

## STATEMENT OF COMMISSIONER AJIT PAI

Re: *Wireless Properties, LLC Application for Review.*

Deploying the towers, antennas, and other infrastructure necessary to meet consumers' growing demand for mobile broadband is no easy task. And it's often made more difficult by federal, state, and local regulations that unnecessarily slow the process down.<sup>1</sup> So when a state determines that a proposed tower will not adversely affect any historic property identified by the applicant, the law treats that as the state's final answer.

Accordingly, today's *Order* correctly finds that Tennessee lacked authority under the Nationwide Programmatic Agreement (NPA), which governs the review process, to reopen a proceeding after concluding that a proposed tower would have no adverse impact. This is the right answer under the law and one that will help promote certainty and transparency while speeding the deployment of wireless infrastructure.

At the same time, the NPA does provide the Federal Communications Commission with limited authority to reopen a proceeding. And I believe the FCC lawfully exercises that authority in this case because the applicant omitted material information from its application. In particular, it did not identify a National Park that fell within the proposed tower's Area of Potential Affect. So I agree that the FCC should exercise its own authority under the NPA and reopen the proceeding for the limited purpose of allowing the state to examine the proposed tower's potential impact on that property.

I would like to thank my colleagues for accommodating my suggestions on this item, and the hard-working staff of the Wireless Telecommunications Bureau, including Mania Baghdadi, Stephen Delsordo, Erica Rosenberg, Jeff Steinberg, and Johanna Thomas for their efforts.

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<sup>1</sup> See, e.g., *Acceleration of Broadband Deployment by Improving Wireless Facilities Siting Policies*, WT Docket No. 13-238, 29 FCC Rcd 12865, 13016-17 (2014) (Statement of Commissioner Ajit Pai), available at <http://go.usa.gov/3GynH>; see also Remarks of Commissioner Ajit Pai at PCIA's 2014 Wireless Infrastructure Show (2014), available at <http://go.usa.gov/3GynV>; Remarks of Commissioner Ajit Pai at CTIA's MobileCon (2012), available at <http://go.usa.gov/wMG9>.