Agenda

- Welcome & Introductions
- Fiber Ready Panel
- FCC Update
Wireless Communications Initiative

- **Launched in 2010** – Unique nationwide model of a community organization incubating public-private dialogue with the goal of increased wireless communications.

- **Advocate in the Local Jurisdictions** – Provide a strong regional voice speaking to the competitive and economic implications of robust wireless & broadband networks.

- **Educate Public and Private Sector Stakeholders** – Identify key stakeholders in cities and educate them on the critical issues affecting the growth of the wireless communications. Similarly, educate the wireless industry on how to best partner with cities.

- **Promote Improved Wireless Communications** – Build coalitions to identify areas with needed improvements to wireless communications and develop best practices and guidelines for increased wireless technology deployment.
Fiber Ready Panel

- Pete Constant, San Jose Councilmember
- Jim Davis, Sunnyvale Vice-Mayor
- Marc Blakeman, AT&T Regional VP External Affairs
- Doug Nolan, Comcast Regional Director of Construction
- David Vossbrink, San Jose Director of Communications
Fiber Ready Agenda

- Economic Benefits of Broadband
- Permitting Best Practices
- Roadblocks to Success
- Removing Obstacles
- Benefits of Working Together
- The Way Forward
Economic Benefits of Broadband

City and Provider Perspectives

- City of Sunnyvale
- City of San Jose
- AT&T
- Comcast
Permitting Best Practices

- Provide access to the public rights-of-way
- Online permit submittal and tracking
- Help make permitting process timely and predictable (e.g., target 10 day turnaround, 72 hours for maintenance, notice for emergencies)
- Use city-wide blanket permits where practical (e.g., standard traffic control procedures)
Roadblocks to Success

- Opposition to additional infrastructure
- Lack of access to municipal facilities
- Lack of resources to process permits in a timely manner
- Inconsistently applied or additional processes
Removing Obstacles

- Support existing and new service providers—increased competition
- Provide access to municipal facilities at reasonable rates—increases city revenues
- Standardization & streamlining—expedited review for routine permits
- Efficient use of permitting resources—blanket permits reduce costs for cities & providers
Benefits of Working Together

• To the City
  • Increase revenues by offering city facilities
  • Maintain current revenues by charging blanket permit fees in advance
  • Reduce costs by realigning valuable city resources away from routine & repetitive permit reviews

• To Residents and Businesses
  • Improve new installation intervals
  • Improve speed of upgrades to new services
  • Improve intervals for critical maintenance & repairs
The Way Forward

• Model Permitting Processes
  • Joint Venture has worked with a number of cities who have moved towards more streamlined processes

• Partnering for Success
  • Service providers can streamline submissions for large projects to reduce confusion and repetition

THE GOAL:
MORE, BETTER & FASTER BROADBAND
Questions
FCC Update: Potential Changes to Local Control

- Notice of Proposed Rulemaking Docket 13-238 covering 4 areas:
  - DAS/Small Cell Regulatory Reform
  - Temporary Tower Regulatory Reform
  - Section 6409 (Collocation by right)
  - Input on the “Shot Clock”

- Issued September 2013.

- A number of cities, counties, wireless carriers, competitive carriers and associations have submitted comments & reply comments.

- Determination expected by 2016, if not sooner.
DAS/Small Cell Regulatory Reform

- DAS/Small Cells are typically in the public rights-of-way on existing utility poles
- A utility pole, no matter how old, will never be historic
- Regulatory changes would remove this trigger for § 106 historic regulations
Temporary Tower Regulatory Reform

**Q:** What makes a “COW”* cry?

**A:** Excessive and unnecessary federal regulation

- Regulatory changes would make current regulatory reforms permanent

*Cell on Wheels*
Section 6409 (Collocation by Right)

• New federal statute passed in 2012, Now codified at 47 USC § 1455

• § 6409(a)(1) (Collocation by Right)
  • (1) State or local government may not deny, and shall approve, any eligible facilities request for a modification of an existing wireless tower or base station that does not substantially change the physical dimensions of such tower or base station.
  • “eligible facilities request” means any request for modification of an existing wireless tower or base station that involves —
    • (A) collocation of new transmission equipment;
    • (B) removal of transmission equipment; or
    • (C) replacement of transmission equipment.
Section 6409 (Collocation by Right)

- “existing wireless tower or base station”
  - “wireless tower”—proposed to be limited
  - “base station”—proposed to be very broad

- “substantially change the physical dimensions”:  
  - Should this be a percentage test? Or a functional test? Or both

- “may not deny, and shall approve”:  
  - Can you place conditions on an approval?  
  - What about nonconforming uses?  
  - Should “deemed approved” be the remedy?

- “collocation”:  
  - Should this apply to only “existing” wireless towers or base stations?  
  - What about collocations on buildings?
“Shot Clock” for Local Decisions

- 2009 FCC Order under Section 332(c)(7)
- Clarification: 90 days for collocation on existing structures (not just “towers”); 150 days for new sites
- No changes being proposed, but the FCC is asking for feedback
  - Does it need to clarify that these timelines apply to DAS/small cells?
  - Should there be a “deemed approved” remedy if the timeline is exceeded?
Questions