

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C.

IN THE MATTER OF

WIA Petition for Rulemaking, WIA
Petition for Declaratory Ruling, and
CTIA Petition for Declaratory Ruling

RM-11849
WT Docket No. 19-250

OPENING COMMENTS FILED BY SCAN NATOA, INC.

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The States of California and Nevada Chapter of the National Association of Telecommunications Officers and Advisors (“SCAN”)¹ oppose any changes to the Commission’s current rules that would further limit local control over wireless facilities under Section 6409(a) of the Spectrum Act of 2012. The Wireless Telecommunications Bureau and the Wireline Competition Bureau (collectively the “Bureaus”) should reject the three petitions from the Wireless Infrastructure Association and CTIA (collectively the “Petitions”).

The Commission has already imposed significant constraints and burdens on how local governments may regulate the location and appearance of wireless facilities, particularly through 47 CFR 1.6100 (implementing Section 6409(a)). The Petitions appear aimed at further eroding local authority – in favor of private sector, corporate interests. SCAN supports the timely deployment of 5G wireless infrastructure, and SCAN believes existing Commission rules can accomplish that task. However, the Petitions cast local governments as an adversary – rather than a partner – of the carriers in seeking to achieve rollout of 5G wireless service.

Many local governments in California and Nevada welcome well-designed wireless facilities in their communities. Applications are often decided well within

¹ SCAN is a non-profit association with a history spanning over 20 years representing the interest of approximately 300 members consisting primarily of local government telecommunications officials and advisors located in California and Nevada. Accordingly, SCAN’s members have a keen interest and stake in this proceeding and its outcome.

the Commission's shot clock deadlines, and carriers can ably construct their wireless facilities. If the Commission placed further restrictions on all local governments, that may only serve to hinder cooperation between carriers and local governments, in the future. The Bureaus should decline to proceed on the Petitions.

Respectfully submitted,

_____/s/ Suzanne Bartole_____
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President of SCAN NATOA, Inc.