

**STATEMENT OF
COMMISSIONER MICHAEL O'RIELLY**

Re: *Implementation of State and Local Governments' Obligation to Approve Certain Wireless Facility Modification Requests Under Section 6409(a) of the Spectrum Act of 2012, WT Docket No. 19-250, RM-11849*

From my earliest days at the Commission, I have met with tower companies, wireless providers, and their trade associations to start an open dialogue about needed improvements to the regulatory structure that is ensnaring infrastructure siting. Unfortunately, in numerous meetings, these entities cited a myriad of legitimate examples of local governments, historic preservation boards, and Tribal nations continuously placing unnecessary barriers in the way of Americans receiving higher quality services and the latest wireless innovations. Sometimes, there was even a reluctance to share their experiences given the potential for negative blowback, but the stories and details made clear to me that Commission action was needed.

Such prohibitions and delays are even more egregious when they affect wireless providers' ability to collocate on existing towers. Everyone would naturally assume that staunch tower opponents would support efforts to use existing towers instead of building additional ones, which some find unsightly. Yet, despite this logical presumption and even Congressional action to facilitate collocations, the wireless industry still faced, and continues to face, ridiculous hurdles.

The lists of obstacles were quite extensive early on, and the Commission has tackled many of these issues already. But, one of the problems repeatedly highlighted was obtaining approvals for the compound expansion needed when a provider wanted to collocate on a tower. Whether it be for equipment cabinets or generators for backup power, long approval processes were being required to expand compounds on land already zoned for this very use. It amazes me how some can argue against today's action while repeatedly calling for – and sometimes criticizing – the need for greater resiliency, expansion of networks, and the deployment of FirstNet's system. Not to mention, most recognize that the deployment of 5G will require more equipment to be placed within these compounds.

Although today's action could have been done earlier, I am pleased that we are finally eliminating the barriers unjustly restricting compound expansion. After having given many speeches on this topic, I appreciate that this item was brought to conclusion before I depart.

While this particular issue comes to a close, we unfortunately have failed to resolve the infrastructure-related issue that has been on the top of my list the longest: twilight towers. Almost 5000 towers, some of which have been in existence for almost two decades, are available for collocations. The Commission has a plan to resolve issues that arose because the Commission's rules were unclear, which prevented collocations on these towers. It is hard to believe that some would take an action that would hinder network deployment, especially at a time when everyone is relying on telecommunications services to keep in touch with loved ones, attend school, visit their doctors, and do their jobs. There is plenty of leadership blame to go around on this issue, but let's be clear: the Advisory Council on Historic Preservation must reverse its nonsensical decision on this matter immediately.