

September 25, 2018

VIA ELECTRONIC FILING

Ms. Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, SW
Washington, District of Columbia 20554

RE: Accelerating Wireline Broadband Deployment by Removing Barriers to Infrastructure Investment, WC Docket No. 17-84; Accelerating Wireless Broadband Deployment by Removing Barriers to Infrastructure Investment, WT Docket No. 17-79

Dear Ms. Dortch,

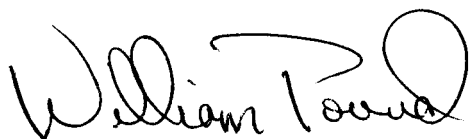
The National Conference of State Legislatures and the National Governors Association write to express concerns about the Federal Communications Commission's proposed Declaratory Ruling and Third Report and Order regarding state and local governance of small cell wireless infrastructure deployment. For several years governors and state legislators have been encouraging wireless carriers to work cooperatively with all levels of government to modernize laws and regulations to facilitate the deployment and timely placement of wireless facilities while maintaining the appropriate local authority over the siting of such facilities. Furthermore, NGA and NCSL encourage states to provide regulatory certainty for the deployment of wireless facilities, including micro-cell infrastructure, by streamlining local jurisdiction application processes, allowing access to public rights-of-ways, and adopting a fair fee structure.

While we share the Commission's goal of ensuring the growth of cutting-edge broadband services for all Americans, we remain concerned about several provisions of this proposal. The FCC's proposed shot clocks and the fee caps will preempt all 20 states that have passed small cell legislation in cooperation with industry and localities. Not only will these 20 states be affected, but it also ties the hands of any other state that is looking to ensure inclusive and equitable access to high speed internet services to residents.

State and local governments have an important responsibility to protect and respond to constituents concerns regarding access, equity and safety, and we are concerned that these preemption measures compromise that traditional authority.

We oppose this effort to restrict state and local authority and stymie local innovation. We urge you to oppose this declaratory ruling and report and order.

Respectfully submitted,



William T. Pound

Executive Director

National Conference of State Legislatures



Scott Pattison

Executive Director and CEO

National Governors Association