

**STATEMENT OF  
COMMISSIONER OLIVIA TRUSTY**

Re: *Build America: Eliminating Barriers to Wireline Deployments*, WC Docket No. 25-253, Notice of Inquiry (Sept. 30, 2025).

State and local governments and the FCC work together as partners in many ways. We share the goal of bringing advanced networks, capable of providing voice and data services, to all Americans through programs like universal service. And, among other things, we share the goal of protecting consumers from harms like illegal robocalls.

At times, however, state or local interests may take a different path, which can delay access to connectivity. In those situations, the Commission has a duty, under the Communications Act, to step in.

Section 253 is one example. Section 253(a) generally bars state or local requirements that actually or effectively prohibit a provider from offering telecommunications service. In past decisions, the Commission has explained how this provision preempts state or local moratoria on network deployment or fees that inhibit the placement of small wireless facilities essential for expanded or improved services. Today's Notice of Inquiry builds on that foundation.

As the item recognizes, delays in authorizations, even if not outright moratoria, can effectively prohibit wireline network deployment and the telecommunications services those networks enable. Likewise, wireline networks, like wireless networks, could be inhibited by excessive or burdensome fees. Costs can also take other forms, such as in-kind compensation requirements, on which the NOI appropriately seeks comment. When these costs or delays materially inhibit carriers' ability to provide service, consumers are harmed, public safety is diminished, and U.S. leadership in advanced communications networks is weakened. That is why it is timely to examine these issues as part of the Build America Agenda.

I recognize that state and local practices vary, and I appreciate the NOI's efforts to build a detailed record on these legal requirements. I also welcome examples of state and local approaches that successfully balance Congress's objective to foster telecommunications services with the important interests of state and local governments. In the past, the Commission has drawn on such best practices to guide implementation of provisions like section 253. Where the record warrants, however, the Commission should not hesitate to fulfill its responsibility to preempt state and local requirements that conflict with section 253.

I thank the Wireline Competition Bureau for its excellent work on this item. I look forward to working with the Chairman and other Commission staff to advance the Build America Agenda, and with Congress as it considers additional ways to reduce permitting-related barriers to broadband deployment.