

**STATEMENT OF
COMMISSIONER MIGNON L. CLYBURN**

Re: ***2004 and 2006 Biennial Regulatory Reviews - Streamlining and Other Revisions of Parts 1 and 17 of the Commission's Rules Governing Construction, Marking and Lighting of Antenna Structures, WT Docket No. 10-88, Amendments to Modernize and Clarify Part 17 of the Commission's Rules Concerning Construction, Marking and Lighting of Antenna Structures, RM 11349***

For some time now, the wireless topics getting the most press attention tend to involve the upcoming AWS-3 and voluntary incentive spectrum auctions. We expect that these auctions will help the commercial wireless industry meet the explosive demand, for mobile services. We also anticipate that the auctions will jump start broad based economic growth, because the wireless industry is a key driver when it comes to job creation and manufacturing.

Less written about, however, are the Commission's rules concerning infrastructure deployment such as the Part 17 requirements for antenna tower registration and maintenance. But spectrum allocation and infrastructure policy are linked. If we want the upcoming spectrum auctions to yield the greatest benefits for mobile consumers and our economy, we must review and where possible streamline our infrastructure deployment policies. We must make sure that our licensees meet their public interest obligations. But our focus should also be on removing any unnecessary rules. Instead of spending finite resources on compliance with needless rules, the wireless industry and the regulators, should retarget those resources on investments in improved networks that cover larger service areas.

Antenna tower registration and maintenance requirements are necessary to ensure these structures do not jeopardize aviation safety, but some of these rules are decades old and are now outdated. One example is the requirement for quarterly physical inspections of tower monitoring systems, which have cost some of the larger tower companies millions each year. Advances in technology now allow for remote monitoring to ensure that those towers have the proper lighting required by our rules. Therefore, I am pleased this Order will exempt tower owners from a quarterly inspection requirement, if they use a Network Operations Center based monitoring system that is staffed with trained personnel, who can respond to alarms 24 hours a day. Today's Order also improves our lighting outage notification requirements, standardizes repair timelines, and harmonizes other maintenance requirements, with current FAA guidelines.

So I commend the parties, such as PCIA, for their advocacy on these issues and also thank Roger Sherman, Sue McNeil, Michael Smith and the other members of the Wireless Bureau, who worked hard to bring forth, this excellent item.