

**Before the  
Federal Communications Commission  
Washington, DC 20554**

2004 and 2006 Biennial Regulatory Reviews--	)	
Streamlining and Other Revisions of Parts 1	)	
and 17 of the Commission’s Rules Governing	)	
Construction, Marking and Lighting of Antenna	)	
Structures, Amendments to Modernize and	)	
Clarify Part 17 of the Commission’s Rules	)	WT Docket No. 10-88
Concerning Construction, Marking and	)	
Lighting of Antenna Structures	)	
	)	
American Tower Corporation Request for	)	
Complete Waiver of 47 C.F.R. §17.47(b)	)	

**COMMENTS OF AT&T**

AT&T Inc. (“AT&T”), on behalf of its wireless subsidiaries, submits the following comments in response to the Public Notice released by the Federal Communications Commission (“Commission”) in this docket.<sup>1</sup>

AT&T supports American Tower Corporation’s (“ATC”) request for a complete waiver of the Commission rule section 17.47(b) requirement to conduct on-site inspections of all automatic or mechanical control devices, indicators, and alarm systems associated with the antenna structure lighting, including the annual inspections allowed by waiver, when ATC utilizes a remote monitoring system. AT&T concurs with ATC’s conclusion that a complete waiver is in the public interest and that the underlying purpose of section 17.47(b) would not be served by continued enforcement.

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<sup>1</sup> Request for Complete Waiver of 17.47(b) of the Commission’s Rules, *Public Notice*, WT Docket No. 10-88 (2014).

As the Commission recognized in 2010, network operations center-based remote monitoring systems can reliably diagnose, in real time, operational problems with tower lighting systems, including failures of control devices, indicators and alarm systems.<sup>2</sup> ATC's experience appears to bear that out.<sup>3</sup> ATC indicates that in the 39,000 on-site tower inspections conducted since it deployed remote monitoring systems, "[n]one . . . revealed any tower lighting system malfunctions that had not been previously identified or addressed by the on-site monitoring system installed by ATC."<sup>4</sup> These objective results demonstrate that ATC's remote monitoring system technology is a proven replacement for on-site inspections and that continuing to require on-site inspections of such systems, even annually, unnecessarily burdens ATC without promoting aircraft navigation safety.

Moreover, granting ATC a complete waiver of on-site inspection requirements is in the public interest. The Commission has correctly concluded that the use of advanced remote monitoring technologies provides the benefits of a more rapid response to lighting failures, with attendant aircraft safety.<sup>5</sup> AT&T also agrees that relieving on-site inspection requirements for remote monitored towers may encourage other tower owners to adopt such state-of-the-art

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<sup>2</sup> 2004 and 2006 Biennial Regulatory Reviews--Streamlining and Other Revisions of Parts 1 and 17 of the Commission's Rules Governing Construction, Marking and Lighting of Antenna Structures, Amendments to Modernize and Clarify Part 17 of the Commission's Rules Concerning Construction, Marking and Lighting of Antenna Structures, *Notice of Proposed Rulemaking*, WT Docket 10-88, RM 11349, 25 FCC Rcd 3982, 3993 (2010) ("*Notice*").

<sup>3</sup> AT&T's experience likewise bears that out.

<sup>4</sup> Request for Modification of Existing Waiver, WT Docket No. 10-88 at 6 (filed September 17, 2013).

<sup>5</sup> *See Notice* at 3993.

systems.<sup>6</sup> A complete waiver of the on-site inspection requirements would incent many tower owners to invest in remote monitoring technologies, triggering a corresponding increase in air safety. For these reasons, AT&T agrees with ATC that the public interest is served by a complete waiver of the on-site inspection requirements.

In fact, AT&T advocates that the Commission eliminate the need for the ATC waiver by moving to an Order on the Notice of Proposed Rulemaking in this docket that completely removes Commission rule section 17.47. On-site manual inspections have been rendered obsolete by modern remote monitoring and alarm systems that provide real-time notification of malfunctions to the tower owner. What matters is that tower lights remain operational, and when they malfunction, the tower owner promptly requests a Notice to Airmen (“NOTAM”). Rules imposing prophylactic measures to assist tower owners in meeting these requirements, such as mandating on-site inspections, are no longer necessary to ensure responsible monitoring and reliable operation of lighting systems, as evidenced by efforts over the last few years to develop and implement remote monitoring and alarm systems.

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Respectfully submitted,



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<sup>6</sup> *Id.*