



CITY of LAGUNA NIGUEL

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CITY COUNCIL

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February 19, 2019

The Honorable Harley Rouda
United States House of Representatives
2300 Rayburn HOB
Washington, D.C. 20515

RE: Support of H.R. 530

Dear Representative Rouda,

On behalf of the City of Laguna Niguel, I am writing to express our support of H.R. 530, the *Accelerating Wireless Broadband Development by Empowering Local Communities Act of 2019*, and urge you to co-sponsor this bill. H.R. 530 repeals recent harmful Federal Communications Commission regulations limiting the ability of local governments to effectively regulate the deployment of 5G wireless infrastructure. Laguna Niguel urges you to support and co-sponsor H.R. 530, and to work together with us and other local governments to find the best solution for effective 5G deployment that meets the diverse needs of our nation's many unique communities.

Last year, the FCC adopted regulations limiting the authority of cities and states to regulate small cell sites (e.g., attachments to street light and utility poles) needed for the deployment of 5G wireless infrastructure. The FCC's regulations sharply limit the type and amount of fees cities and states may charge for profit-generating use of public property, set "shot clocks" as low as 60 days for cities and states to conduct all necessary inspections and authorize proposals, and drastically restrict non-fee requirements cities and states may institute. These regulations took effect on January 14, 2019.

The FCC allowed the wireless industry to write these regulations without sufficient input from cities, local leaders, or those who best understand the needs of their community – the residents. As you know, Laguna Niguel takes great pride in setting standards that best fit the needs of our City and residents. The FCC's lack of attention to the input from each individual city has led to regulations that restrict Laguna Niguel from requiring carriers who may want to operate here to meet the standards set by our community. The FCC's order unnecessarily complicates existing agreements and negotiations between California cities and wireless providers by imposing a one-size-fits-all preemption of existing state and local policies. History tells us that one-size-fits-all programs or initiatives rarely work and often fail. The FCC's limits on fees for the use of publicly owned property by private companies are an extreme overreach by the federal government and prevent fair compensation for property that ought to be regulated by local governments, as we see fit.

These regulations are a blatant overreach of the FCC's regulatory authority which treat all California cities as the same – to be sure, they are not. Laguna Niguel is steadfast in our opposition to any legislation or regulation that erodes local control, removes revenue sources, and ignores the uniqueness of each city's needs. One size surely does not fit all.

This sweeping regulation is not the approach needed to deploy new broadband technology. I ask again that you support and co-sponsor H.R. 530, and look forward to working with you to ensure that the critical deployment of 5G services is accomplished with tremendous deference given to our nation's many unique communities.

If you have any questions about H.R. 530 or you would like to cosponsor, please contact Asad Ramzanali at asad.ramzanali@mail.house.gov or (202) 226-4581.

Sincerely,



John Mark Jennings
Mayor

cc: Tony Cardenas, League of California Cities, tcardenas@cacities.org
League of California Cities, cityletters@cacities.org
Laguna Niguel City Council