

**CONCURRING STATEMENT OF
COMMISSIONER MIGNON L. CLYBURN**

Re: *Accelerating Wireless Broadband Deployment by Removing Barriers to Infrastructure Investment*, WT Docket 17-79

We have all seen the statistics and read the headlines about the predicted explosive growth when it comes to the demand for wireless services. We are also very aware that consumers expect us to take our policy role seriously, when it comes to ensuring that the nation is prepared to meet this demand. Part of that preparation is ensuring that we can readily deploy the necessary infrastructure to support current, and future wireless offerings. 5G and IoT are just around the corner, and we are all eager to see how innovative wireless technologies will improve the way we live, work and play.

I have yet to come across a single community that wants to be left behind or overlooked as we embark on this new frontier. With that in mind, it is noteworthy that we all support efforts to streamline infrastructure deployment. But we must do so in a way that allows all sides to come to the table with a willingness to negotiate and work together.

As I have said before, approving applications to site antennas and other infrastructure, are difficult policy challenges for local governments. Many are overwhelmed by the increased volume of siting and permitting applications in a 4G and 5G world. Indeed, the localities considering siting applications vary immensely from geographic and demographic differences, to financial considerations, to differences in local law. They are on the front lines addressing the challenges of cost, complexity, and time faced by siting applicants, while answering and addressing the never ending questions, concerns and needs, of their communities.

We cannot afford to deal with any of these elements in a vacuum. Local officials and industry must work together to identify challenges, engage in coordinated efforts to update outdated regulations, and brainstorm deployment plans that are minimally disruptive to communities, and they must do so in an efficient and timely way. A collaborative local process and open dialogue between the public and private sector will minimize conflict, introduce predictability, and create incentives for information sharing and transparency.

I have met with industry representatives, as well as those from local governments, and I understand each of their grievances. Some localities charge fees that applicants view as excessive for permit applications, access to rights-of-way, and public structures, while others find themselves economically underwater after the negotiations are complete. And while it is important that municipalities are properly compensated for use of their rights-of-way and public structures, a balanced and equitable system would ensure that those fees paid by the companies are both fair and reasonable.

Siting applicants have themselves been criticized for submitting incomplete applications, which some localities point to as a source of delay in processing permits. That must be appropriately addressed. Some applications lack field engineering expertise, propose locations that are clearly not viable, or are submitted by entities that lack clear legal authority to do so. That cannot be ignored. Review of incomplete or inadequate applications, adds to the costs, burdens, and time imposed on local governments, and impacts the ability of localities to timely review properly completed applications. This cannot be denied. Applicants could help speed the review process by ensuring that their submissions are complete and reflect all necessary underlying work and municipalities must recognize that infrastructure builds enable, empower and improve their communities.

I think it is important to acknowledge that there are actions that can be taken on both sides of the aisle, and I thank my colleagues for agreeing to my requests to seek comment on actions applicants can take to help streamline the process, as well as to seek comment on the “deemed granted” approach, rather than proposing it outright.

The *NPRM* also proposes to take a “fresh” look at our rules implementing the National Environmental Policy Act (NEPA), and the National Historic Preservation Act (NHPA), and while I am not opposed to reviewing our rules, we must be careful not to subvert statutory intent, as we update our rules to reflect the evolving wireless landscape.

I encourage all parties to fully participate in this proceeding, and propose creative solutions that will allow us all to work together towards our common goal. In the end, it is the American consumer who will benefit from our efforts. They are ever most in mind when I make decisions, as they should be in yours.

Many thanks to the hard-working staff of the Wireless Telecommunications Bureau for your work on this item.