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Ex Parte

Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: Proposed Changes in the Commission's Rules Regarding Human Exposure to Radiofrequency Electromagnetic Fields, ET Docket No. 03-137

Dear Ms. Dortch:

On February 6, Tamara Preiss, Andy Lachance, and Chris Miller of Verizon, and David Kilian and Christopher Sheppard of Verizon Wireless met with Julius Knapp, Bruce Romano, Ed Mantiply, and Martin Doczkat of the Office of Engineering & Technology. Steven Regitz of Verizon Wireless and Rashmi Doshi of OET participated by telephone. In the meeting we discussed the Commission's proposal to revise the MPE-based exemption threshold criteria for transmitter sites.¹

As we explained in our comments, the proposed exemption criteria are overly strict and will result in a substantial number of network facilities, potentially including small cell and DAS transmitters, losing their exempt status.² We discussed the alternative threshold calculation set forth in our comments for single transmitters located on structures such as towers, light poles, and utility poles, where access is subject to greater control by licensees.³ This proposal would allow many low-powered transmitters that are today exempt from routine evaluation to remain exempt, thus facilitating the efficient use of spectrum through deployment of small cells and DAS to increase capacity in targeted geographic areas.

¹ *Proposed Changes in the Commission's Rules Regarding Human Exposure to Radiofrequency Electromagnetic Fields*, ET Docket No. 03-137, Further Notice of Proposed Rulemaking, 28 FCC Rcd 3498, ¶¶ 119, 130 (2013).

² *Proposed Changes in the Commission's Rules Regarding Human Exposure to Radiofrequency Electromagnetic Fields*, ET Docket No. 03-137, Comments of Verizon and Verizon Wireless (filed Sept. 3, 2013), at 3-7.

³ *Id.* Verizon's proposal would require routine evaluation for transmitters operating between 400 MHz and 3 GHz if $ERP \geq 76 R^2$.

We also discussed the need for the Commission to adopt safe harbors with respect to carrier efforts to restrict access to radio frequency transmitters located at rooftop locations.⁴ We provided the following examples of obstacles the company has encountered when trying to restrict access or provide appropriate notifications on transmitter sites:

- In New York City, condominium tenants became upset and concerned with RF notification signs we placed on a terrace access point. The tenants hired counsel and demanded that the signs be removed. The signs were removed.
- In a New England location, we attempted to put indicative barriers to demarcate where power density levels exceeded the general population limits. The property owners rejected those efforts on grounds that they created an “eyesore” for neighboring buildings and persons on the street.
- In Jackson, California, Verizon wanted to put indicative barriers on a roof-top transmitter location. The property owner rejected our request because he did not want to put more signs and paint on his roof.

As these examples demonstrate, Verizon is committed to operating and does in fact operate safe and effective transmitters, but carrier compliance should not be dependent on the actions of third parties that carriers cannot control.

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

Sincerely,



cc: (via e-mail)
Julius Knapp
Bruce Romano
Ed Mantiplay
Martin Doczkat
Rashmi Doshit

⁴ *Id.* at 10-15.