



AMERICAN PUBLIC WORKS ASSOCIATION

Your Comprehensive  
Public Works Resource

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February 3, 2014

Federal Communications Commission  
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Washington, DC 20554

**WT Docket Nos. 13-238, 13-32; WC Docket No. 11-59; FCC 13-122 -- Acceleration of Broadband Deployment by Improving Wireless Facilities Siting**

In its proposed rule on acceleration of broadband deployment by improving wireless facilities siting, published in the *Federal Register* December 5, 2013, the Federal Communications Commission seeks comment on rules to implement statutory provisions governing state and local review of wireless siting proposals.

Broadband offers communities and citizens many benefits in areas including health care, education, public safety, commerce and culture. The American Public Works Association (APWA) and its members strongly support rapid deployment of broadband and believe that universal access will strengthen our economy and ensure a better quality of life for the citizens we serve. Local governments and local public works agencies in particular rely on broadband to better serve and protect the public.

Respect for local control, use of best practices and flexibility are the way to accelerate broadband deployment. A one-size-fits-all regulation can neither adequately take into account nor properly address the balance of competing interests served by the various existing local policies and ordinances, nor suitably serve the best interest of individual communities.

The public expects local governments to ensure that the deployment of new or expanded services does not result in damaged infrastructure, other disrupted services, jeopardized safety or diminished community aesthetics. Public agencies, therefore, have the important responsibility to keep public rights-of-way in a state of good repair, safe and secure and free of unnecessary encumbrances.

Public rights-of-way are normally acquired and developed by public agencies for transportation routes, water supply, waste disposal, power distribution, means of communications and similar services. Such services are provided for the common good of the public and are generally

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authorized and directed by public agencies. Public agencies have a statutory obligation to regulate and manage the use of public rights-of-way in the interest of the convenience, health, safety and welfare of the public. This includes providing for the operation and protection of public facilities.

In addition, Public rights-of-way are historically undervalued public resources that become increasingly congested as urbanization and implementation of new technologies occur. Public agencies have the responsibility to ensure that appropriate utilization of the public right-of-way occurs in accordance with all applicable local, state and federal laws.

Managing rights-of-way is complex, and local communities utilize a variety of management practices suited to local needs and public expectations. Respect for local control recognizes that decisions regarding safe and efficient management of local public rights-of-way belong with local governments.

As an organization whose primary mission is education, APWA provides a forum for practitioners and professionals to discuss common issues and best management practices, including managing rights-of-way. Our members keep up-to-date on trends and emerging issues through timely publications, workshops, interactive conferences, training and chapter programs. Through the exchange of knowledge, best practices, new technologies and innovative solutions our members address new challenges and apply tailored solutions that will work in the communities they serve.

APWA is an international educational and professional association of public agencies, private sector companies and individuals. Our organization represents 28,500 members who plan, design, build, operate and maintain transportation, water supply, stormwater, wastewater treatment and refuse disposal systems, public buildings and other structures and facilities essential to our nation's economy and quality of life. Public works professionals serve a diverse range of local communities, municipalities, counties, townships, villages and districts, whether large or small, rural or urban. These comments were prepared with input from APWA's Utilities and Public Rights of Way Committee.

Thank you for considering our comments.

Sincerely,



Peter B. King  
Executive Director