



April 30, 2019

The Honorable Gerald H. Allen
Chairperson, Senate Transportation and Energy Committee
11 South Union Street, STE 729
Montgomery, AL 36130

The Honorable Dan Roberts
Vice Chairperson, Senate Transportation and Energy Committee
11 South Union Street, STE 729
Montgomery, AL 36130

RE: Support SB 264 – Streamlined Deployment of Small Wireless Facilities

Dear Chairperson Allen and Vice Chairperson Roberts,

On behalf of CTIA, the trade association for the wireless communications industry, I am writing to express strong support for SB 264, 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 Alabama.

The people of Alabama continue to demand – at increasing levels – access to wireless products and services. This is demonstrated by the fact that there are nearly as many wireless devices as there are people in Alabama.¹ In addition, over half of Alabama residents live in wireless-only households.² These demands from customers, which includes the residents and businesses of Alabama, require that wireless networks be both updated to meet the existing demand and readied for the next generation of wireless services.

Specifically, the existing rules governing wireless networks are designed for wireless facilities that can be up to 200 feet 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 SB 264 establishes an updated common sense framework to facilitate millions of dollars in new investment in Alabama.

¹ FCC, Voice Telephone Services Report: Status as of June 30, 2017, at <https://www.fcc.gov/voice-telephone-services-report>, last accessed 4/18/2019.

² CDC, National Center for Health Statistics, https://www.cdc.gov/nchs/data/nhis/earlyrelease/Wireless_state_201903.pdf, last accessed 4/18/2019.



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 SB 264. Small cells will help unlock new 5G services from remote healthcare solutions to autonomous cars. Alabama’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.³ In Alabama, 5G deployment in a community like Birmingham may create nearly 2,000 jobs and increase GDP by over \$320 million, and a community like Mobile may create over 1,700 jobs and increase GDP by \$290 million.⁴

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.⁵ 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 is a key area the Order does not address that SB 264 does, notably “permitted use” and deemed granted. The “permitted 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 macro cell towers, thereby delaying deployment, and more importantly, delaying the benefits of enhanced wireless services and 5G for the citizens of Alabama. Additionally, SB 264 includes provisions providing for a deemed granted remedy. This provision ensures that inaction on an application does not delay deployment of small wireless infrastructure.

In closing, over the past three years, twenty-four (24) states – including the nearby states of Georgia, Florida and Tennessee – have enacted statewide small cell legislation providing for

³ “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, last accessed 4/18/2019.

⁴ *Ibid.*

⁵ See <https://docs.fcc.gov/public/attachments/FCC-18-133A1.pdf>; last accessed 4/18/2019.



streamlined and efficient processes for the deployment of small wireless facilities. Appropriate siting and land use regulation will facilitate and encourage capital investment. Enactment of SB 264 will send a signal that Alabama is ready for these investments.

We strongly and respectfully urge the passage of SB 264.

Sincerely,

Bethanne Cooley
Senior Director, State Legislative Affairs
CTIA



State Small Cell Legislative Activity

