



March 19, 2019

The Honorable Víctor L. Parés-Otero  
House Economic Development, Planning, Telecommunications, Public Private Partnerships  
and Energy Commission  
House of Representatives  
Capitol, PO Box 9022228  
San Juan, P.R. 00902-2228

**RE: Support for PC 1976 – Streamlining Deployment of Small Wireless Infrastructure**

Dear President Parés-Otero:

On behalf of CTIA, the trade association for the wireless communications industry, I am here to express strong support for PC 1976, related to the efficient and streamlined deployment of small wireless facilities. This legislation creates a critical framework to promote job creation, economic investment and opportunity throughout Puerto Rico.

The people of Puerto Rico continue to demand – at increasing levels – access to wireless products and services. This is demonstrated by the fact that there are more wireless devices than people in Puerto Rico.<sup>1</sup> In addition, over 84% of Puerto Ricans have access to mobile broadband services.<sup>2</sup> These demands from the wireless industry’s customers – your constituents – require that wireless networks be both updated to meet the existing demand and readied for the next generation of wireless networks.

Specifically, the existing rules governing wireless networks are designed for wireless facilities that can be up to 200 feet tall or more. Tomorrow’s networks will rely on new small cell technology which will be placed on structures such as utility poles and streetlights. These new networks need new rules and PC 1976 establishes an updated common sense framework to facilitate millions of dollars in new investment in Puerto Rico.

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<sup>1</sup> Statista, “Number of mobile cellular subscriptions in Puerto Rico from 2000 to 2017 (in millions),” <https://www.statista.com/statistics/501063/number-of-mobile-cellular-subscriptions-in-puerto-rico/>, last accessed 3/15/2019. US Census Quick Facts, Puerto Rico: <https://www.census.gov/quickfacts/fact/table/pr/PST045218>, last accessed 3/15/2019.

<sup>2</sup> Broadband Now, “Internet Access in Puerto Rico,” <https://broadbandnow.com/Puerto-Rico>, last accessed 3/15/2019.



Small cells will provide needed additional capacity to accommodate growing consumer demands and help connect 100 times more devices. In a few short years, nearly everything will be connected to ubiquitous wireless networks at speeds up to 100 times faster than today, thanks to the framework established by PC 1976. Small cells will help unlock new 5G services from remote healthcare solutions to autonomous cars. Puerto Rico's communities will be smarter and more connected, and entire sectors, from public safety to tourism, to transportation, will be transformed.

Accenture has found that 5G and small cell deployments will provide tremendous economic benefits. Specifically, Accenture estimates that wireless operators will invest as much as \$275 billion nationwide over seven years creating up to three million jobs and adding approximately \$500 billion to the U.S. GDP through direct and indirect potential benefits.<sup>3</sup>

In 2018, the Federal Communications Commission (FCC) recognized the importance of winning the global race to 5G and the need to expedite the deployment of small wireless infrastructure to help reach that goal. With its issuance of the State and Local Wireless Infrastructure Declaratory Ruling and Third Report and Order (Order), the FCC set guardrails – including clear timelines and cost-based fees – around state and local siting practices.<sup>4</sup> These reforms are timely and necessary, and they provide clarity to both communities and applicants while respecting the important role that states and localities continue to play in the siting process.

While the FCC's leadership in this action and others is critical, there are two key areas the Order doesn't address that PC 1976 does, notably "allowed use" and deemed granted. The "allowed use" construct ensures that a zoning hearing is not required for every submitted small cell application. A zoning hearing for every small cell application would drain local resources and treat small cells like 200-foot tall macro cell towers, thereby delaying deployment, and more importantly, delaying the benefits of enhanced wireless services and 5G for the citizens of Puerto Rico. Additionally, PC 1976 includes provisions providing for a deemed granted remedy. This provision ensures that inaction on an application doesn't delay deployment of small wireless infrastructure. Twenty states have also implemented similar provisions.

In closing, over the past three years, twenty-one states have enacted statewide small cell legislation providing for streamlined and efficient processes for the deployment of small

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<sup>3</sup> "How 5G Can Help Municipalities Become Vibrant Smart Cities," Accenture Strategy, Jan 12, 2017, [https://newsroom.accenture.com/content/1101/files/Accenture\\_5G-Municipalities-Become-Smart-Cities.pdf](https://newsroom.accenture.com/content/1101/files/Accenture_5G-Municipalities-Become-Smart-Cities.pdf), last accessed 3/15/2019.

<sup>4</sup> See <https://docs.fcc.gov/public/attachments/FCC-18-133A1.pdf>; last accessed 3/15/2019.



wireless facilities. In addition, approximately a dozen other states will consider similar legislation to PC 1976 during the 2019 state legislative sessions. Appropriate siting and land use regulation will facilitate and encourage capital investment. Enactment of PC 1976 will send a signal that Puerto Rico is ready for these investments.

We strongly and respectfully urge the passage of PC 1976.

Sincerely,

A handwritten signature in black ink that reads "Bethanne Cooley". The signature is fluid and cursive, with the first name "Bethanne" and last name "Cooley" clearly distinguishable.

Bethanne Cooley  
Senior Director, State Legislative Affairs  
CTIA

## State Small Cell Legislative Activity

