allow interested stakeholders, including preservationists and Indian tribes and Native Hawaiian organizations, the opportunity to participate in the development of the exclusion. Dr. Loveday also explained why a “program comment” is not an appropriate solution.³

In response to staff questions, PCIA will supplement the record with additional details regarding the size and characteristics of DAS and small cells installations in the public rights-of-way and additional information relied upon by Dr. Loveday in the production of his report.

¹ Letter from D. Zachary Champ, Gov’t Affairs Counsel, PCIA – The Wireless Infrastructure Ass’n, to Marlene H. Dortch, Secretary, FCC (Mar. 19, 2013), *available at* <http://apps.fcc.gov/ecfs/document/view?id=7022132501>.

² AMOS J. LOVEDAY, DAS/SMALL CELLS & HISTORIC PRESERVATION: AN ANALYSIS OF THE IMPACT OF HISTORIC PRESERVATION RULES ON DISTRIBUTED ANTENNA SYSTEMS AND SMALL CELL DEPLOYMENT (Feb. 27, 2013) (“DAS/Small Cell Report”), *available at* <http://apps.fcc.gov/ecfs/document/view?id=7022132502>.

³ *See id.* at 7 n.32.

Pursuant to Section 1.1206 of the Commission's rules, this letter is being filed via ECFS, and a copy will be provided via email to the attendees. Please do not hesitate to contact the undersigned with any questions.

/s/

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CC: Jane Jackson; Jeffrey Steinberg; Maria Kirby; Dan Abeyta; Don Johnson; Mania Baghdadi; Stephen DelSordo; Peter Trachtenberg