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For Immediate Release**FCC TAKES ACTION TO PROMOTE BROADBAND DEPLOYMENT
AND COMPETITION IN APARTMENT AND OFFICE BUILDINGS*****Agency Seeks Comment on Ways to Promote Next-Generation Services in These
Buildings and Narrowly Pre-empt Part of a San Francisco Ordinance That Deters
Broadband Deployment***

WASHINGTON, July 10, 2019—The Federal Communications Commission is taking steps to improve broadband deployment and competition in the nation’s apartment buildings, condominium complexes, and office buildings, known as multiple tenant environments, or MTEs.

Nearly 30% of the U.S. population lives in condominiums and apartments, and millions more work in office buildings. The FCC must address the needs of those living and working in these buildings to close the digital divide for all Americans. However, broadband deployment in MTEs poses unique challenges. To provide service, broadband providers must have access to potential customers in the building. But when broadband providers know that they will have to share the communications facilities that they deploy with their competitors, they are less likely to invest in deployment in the first place. For decades, Congress and the FCC have encouraged facilities-based competition by broadly promoting access to customers and infrastructure—including MTEs and their tenants—while avoiding overly burdensome sharing mandates that reduce incentives to invest.

Consistent with these principles, the FCC today takes three specific steps to promote facilities-based broadband deployment and greater consumer choice for Americans living in MTEs:

- First, in a Notice of Proposed Rulemaking (NPRM), the FCC seeks public input on additional actions it could take to accelerate the deployment of next-generation networks and services within MTEs. In particular, the NPRM seeks comment on the impact that revenue sharing agreements between building owners and broadband providers, exclusivity agreements regarding rooftop facilities, and exclusive wiring arrangements have on broadband competition and deployment
- Second, in a Declaratory Ruling, the Commission clarifies that it welcomes state and local experimentation to increase *access* to MTEs—so long as those actions are consistent with federal law and policy.
- Third, in the same Declaratory Ruling, the Commission preempts part of an outlier San Francisco ordinance to the extent it requires the *sharing* of in-use wiring in MTEs. Required sharing of in-use wiring deters broadband deployment, undercuts the Commission’s rules regarding control of cable wiring in residential MTEs, and

threatens the Commission's framework to protect the technical integrity of cable systems for the benefit of viewers.

Action by the Commission July 10, 2019 by Notice of Proposed Rulemaking and Declaratory Ruling (FCC 19-65). Chairman Pai, Commissioners O'Rielly and Carr approving. Commissioner Rosenworcel dissenting. Commissioner Starks concurring in part and dissenting in part. Chairman Pai, Commissioners O'Rielly, Carr, Rosenworcel, and Starks issuing separate statements.

GN Docket No. 17-142; MB Docket No. 17-91

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