

**STATEMENT OF
COMMISSIONER MIGNON L. CLYBURN**

Re: In the Matter of Acceleration of Broadband Deployment by Improving Wireless Facilities Siting Policies, WT Docket No. 13-238; Acceleration of Broadband Deployment: Expanding the Reach and Reducing the Cost of Broadband Deployment by Improving Policies Regarding Public Rights of Way and Wireless Facilities Siting, WC Docket No. 11-59; 2012 Biennial Review of Telecommunications Regulations, WT Docket No. 13-32.

When considering how best to help wireless companies meet the explosive consumer demand for mobile services, the FCC focuses a lot on its upcoming AWS-3 and incentive auctions. The reality is that, in order to meet our ever growing communications needs, carriers cannot just acquire spectrum. They must also deploy that spectrum using a hardened, robust mobile infrastructure, which includes antennas and base stations.

Too often, the process of obtaining the necessary approvals from federal, state, and local governments to deploy can be both expensive and time-consuming. Today's Order seeks to address these shortcomings by bringing about more efficiency to the process of approving wireless facilities. Since 1974, the FCC's environmental and historical review procedures have excluded collocations of antennas from most of the requirements, recognizing the benefits of using existing structures over constructing new ones. Today, in order to facilitate faster deployment of wireless infrastructure, we expand that categorical exclusion to include: equipment associated with the antennas (such as wires, cables, and backup-power equipment), utility poles and electric transmission towers that meet certain conditions, and collocations within a building. We also adopt a 60-day period of review, before a collocation application can be deemed granted, pursuant to Section 6409(a) of the Middle Class Tax Relief and Job Creation Act of 2012. I was able to support this time period for two reasons. First, my colleagues agreed to move the effective date for the rules adopted here, from 30 days to 90 days after Federal Register publication. Second, last night, CTIA and PCIA agreed to make a number of commitments that could help resource constrained municipalities, transition to the new streamlined rules we are adopting today. Specifically, those associations will work in good faith towards the following goals:

Informing resource-constrained municipalities of best practices, used by other jurisdictions that are able to review and approve applications in fewer than 60 days;

Providing webinars and contacts to provide education and assistance, to these municipalities regarding the application process;

Providing assistance in drafting a model ordinance and application, for reviewing eligible facilities requests under Section 6409(a); and

Creating a checklist, that local government officials can use, to help streamline review processes.

I commend those organizations for making those commitments.

By making these changes to our rules, we anticipate spurring greater deployment of new technologies, such as small cells and Distributed Antenna Systems, which multiply wireless capacity within existing spectrum resources. For example, deploying ten small cells in a coverage area that can be served by a single macrocell could result in a tenfold increase in capacity. Small cells can also be deployed relatively easily on utility poles, street lamps, water towers, or rooftops -- a big reason why they are becoming so popular.

We also adopt an exemption from the rule, that tower owners must give the public 30 days' notice to comment on a proposed tower's potential effects to the environment and to historic sites. This exemption

applies only to proposed temporary towers that meet certain criteria. Specifically, those towers must be in use for 60 days or less; be shorter than 200 feet in height; involve minimal or no excavation; and not require FAA marking or lighting. This exemption will allow communications companies, to respond more effectively to emergencies, and other planned and unplanned short-term spikes in demand.

Finally, I wish to thank Roger Sherman, Chad Breckinridge, Patty Robbins, Peter Trachtenberg, Won Kim, Mania Baghdadi, and Michael Smith as well as my wireless legal advisor Louis Peraertz for providing us with such an excellent item.