

**STATEMENT OF
COMMISSIONER MICHAEL O'RIELLY**

Re: *Accelerating Wireline Broadband Deployment by Removing Barriers to Infrastructure Investment*, WC Docket No. 17-84; *Accelerating Wireless Broadband Deployment by Removing Barriers to Infrastructure Investment*, WT Docket No. 17-79.

I believe there is near universal agreement, certainly among my colleagues here at the FCC, that broadband services of sufficient functionality should be available to all Americans that seek access. If used properly, broadband can bring enormous benefits to individuals and society as a whole. From critical news and information to educational materials and entertainment, broadband can improve the lives of our citizens in ways not imagined just a few decades ago. It is also completely interwoven into almost every aspect of the business and commercial world. And, the technologies in the works and on drawing boards suggest it will be an astronomically more connected universe.

Persistent and known obstacles, however, are preventing many Americans from accessing private sector broadband services. In many cases, the economics make it incredibly challenging to extend network build-outs to the farthest corners of our nation. It's why I have spent so much time working to modernize and strengthen the Commission's Connect America Fund and have pushed hard for the initiation of the Remote Areas Fund. Similarly, a large percentage of State and local governments are due kudos for stepping forward to make the process for obtaining broadband deployment approvals, to the extent it is necessary, more efficient.

At the same time, a select group of State and local governments have defied reason and actually slowed down or stifled deployment work to feed their own egos, power, or push for shakedown bounties. This is unacceptable. Today, the Commission takes its second step in our larger effort to confront the practices of these bad actors. This has been over a 30-year fight with some of these communities and the associations representing them, so you will excuse me if I don't buy the arguments that all it takes is more cooperation and time working together.

While I support the one-touch make-ready (OTMR) provisions, I want to start my comments on the second portion of today's item, the moratorium section. Anyone who has worked in this space for quite a while knows that State and local governments have been on notice for decades that Congress wanted to end: 1) moratoriums on wireless towers and antennas, and 2) tower siting decisions based on aesthetics. Let me make this clear for those local officials who may not have been listening in the past: **NO MORATORIUMS; NO MORATORIUMS; ABSOLUTELY NO MORATORIUMS.**

It is beyond me that we are still having to deal with this outrageous practice after so many years, especially given how important broadband can be to the very citizens residing in these areas. In addition to the existing provisions of section 332, today's item declares section 253 as a statutory authority for prohibiting applicable moratoriums. While I know it will be challenged in court, my simple reaction is hallelujah. Every ounce of Congressional authority provided to the Commission must be used as a counterforce against moratoriums, which is just another word for "mindless delay" or "extortion attempts to generate some local officials' wish list." And, the record is replete with examples of such out-of-bound practices, such as digital inclusion funds, that unnecessarily create political slush funds and raise the cost of service for consumers.

During to the first portion of the item, I want to thank the Chairman and his team for making a few key edits to the one touch make ready provisions. My revisions will not fundamentally alter the direction of the item or undermine its necessary efforts. Instead, it will smooth some rougher parts of the OTMR by bolstering the recourse for damages or non-compliance resulting from OTMR work, ensuring that make-ready work damage to existing attachers' facilities are rectified immediately, increasing post-OTMR inspection periods, allowing existing attachers to continue work on their networks during the

advance notice period, reducing the burdens of per-pole estimates and invoices, permitting overlashing of facilities upon permission of the host without the pole owners advance approval, amongst others.

In the end, the item will greatly aid the private sector expansion of broadband services throughout America, producing a more competitive and capable nation. I look forward to further actions later this year by Commissioner Carr to further extend wireless buildout relief, including other preemptive measures, to complement our work here today. I approve.