

STATEMENT OF CHAIRMAN AJIT PAI

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

If the United States is going to lead the world in 5G, we need to modernize our wireless infrastructure regulations. Our efforts to unleash spectrum for consumer use are necessary, but they aren't sufficient to secure our 5G future. In fact, they'll be pointless if carriers can't deploy the physical infrastructure needed to bring next-generation services to the American people.

And unfortunately, our current wireless infrastructure rules are a poor fit for the 5G networks of the future. They were designed with 200-foot towers in mind, not the highly-densified networks of small cells that will be common in the 5G world.

That's why today's *Order* is so important. We take a giant leap forward in updating our wireless infrastructure rules. By cutting unnecessary red tape, we'll make it substantially easier for carriers to build next-generation wireless networks throughout the United States. That means faster and more reliable wireless services for American consumers and businesses. That means more wireless innovation, such as novel applications based on the Internet of Things. And ultimately, that means American leadership in 5G.

Specifically, we clarify today that small cells are inherently different from large towers. So they shouldn't face identical regulatory review under the National Historic Preservation Act and National Environmental Policy Act. We also streamline the process for Tribal review notifications through our Tower Construction Notification System.

In developing today's *Order*, we have engaged extensively with Tribal Nations, intertribal organizations, and state and local historic preservation officers. These consultations have improved our work product.

For example, Tribes complained that wireless companies sometimes give them insufficient information about proposed macro tower deployments that could potentially affect historic properties. Today's *Order* therefore requires infrastructure siting applicants to give potentially affected Tribal Nations and Native Hawaiian Organizations a standardized set of information for undertakings going forward. Providing this information at the initial notification stage will enable Tribes to more efficiently determine whether projects may affect historic properties of religious or cultural significance.

But we also heard from numerous parties seeking to deploy infrastructure about abuse of the review process, including some Tribal Nations charging upfront fees even before a response. For instance, one company recently paid over \$12,000 to install one small cell outside a steel factory in Indiana, where all ultimately agreed there was no effect on historic property. Another company paid over \$15,000 to install a single small cell in downtown Milwaukee. Yet another company stated that 26% of small-cell deployment costs, including for equipment, came from historic preservation and environmental review alone. Extrapolating that out to the thousands of small cells needed for next-generation services, it becomes clear: You can stick with the regulatory status quo or you can have 5G. You cannot have both.

To address that issue, we are going back to following the law. Aside from deterring deployment, upfront fees contradict Advisory Council on Historic Preservation guidance. Because these fees are inconsistent with both law and consumer welfare, we will not coerce private entities into paying them going forward.

The other main piece of today's *Order* speeds wireless infrastructure deployment by eliminating the requirement that applicants file Environmental Assessments solely due to the location of a proposed facility in a floodplain, as long as certain conditions are met. Here too, we're reducing unnecessary barriers to the construction of next-generation networks.

Today's *Order* would not have been possible without the hard work of Commissioner Carr, who is leading our efforts on the wireless infrastructure front. I'd like to thank him and his staff for their skillful work on this *Order*, and I look forward to collaborating with them as we address additional barriers to deployment in the months to come. And I'd also like to thank all of the staff who have diligently worked on wireless infrastructure issues over the past year, and in particular, those who worked on this item. Thanks to Saurbh Chhabra, Aaron Goldschmidt, Garnet Hanly, Leon Jackler, Dan Margolis, Darrel Pae, Erica Rosenberg, Jennifer Salhus, Dana Shaffer, David Sieradzki, Jill Springer, Jeffrey Steinberg, Don Stockdale, Suzanne Tetreault, and Mary Claire York from the Wireless Telecommunications Bureau; Ashley Boizelle, Deborah Broderson, Thomas Johnson, Marcus Maher, and Linda Oliver from the Office of General Counsel; Matthew Duchesne, Barbara Esbin, and Patrick Webre from the Consumer and Governmental Affairs Bureau; Adrienne Denysyk, Holly Saurer, and Michael Wagner from the Media Bureau; Cathy Williams from the Office of Managing Director; Chana Wilkerson from the Office of Communications Business Opportunities; Chris Anderson, Kenneth Burnley, Megan Henry, David Plotinsky, and Michael Wilhelm from the Public Safety and Homeland Security Bureau; and, Kathy Harvey, Jason Koslofsky, JoAnn Lucanik, Aspa Paroutsas, Kevin Pittman, and Michael Scurato from the Enforcement Bureau.

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Lately, there's been a lot of talk about American leadership in 5G. But talk is cheap; action is what actually matters. And now is the time for action. A vote for this *Order* is a vote for concrete action that will help the United States lead the world in 5G. It's a vote for better, faster, and cheaper mobile broadband for the American people. It's a vote for making the United States the best home for wireless innovation and investment. And it's a vote to extend digital opportunity to more of our citizens. That future is a bright one, and it's one I'm determined to deliver by supporting this *Order*.