

The FCC has opened a new ruling that is a potential direct assault on Section 704 of the Telecom Act which preserved specific planning & zoning rights to states and municipalities re: telecom tower/infrastructure siting. FCC, under Tom Wheeler, seriously chipped away at those rights with rulings that classified telecoms as public utilities thereby giving them the right to go anywhere in residential neighborhoods, instituting "shot clocks" whereby applications were deemed automatically approved if legitimate local review exceeded a certain deadline, and granted expedited review to Distributed Antenna Systems (DAS) and small cell networks -- the upcoming backbone for the controversial 5G networks which will require literally millions of new antennas that mount to utility poles in public rights-of-way. These expedited reviews are for environmental and national historic preservation concerns -- issues that by law the FCC must take into consideration. These actions create go-rounds for the Migratory Bird Treaty Act and the National Historic Preservation Act, both of which have been used to alter proposed DAS designs in crowded historic coastal towns and in San Francisco.

Now comes the new and by all accounts more industry-favoring, aggressive, arch anti-regulation FCC chairman Ajit Pai, former general counsel for Verizon and many other stellar things (<https://www.fcc.gov/about/leadership/ajit-pai>), who makes Wheeler look downright democratic (<https://www.nytimes.com/2017/04/19/technology/ajit-pai-fcc-telecom>). In addition, there are now two bills in the U.S. Senate -- the Mobil Now Act (S. 19) the DIGIT Act (S.88) that would legally greenlight this industry-friendly course of action, which the FCC needs to remove all perceived local/state obstacles in favor of industry needs/desires, obliterating all local jurisdiction to preserve and protect our cherished environmental or historic jewels. FCC's new ruling requests info on exactly those obstacles (see below).

This is all moving VERY fast on every possible level between regulatory agencies and the legislature and not by accident. Some states, CT among them, are already in the vanguard in declaring that DAS/small cells do not require a public certificate for need and convenience, thereby removing the ability to review for overlapping, unnecessary coverage. All of this will create a heavy blanket of RF in close proximity to the population with large antenna mountings mere feet from some people's homes. And there will be no legal recourse... All of the tools for local/state review are being removed.

Expect to see more on this subject and plan to comment at the FCC and to your U.S. Senators who should be asked to put a hold action on both S. 19 and S 88 ASAP. Those have passed all committees and could come up for a voice vote at any time.

In the very least, the national environmental and municipal planning associations should object to these actions, and so should other federal regulatory entities like U.S. Fish and Wildlife, EPA, etc. This is important.

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