

Frenemies and Free Riders

What is the BDAC?

- Federal Committee chartered under the Federal Advisory Committee Act
- The Docket Number for Public Comments is 17-83
- The BDAC is made up of 30 voting members with additional non-voting members on Working Groups
- Our most recent meeting was held November 9, 2017
- Our next meeting is scheduled for January 23-24



Working Groups

- Model Code for Municipalities
- Model Code for States
- Competitive Access to Broadband Infrastructure
- Removing State and Local Regulatory Barriers
- Streamlining Federal Siting



What did BDAC do on November 9th?

- BDAC released two sets of documents: (1) Voting Items, and (2) Draft Discussion Documents
- All Voting Items were approved by BDAC
- Most Voting Items established a guiding set of principles for the Working Groups
- The Voting Item for the Competitive Access to Broadband Infrastructure included three proposals addressing pole attachment and complaint process
- The Voting Item from the Federal Siting Working Group was a draft of the final report
- The Discussion Documents are substantive drafts with a number of proposals to reduce regulatory barriers and streamline deployment
- Public comments are encouraged prior to the January meeting (Docket 17-83)

General Themes and Proposals from the November 9th meeting

- Creating databases of utility and local government infrastructure are identified as tools for cost effective deployment
- One touch make ready rules for both the communications and electric space are proposed in the draft discussion documents
- Proposals place caps on recurring fees for both utility and local government property
- Proposals implement shot clocks and caps for application fees for both utility and local government reviews
- Development of a one-size-fits-all common application for all ROW projects suggested for streamlined deployment
- Defining key terms such as small cell, collocation, and broadband continue to be debated
- Public comments on discussion items are encouraged prior to the January meeting (Docket 17-83)

Model Code For Municipalities

- The Voting Item broadly addressed several topics, including:
 - Balance use of public ROW to support broadband deployment in a manner that is consistent while still recognizing the differences among technologies
 - Deployment and broadband services should benefit all communities
- Discussion Document topics include
 - A complete model code for municipalities
 - ROW management will require agreements between the entity and applicant
 - The types of fees that can be charged: cost based vs. fair market

Model Code For States

- The Voting Item focuses on broadband access that is accessible, affordable, and ample
- Discussion Document topics include:
 - A complete model code for states
 - State wide franchise agreement for broadband deployment
 - A section on the unique challenges rural communities face, proposals include expanding USF contributions to edge providers
 - Standardization of broadband deployment through the creation of a registry of all public infrastructure and contacts
 - Wireless siting obligations that include deemed granted shot-clocks and caps on recoverable fees

Competitive Access to Broadband Infrastructure

- Three Voting Items included:

- All complaints to the FCC should be addressed within 180 days
- Investor Owned Utilities should not be able to recover capital costs through the make ready process more than once

- Nine Discussion Documents include:

- One-touch make ready for simple attachments
- Pole owners should maintain a list of qualified contractors that attachers can select from
- Contractors can self-certify to perform simple attachments
- A common database that would adequately represent available common infrastructure elements, including rights of way and be used as a workflow tool for pole attachment project management
- Changes to E-rate that would allow for broadband to be used beyond the institution's physical premises
- Using the FCC's current definitions for telecommunications, cable and broadband, no additional clarification of those rates beyond the cable rate and the telecommunications rate are justified or needed

Removing State and Local Barriers

- Presented a background document and nine recommendations for a vote
 - The background document identified the patterns and causes that delay broadband deployment
 - Presented nine recommendations that the FCC should further study in order to streamline broadband deployment
- The Discussion Documents included:
 - Proposal for local governments to disclose their fee schedules and explain how they were determined
 - FCC should require fair and reasonable fees to prevent excessive ROW application and access fees
 - A sample broadband readiness checklist for communities to self certify
 - An appendix identifies FCC's legal authority to pre-empt local and state activities through Sections 253 and 332

Streamlining Federal Siting

- The Voting Item was a draft of the final report the Working Group will propose in January
- The draft report identifies a number of barriers to deployment on federally managed land and buildings with several proposals
 - Challenges included varying and unpredictable fees and rates at the federal level
 - Historical and environmental review can be cumbersome and should be harmonized across federal landholding while also expanding exclusions under the National Environmental Protection Act and National Historic Preservation Act
 - DoD agencies should streamline efforts to deploy broadband on military bases



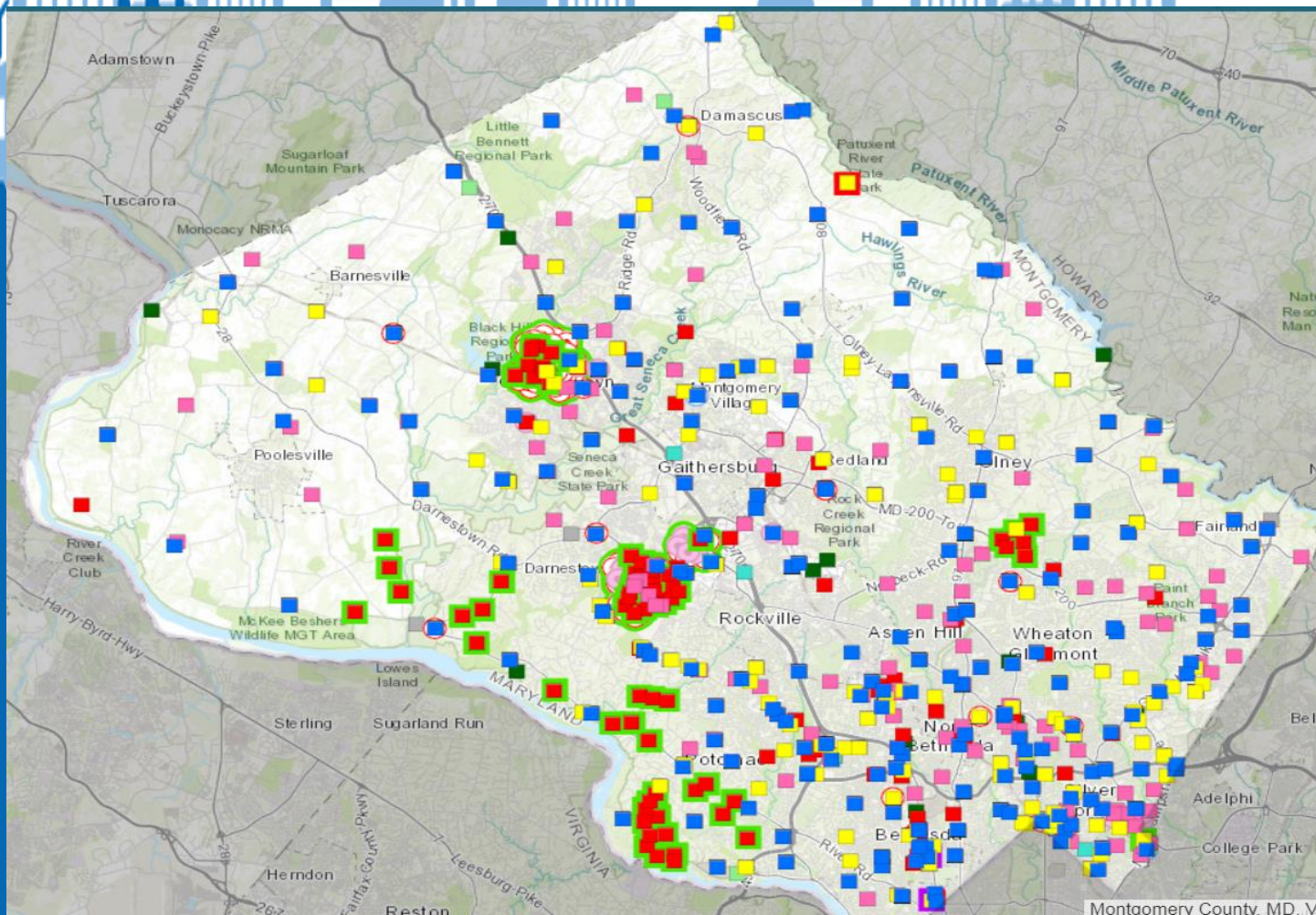
NARUC Annual Meeting

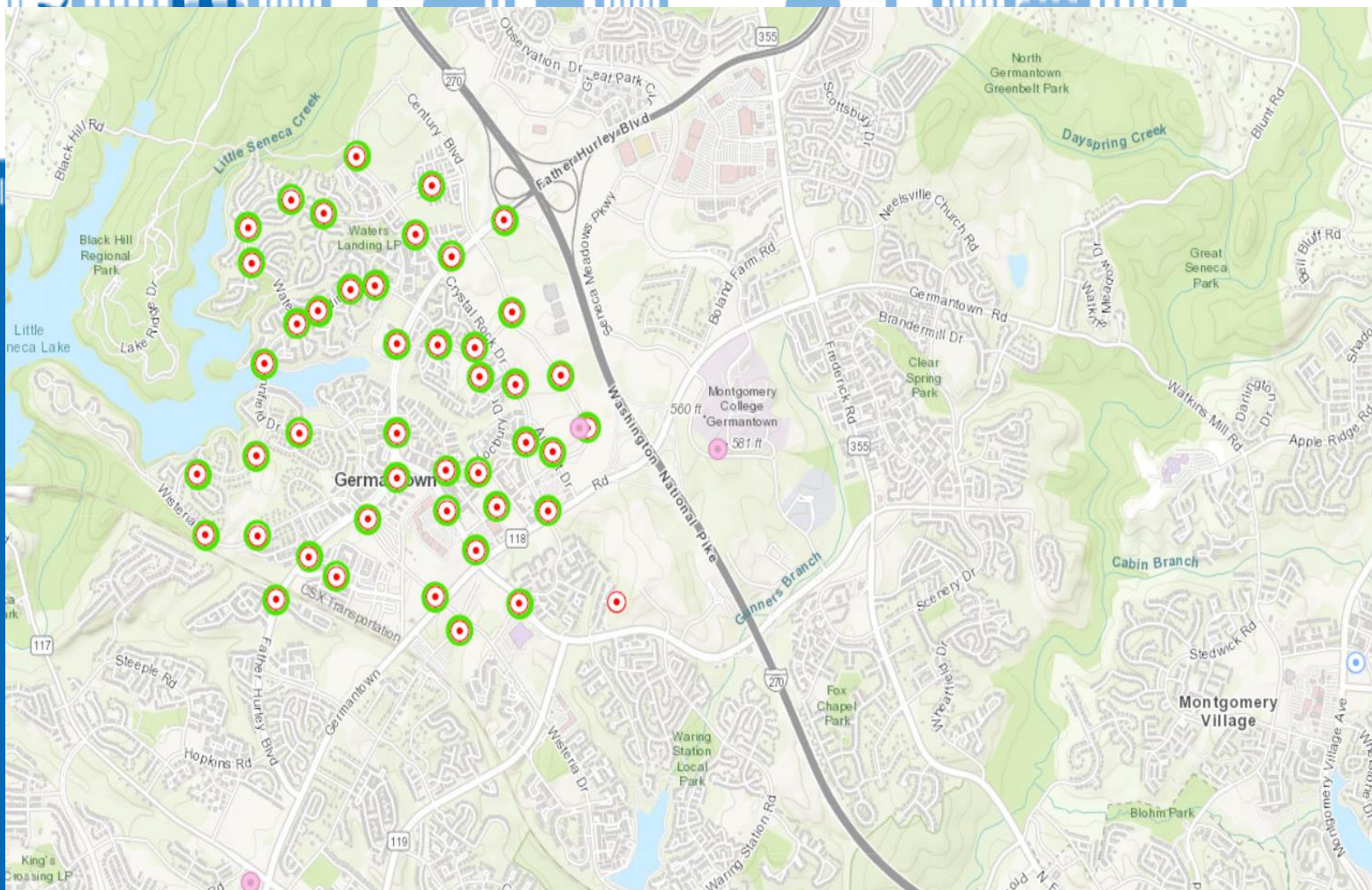
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November 14, 2017



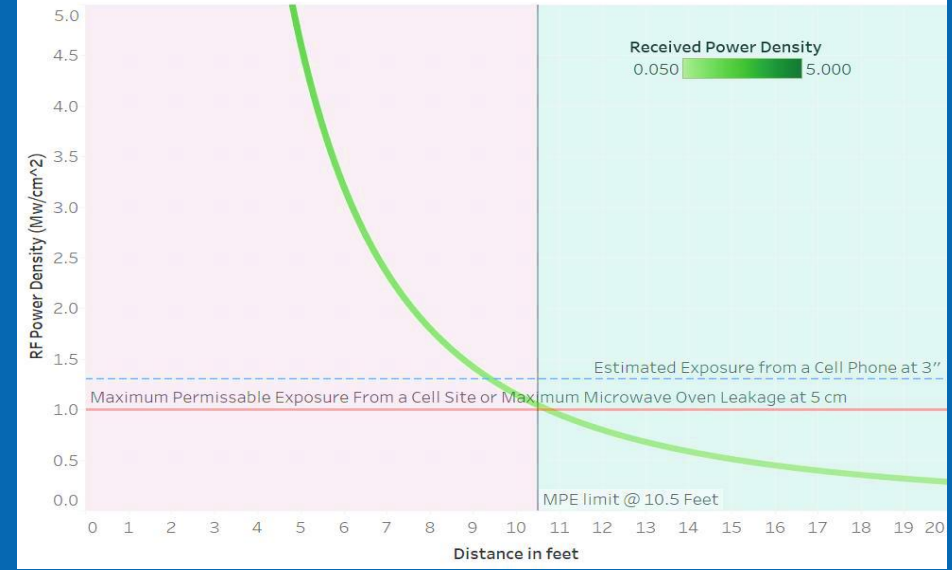




RF Power Received based on Based on Previous Applications of Small Cells in the Direct Path of Antenna

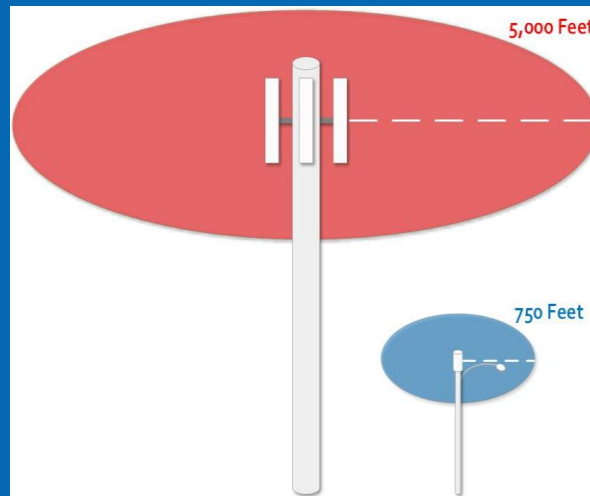


RF Power Received from a Robust Hypothetical Small Cell in the Direct Path of Antenna



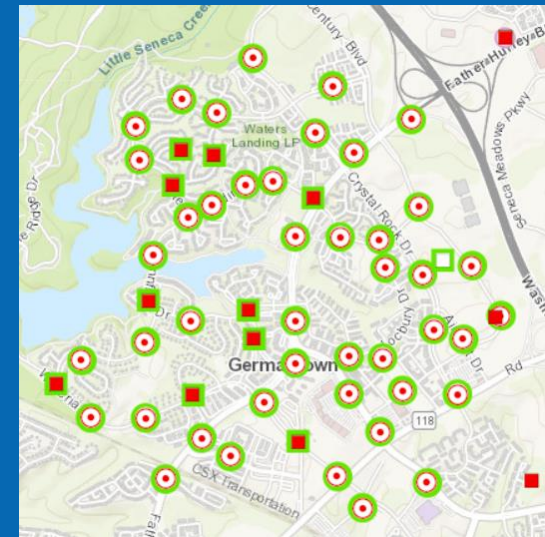
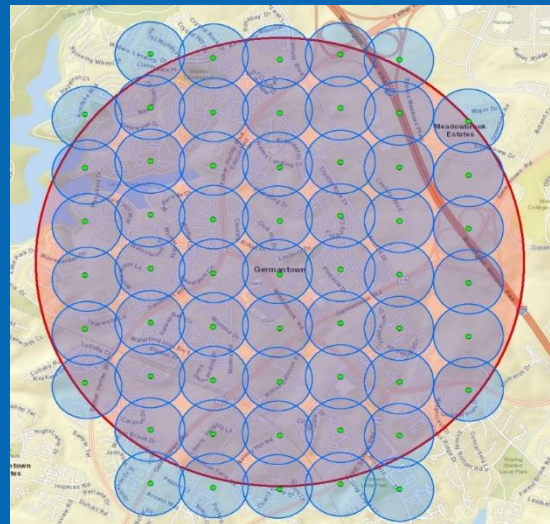
Why So Many New Small Antennas? “DENSIFICATION”

- Small antennas are one means to deliver more mobile broadband
- 100-foot antenna covering 1 mile radius provides same capacity as 20-foot antenna with 750 ft radius
- Current technology cannot be used to put all the new antennas on the macrotower



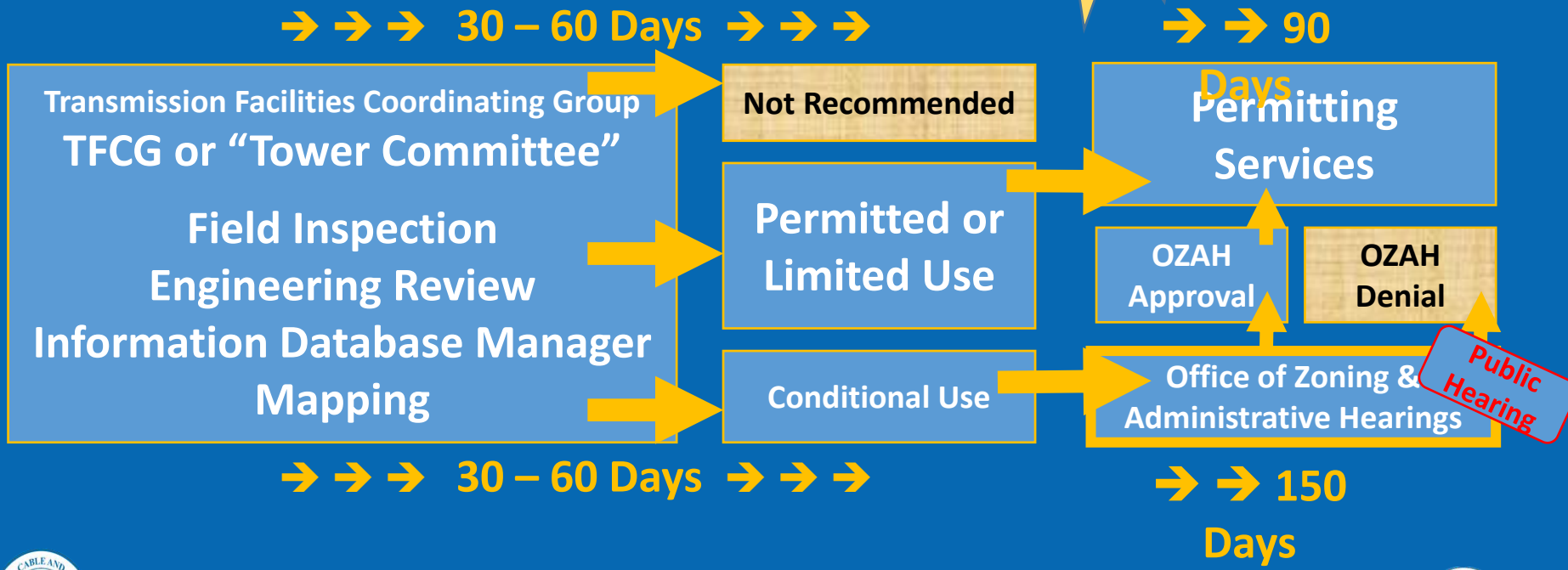
Upcounty Case Study

- Appx 57 microtower antennas fit in diameter of the microtower
- Build microtowers to add coverage as needed
- Newer 5G spectrum won't travel as far – microtowers are needed



County's Antenna Siting Process

Also need property owner's permission





14' to 16' Colonial Streetlight Replaced with 19' to 20' side mounted or ground cabinet

posed



27' Cobrahead-Style Pole with Panel Antennas & Equipment





More Information and Input

www.MontgomeryCountyMD.gov/AntennaZTA

<https://mocotfcg.blogspot.com/p/home.html>

AntennaZTA@montgomerycountymd.gov

www.MontgomeryCountyMD.gov/Towers