



OFFICE OF  
THE CHAIRMAN

FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON

December 27, 2018

The Honorable Catherine Cortez Masto  
United States Senate  
204 Russell Senate Office Building  
Washington, D.C. 20510

Dear Senator Cortez Masto:

Thank you for your letter regarding Commission efforts to modernize our wireless infrastructure regulations. Our wireless infrastructure rules have been a poor fit for the 5G networks of the future, and our efforts to unleash spectrum for consumer use will be meaningless without the physical infrastructure needed to bring next-generation services to the American people. That's because 5G networks will not depend on a few large towers but on numerous small cell deployments—deployments that are only beginning.

The Telecommunications Act of 1996 mandates that we act to ensure a pro-competitive, de-regulatory national policy framework to accelerate this process. That's why we acted earlier this year to modernize our regulations and make the federal regulatory review process for wireless infrastructure 5G less onerous.

Many states and localities have similarly taken positive steps to reform their own laws so that their citizens can benefit from 5G. And I applaud municipalities that have prioritized mobile broadband deployment and recognized a streamlined process is necessary for 5G.

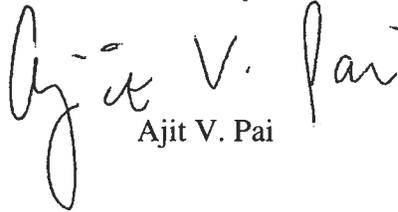
But in too many places, local regulations continue to impede necessary build-out. Accordingly, we took action in September to address local regulations that are inconsistent with federal law. Exorbitant fees on 5G deployment effectively operate as taxes that slow down deployment there and jeopardize the construction of 5G networks elsewhere. Accordingly, we set guard rails to ensure cities can recover their costs but not discriminate against new deployments. On a bipartisan basis, we also set reasonable shot clocks tailored to small wireless facilities while respecting the need for longer timelines when dealing with 200-foot towers. And we recognized the role that reasonable municipal regulations can play in ensuring the aesthetic character of a community. I believe the rules we adopted strike a reasonable balance between deployment and appropriate regulatory review and will help ensure American leadership in 5G.

As with all of our decisions, we reviewed a broad range of comments and listened carefully to the concerns of stakeholders. And thanks to this Commission's transparency initiative, they not only had a chance to comment when we opened this proceeding in 2017, but again when we released the full text of our proposed decision three weeks before our vote.

Page 2—The Honorable Catherine Cortez Masto

Thank you again for your correspondence, which we have included in the record of this proceeding. Please let me know if I can be of any further assistance.

Sincerely,

A handwritten signature in black ink that reads "Ajit V. Pai". The signature is written in a cursive style with a large initial "A" and a long tail on the "i".

Ajit V. Pai