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Before the
NATIONAL TELECOMMUNICATIONS AND INFORMATION ADMINISTRATION
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In the Matter of)
)
)
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I. INTRODUCTION AND SUMMARY.

Crown Castle International Corp. (“Crown Castle”) is pleased to submit these recommendations to the National Telecommunications and Information Administration (“NTIA”) to inform the development of an Implementation Plan for the National Strategy to Secure 5G.¹ We applaud the Administration’s focus on streamlining regulations and removing barriers to deployment, thereby ensuring robust nationwide deployment of 5G networks. Such measures are essential to protecting America’s leadership in technology and telecommunications innovation, as well as our national security.

The Administration’s Implementation Plan for the National Strategy to Secure 5G can provide continued momentum to increase 5G deployment nationwide and expand critical connectivity and capacity to all Americans. In coordination with the Federal Communications Commission (“FCC”), the Administration’s plan should include measures to remove or reduce regulatory and structural barriers presently faced by wireless infrastructure providers which continue to invest in networks to provide faster connection speeds at competitive prices to more parts of the country.

Crown Castle is at the forefront of our nation’s broadband revolution, deploying fiber optic and wireless infrastructure that will serve as the backbone for the broadband networks of the future. Crown Castle has more than twenty-five years of experience building and operating network infrastructure. With more than 40,000 towers, 70,000 small wireless facilities constructed or under contract and more than 80,000 route miles of fiber, Crown Castle is the country’s largest independent owner and operator of shared infrastructure. From its more than 100 offices around the nation, Crown Castle partners with wireless carriers, technology companies, broadband providers and municipalities to design and deliver

¹ The National Strategy to Secure 5G Implementation Plan, 85 Fed. Reg. 103, 32016 at 32016 (May 28, 2020).

unique end-to-end infrastructure solutions that bring 5G innovations, opportunities, and possibilities to people and businesses around the country.

As owner, operator or manager of such a wide range of wireless infrastructure assets, Crown Castle interacts daily with state and local jurisdictions and utilities regarding a variety of issues, including siting approvals and other permitting and regulatory issues related to towers, 5G wireless facilities and fiber. In an effort to site tens of thousands of small wireless facilities across the country necessary for 5G deployment, Crown Castle is also engaged with investor-owned utilities and other pole owners in many states to gain access to existing utility poles. Additionally, Crown Castle provides services to its customers on these sites, including in some instances, working on their behalf to obtain local government approvals for the ongoing collocation, replacement and removal of equipment needed to upgrade networks as the nation transitions from 4G to 5G. Accordingly, Crown Castle is in a unique position to speak to the issues that frequently arise and interfere with the regulatory certainty needed to deploy 5G technology efficiently.

The Secure 5G and Beyond Act of 2020 and the record developed in this inquiry present the Administration, the FCC, and Congress with an opportunity to continue recent efforts towards regulatory certainty, thereby fostering an environment of clarity and collaboration for our nation's 5G networks and supporting infrastructure.

Crown Castle welcomes this opportunity to provide recommendations regarding additional measures to streamline processes and remove barriers to deployment of critical 5G infrastructure.

II. THE FEDERAL GOVERNMENT SHOULD CONTINUE PROMOTING 5G NETWORK DEPLOYMENT BY IMPLEMENTING AND REFORMING RULES GOVERNING WIRELESS SITING.

A. Streamlining Wireless Facility Regulation.

Issue: Small Wireless Facilities. Despite important streamlining reforms adopted by the FCC, state and local government approval of small wireless facilities continues to present significant obstacles to deployment. Although 28 states have enacted legislation to streamline broadband deployment, national legislation is ultimately needed to remove deployment barriers across the country.

Proposal: Crown Castle urges the adoption of federal legislation providing regulatory relief nationwide through streamlining the permitting and regulatory processes for telecommunications infrastructure and equipment to promote broadband deployment, job creation and investment in next generation infrastructure.

Crown Castle has already made substantial investments to develop state-of-the-art networks and is prepared to continue to make the investment necessary to deliver the promise of 5G and beyond. These efforts will spur innovation and unleash new technologies that will serve as economic drivers for decades to come. Without a more consistent regulatory framework, however, there is a risk that much of the United States will be left behind. Federal legislation would facilitate more efficient network deployment, bringing better connectivity and related economic benefits to consumers around the country.

B. “5G Ready Cities”: Partnering with State and Local Governments to Realize the Benefits of 5G.

Issue: The type of deployments, timelines and resources for review of many wireless technology applications often do not fit a traditional governmental review process, either in the right-or-way or for minor modification work. State and local governments often lack the background and resources to efficiently permits these deployments.

Proposal: State and local governments should be incentivized to partner with the wireless industry so they have the resources and capacity to understand the benefits of improved technology and connectivity while also serving the needs of their local communities.

As Crown Castle continues to deploy infrastructure in communities around the country, we strive to be a committed partner to the local jurisdictions. Crown Castle works with local governments to understand the specific needs of the community to ensure we are bringing the maximum benefit to each. Through this collaborative process we have become increasingly aware of resource constraints facing some local jurisdictions, especially following the safer@home requirements imposed during the COVID-19 crisis. These resource constraints are often in tension with the recognized need for additional infrastructure to connect more Americans. Crown Castle suggests that policymakers consider prioritizing funds for jurisdictions that are considered “5G Ready.” These jurisdictions would have prioritized access to funding to the extent they: (1) adopt rules that, at a minimum, expedite or streamline review of zoning and permitting applications; (2) impose fees for small wireless and fiber facilities that are no higher than the objectively reasonable costs incurred by the jurisdiction to process the application and manage the right of way; (3) create incentives for the utilization of shared infrastructure; (4) provide sufficient necessary training for city employees to facilitate application and permitting processing; and (5) purchase the technology necessary to facilitate deployment, even in a remote work environment.

C. Reducing Jurisdictional Barriers.

Issue: *5G Upgrade Order.* Collocation on existing infrastructure is an efficient, cost-effective method to rapidly deploy 5G technology. Often, existing wireless infrastructure sites need to be expanded in order to accommodate new technology and network resiliency.

Proposal: Support the rulemaking proposed by the FCC in order to allow for streamlined review of wireless applications that include minor site expansion.

The FCC recently took a significant step in creating regulatory certainty and fostering our nation's strong policy in favor of collocation on wireless infrastructure. On June 9, 2020, the FCC voted to approve what it has labeled its "5G Upgrade Order." In addition to providing important clarifications to its collocation-by-right rules, the FCC also recognized the need for our existing wireless infrastructure to meet the demands of future technology, including 5G. By issuing a Notice of Proposed Rulemaking which proposes to harmonize the FCC collocation-by-right rules with other federal regulatory frameworks, the FCC proposed rulemaking presents an important opportunity to further enable our wireless infrastructure to meet the needs of our nation's growing wireless needs.

The FCC is proposing to include streamlined governmental review of wireless collocation applications when there is a need for a minor increase in the size of a wireless site's boundaries. Many communications tower sites were built perhaps decades ago and likely only for the benefit of a single wireless carrier. Often, existing tower sites were not designed to accommodate additional carriers or new technologies. There is a clear and growing need to rapidly deploy multiple carriers and new technology at such sites.

Additionally, as our nation continues its race to 5G, it is important to recognize that new technology and new equipment will need to be installed and overlap with the current technology and equipment. Put another way, before old equipment can be replaced and removed, there must be space to install the new equipment. Whether this facilitates the overlap of, and transition from, 4G and 5G technology or other yet-to-be realized wireless technology, our federal law should allow minor tower site expansion in order to realize the full benefit of encouraging collocation.

Streamlined review of site expansion will also provide a significant benefit to network resiliency efforts. Much site expansion activity results from a wireless carrier's need for a backup generator. While such backup generators will still be subject to a local government's existing, codified health and safety

provisions, expediting review of minor site expansion will encourage more efforts to further harden networks.

D. Maximizing Utilization of Existing Infrastructure.

Issue: Thousands of so-called “Twilight Towers” are in regulatory limbo, discouraging the collocation of new equipment on these already existing facilities.

Proposal: Resolve the status of Twilight Towers once and for all by grandfathering them and exempting these structures from the Section 106 review process.

A large number of communications towers were constructed between the adoption of the FCC’s Programmatic Agreement for the Collocation of Wireless Antennas in 2001 and the 2004 Programmatic Agreement for Review of Effects of Certain Undertakings that either did not complete the National Historic Preservation Act Section 106 review or for which documentation of Section 106 review is unavailable. As a result, thousands of these Twilight Towers are in regulatory limbo, making them difficult to utilize for the collocation of wireless infrastructure. The Administration should urge the Commission and the Advisory Council on Historic Preservation to resolve the status of Twilight Towers once and for all by grandfathering them and exempting them from the Section 106 review process.

Doing so will clear these towers for immediate beneficial use. The risk of adverse effects on historical properties from grandfathering Twilight Towers is minimal because these towers have already been in place for 12 to 16 years without causing any issues. In many cases, the towers are no longer owned or operated by the entity that originally constructed the tower. Taking such action would facilitate the efficient use of existing resources and promote broadband deployment.

The FCC proposed an alternate to Section 106 review as a “Draft Program Comment” almost two years ago but has yet to finalize the Order.² The Draft Program Comment enjoyed broad support when it was released for public comment and would jump start 5G deployment by making thousands of collocation sites available. We urge its adoption to resolve the Twilight Tower issue.

E. Facilitating the Deployment of Fiber and Small Wireless Facilities on Utility Infrastructure.

1. Fiber Deployment.

Issue: Many state and local governments are charging excessive fees to deploy fiber facilities in public rights-of-way.

Proposal: Ensure that state and local fees associated with deploying fiber in rights of way are based on a jurisdiction’s objectively reasonable cost to access and maintain the right-of-way.

The widespread deployment of fiber optic lines is crucial to deliver on the promise of 5G connectivity. High speed, high capacity fiber lines form the backbone of both next-generation wireless and wireline networks, connecting businesses and providing wireless backhaul to 5G antennas. Like other utility infrastructure, fiber lines and facilities are most often deployed underground or on existing utility poles in public rights-of-way. Unfortunately, state and local governments often charge telecommunications providers unreasonably high fees to deploy fiber lines within the public right-of-way. These fee demands bear no relationship to the state or local government’s actual cost to manage the public right-of-way.

² *Comment Sought On Draft Program Comment For The Federal Communications Commission’s Review Of Collocations On Certain Towers Constructed Without Documentation Of Section 106 Review*, Public Notice and Draft Public Comment, WT Docket No. 17-79 (rel. Dec. 14, 2017)

Consequently, high, ambiguous, and discriminatory state and local government fees imposed on providers seeking to access public rights-of-way are dramatically delaying, increasing the cost of, and, in some cases, preventing deployment of fiber facilities to deliver these telecommunications services. These excessive delays, costly fees, and foregone fiber deployment undermine the rollout of next-generation network services, including 5G wireless service. To encourage the widespread deployment of fiber optic lines, the Administration should ensure that state and local governments charge fees that do not exceed the government's objectively reasonable costs to manage the right-of-way.

2. Access to Utility Poles.

Issue: Timely and reliable access to utility poles is essential for 5G deployment.

Proposal: Eliminate unreasonable restrictions on access to utility poles.

Companies deploying communications facilities on utility infrastructure (“third party attachers”) frequently encounter unreasonable, blanket restrictions or prohibitions on the attachment of equipment or antennas in various sectors of utility poles. These restrictions are generally presented to communications attachers in one of three forms: (1) they are included in pole attachment agreements; (2) they are included in utility construction standards; or (3) they are not expressly stated in either the agreement or standards but are enforced by the utility, resulting in de facto restrictions. Blanket restrictions are unreasonable if they are not supported by specific proof regarding a lack of capacity, safety, reliability, or generally applicable engineering principles that may otherwise restrict attachment to a utility pole.

It is common for utilities to broadly allege safety and climbing concerns as a rationale for blanket prohibitions of equipment attached in the so-called “unusable” space on utility poles. This space is essential for installation of small wireless facility radios, electric meters, and shutoff switches necessary for the deployment of small wireless facilities. In those instances where utilities prohibit such installations,

third-party attachers are required to either place a new pole or add a pedestal or ground-mounted cabinet in the right-of-way to hold such essential equipment. However, local jurisdictions are frequently loath to approve the additional infrastructure, preferring instead that our attachments be collocated on existing utility poles. Thus, the utility's policy conflicts with local requirements or preferences.

In some instances, utilities only allow attachment of equipment in the unusable pole space if the local government prohibits installation of the equipment on the ground in the right-of-way. For instance, with certain utilities, third-party attachers must demonstrate that an operative municipal ordinance or standard does not permit ground-mounted telecommunications equipment to be able to place their equipment in the unusable space on the utility's poles. Such policies are not based on any legitimate safety or engineering rationale. The prohibition of ground-mounted equipment in the right-of-way has no relationship to the safety of these attachments in the unusable space on any given utility pole. Consequently, safety concerns cited by utilities in support of such policies appear unreasonable and unsupported on their face.

Third-party attachers also commonly encounter restrictions by utilities on the placement of meters for power consumption on utility poles. Meters are often placed in the unusable space of the pole to make them accessible and readable. However, some utilities prohibit the placement of meters on their poles, forcing attachers to place a meter pedestal in the public right-of-way or utilize unmetered service (when available). Yet local jurisdictions are reluctant to permit placement of meter pedestals in the right-of-way, particularly when the equipment being metered is attached to the utility pole and the utility is providing the power for the installation. Clarification that restrictions of this nature are unreasonable and unsupported by the appropriate criteria would eliminate further congestion in the right-of-way and speed deployment timelines. For those utilities that restrict meter attachments to their poles but offer an "unmetered"--or blanket purchase--option for power to small wireless facilities, the attaching

telecommunications carrier is often forced to purchase more than double what it would otherwise be required to purchase under the metered rate. This scenario could be avoided by the placement of a small meter on the utility pole.

Many utility pole attachment agreements or standards contain restrictions on the number of antennas that may be attached to a pole, or the location where antennas may be placed. Utilities that impose such limits typically limits attachers to only one antenna. Such limitations will stifle the deployment of 5G, for which attachment configurations commonly involve the attachment of multiple integrated antenna and radio units on a pole. When asked to remove such restrictions in the context of agreement negotiations, including requests to strike such restrictions in construction standards, or in wireless attachment configuration reviews, utilities often cite radio frequency concerns. However, the inclusion of construction standards or agreement provisions beyond the FCC's rules compromise access to the pole. The FCC is the appropriate authority regarding RF regulations on the deployment of wireless equipment on utility poles. Attempts by utilities to impose their own restrictions or regulations on RF emissions amount to unreasonable barriers to access.

As a result of business needs, timelines for attachment of their facilities to utility poles are extremely important to third-party attachers. The FCC has taken this fact into consideration over the years, establishing and evolving its make-ready timelines. Unfortunately, a number of the processes that are deemed essential by utilities to attachment and make-ready, such as the development of standards for new equipment configurations or the development of agreements to account for a new deployment methodology, are not subject to particularized timelines. Because these processes are not subject to concrete timelines, they are often susceptible to abuse and lengthy delays, resulting in extremely unreasonable deployment timeframes and/or wholesale barriers to access. Technology is ever evolving – that is one of the most exciting parts of the telecommunications industry. The Administration should

clarify that the deployment of next generation technologies may not be unreasonably delayed by inadequate attention to this evolution by some utilities.

F. Expediting Power Delivery to Small Wireless Facilities.

Issue: Delays in delivering power to small wireless facilities results in the inability to utilize new small wireless facilities.

Proposal: Call for collaboration and/or proposed legislation to ensure timely delivery of power to small wireless facilities.

Enhanced focus has been placed on facilitating fiber and wireless attachments to utility poles. However, small wireless facility deployments on utility poles have become increasingly problematic because of challenges and delays associated with delivering power to these facilities.

Small wireless facilities require electricity to function. While small wireless facilities can be rapidly deployed on electric distribution poles—after permitting, a facility can be deployed in a matter of hours—getting electric utilities to deliver electricity to power small wireless equipment can be time consuming and resource intensive. Electric utilities generally do not commit to any specific deadline to provide power to these facilities. In some cases, it can take two months or more after a small wireless facility is installed before it has commercial power. Much of this delay is because many utilities will not conduct attachment make-ready and power design and preparation simultaneously; rather, the power make-ready process follows the attachment make-ready process. As a result, it can take two months or more days from final inspection (where all make-ready and attachments to pole are complete) to power delivery. In these instances, the total wireless deployment timeline includes the attachment timeline (the FCC standard is 175 days) plus the power delivery timeline (often 60 days or more); meaning it can take

235 days or more for new small cell sites to be on air. These protracted power delivery intervals can thus interfere with vital connectivity needs.

By synchronizing the attachment make-ready and power make-ready processes, electric utilities can drastically shorten the timeframe between the initial application and bringing newly deployed sites on air. For example, some utilities conduct a single survey or field walk that examines both attachment make-ready and power make-ready and generate one estimate for both services. This alignment allows for more efficient deployment and results in significant time savings of 60 days or more to bring sites on air. Adopting this approach does not impose additional costs on the utility; the party seeking power delivery will still compensate the utility for design, inspection, and delivery costs.

Unfortunately, there are currently few incentives for electric utilities to timely bring power to small cell nodes. If access to utility poles for attachments of telecommunications facilities under Section 224(f) of the Communications Act is to be meaningful, the attaching entity must have everything necessary for it to provide service at the site in a timely manner—including power. To that end, Crown Castle proposes three potential legislative solutions to synchronize the attachment and power delivery process for electric utilities without imposing additional, uncompensated costs:

- Requiring delivery of power to wireless sites within 14 days of the attachment of an advanced communications services facility to a utility pole
- Modifying the definition of “make-ready” in the rules implementing 47 U.S.C. Section 224 that includes delivery of power as part of the make-ready process
- Modifying Section 224 that includes the delivery of power as a vital component of access to utility poles

In certain instances, electric utilities have responded to requests for assistance to either synchronize their power design and delivery processes with other make-ready processes or have begun initiating the process for delivering power to small wireless facilities earlier in order to minimize the possibility of delay in power delivery. In these instances, a collaborative approach has been successful in bringing about needed change to promote hastened connectivity. However, other electric utilities have not been willing to change their processes. In these instances, a legislative change will likely be needed to eliminate unnecessary delays in power delivery.

II. FEDERAL REGULATORY REFORMS ARE NECESSARY TO REDUCE BURDENS AND DELAYS IN 5G DEPLOYMENT.

A. National Environmental Protection Act (NEPA) and National Historic Preservation Act (NHPA) should be updated to streamline small wireless facility deployment.

Issue: Small wireless facilities deployed within existing public rights-of-way are subject to the same NHPA Section 106 and NEPA review as new macro towers.

Proposal: Exempt small wireless facilities deployed in existing rights-of-way from NHPA and NEPA review.

On March 22, 2018, the FCC issued a Second Report and Order amending its rules to clarify, that the deployment of small wireless facilities by non-Federal entities does not constitute either a “federal undertaking” within the meaning of the NHPA or a “major federal action” under NEPA and thus that certain federal historic preservation and environmental reviews pursuant to Section 1.1312 of its rules was not required. The Commission reasoned that small wireless facility deployments had limited potential for environmental and historic preservation effects, similar to consumer signal boosters, Wi-Fi routers, or unlicensed equipment used by wireless Internet service providers which are not subject to Section 1.1312 review.

In August 2019, the DC Circuit Court of Appeals held the Commission’s Order was arbitrary and capricious because the Commission “failed to justify its confidence that small cell deployments pose little to no recognizable religious, cultural or environmental risk” particularly given the vast number of proposed deployments. The court was concerned, among other things, about the Commission’s lack of consideration of new ground disturbance and the cumulative effects of densification. However, the Court did not recognize that small wireless facilities are predominantly deployed in public rights-of-way that have been previously disturbed by the placement of utilities that are not regulated under NEPA or NHPA. In fact, a new utility pole that is not used to support a small wireless facility undergoes no NEPA or NHPA review while one supporting a small wireless facility in the same right-of-way must undertake exhaustive state and tribal archeological and historical studies with mandates for input from the public.

Given the White House Council on Environmental Quality’s proposed NEPA rulemaking eliminating the need for cumulative effect review and the need to eliminate regulatory barriers to 5G deployment, we recommend that the Administration include an exemption from NEPA and NHPA review for deployment of small wireless facilities in the public right-of-way as part of its national strategy to secure 5G implementation plan. Such an exemption would be narrower than the clarification addressed in the FCC Second report and Order which was rejected by the DC Circuit Court of Appeals and would alleviate the DC Circuit's concern regarding new ground disturbance.

B. Federal Communication Commission (FCC) Policy and Federal Aviation Authority (FAA) Rules Regarding Spectrum Should be Harmonized.

Issue: A need exists to harmonize FCC spectrum policy with Federal Aviation Administration (FAA) rules regarding frequency deployment.

Proposal: To streamline deployment of 5G and promote private sector investment, we urge the Administration to develop an ongoing collaborative process between the FCC and FAA

to update FAA records to include all frequencies approved for commercial use and deployment.

As part of the Administration's plan to streamline and encourage 5G deployment, there is a growing need to harmonize the spectrum auctioned by the FCC with the rules and policies of the FAA. FAA rules currently require that spectrum frequencies deployed on antenna structures which have been previously approved by the FAA must be reviewed by the agency and cleared for deployment on existing structures. The process takes, at a minimum, 45 days and is often repeated several times for each structure as new spectrum frequencies are deployed.

This issue has been successfully resolved in the past through industry and government collaboration. Specifically, in 2003, an industry group (the "Colo Void Clause Coalition" or "CVCC") petitioned the FAA to review multiple spectrum bands at one time and clear them for use. After a 3-month review period, the FAA cleared the bands with a blanket approval which obviated the need for site by site spectrum analysis.³ The CVCC again asked the FAA for assistance on this issue in 2007. After a 20-month review process, the FAA again approved several frequency bands for use on existing antenna structures.⁴ In its approval, the FAA recognized the telecommunications industry's need and commitment to provide wireless services to the public and that it was essential for these companies to speed up the time frame for build-out and deployment of their networks. Since the latest FAA frequency update 2007, multiple frequency bands, including 600 MHz, 28 GHz, 37 GHz, 39 GHz and 47 GHz, have been auctioned by the FCC and are in various stages of deployment.

FAA approval of these and future auctioned frequency bands will be required. The FAA and FCC should work together expeditiously to address any potential interference with FAA facilities prior to

³ 69 Fed. Reg. 22732

⁴ 72 Fed. Reg. 65449

auctioning new spectrum and should immediately clear for collocation existing spectrum bands that have been authorized for commercial use not currently covered by the FAA blanket exemptions. The agencies should also establish a process to keep the FAA list of approved frequencies updated as more bands are authorized for commercial deployment.

C. Streamlined Access to Federal Property Should be Prioritized.

Issue: There are often lengthy delays and needless regulatory requirements in connection with collocation deployments on federal property.

Proposal: The federal government should promote the rapid deployment of wireless technology, particularly in rural areas, by reducing the regulatory burdens of collocation on federal property.

Expediting⁵ and accelerating⁶ broadband infrastructure deployment on federal property has long been a bipartisan, national priority of the federal government. From remote Forest Service locations that require critical wireless coverage for public health and safety reasons to rooftop installations on federal buildings in more populated areas, a clear federal policy to streamline wireless technology must be a priority in a national 5G strategy. There are several specific actions the federal government can take to move in this direction.

⁵ Exec. Order No. 13821, Streamlining and Expediting Requests to Locate Broadband Facilities in Rural America, 83 Fed. Reg 1507 (January 11, 2018). Available at <https://www.whitehouse.gov/presidential-actions/presidential-executive-order-streamlining-expediting-requests-locate-broadband-facilities-rural-america/>

⁶ Executive Order – Accelerating Broadband Infrastructure Deployment (June 14, 2012). Available at <https://obamawhitehouse.archives.gov/the-press-office/2012/06/14/executive-order-accelerating-broadband-infrastructure-deployment>

1. Implement the Mobile Now Act.

Recently, the U.S. Forest Service promulgated rules implementing the provisions on the Mobile Now Act. In the Mobile Now Act⁷, Congress provided a 270-day review period for federal government review of telecommunications applications. Crown Castle strongly supports this legislation and rulemaking efforts such as this and encourages all federal agencies to align its regulations with the Mobile Now Act.

Crown Castle also urges the federal agencies to fulfill the promise of the Mobile Now Act. The 270-day Mobile Now Act shot clock is considerably longer than similar deadlines in other federal regulatory telecommunications frameworks, and still its deadline is not met even for minor equipment work on a site. For example, review and approval of a project to collocate or upgrade existing wireless equipment should be a much less time intensive task for the agencies given the limited scope of the project. Rather than subjecting all telecommunications applications to the same type of process, Crown Castle suggests that federal agencies can significantly lessen the burdens on their staff and significantly reduce the time to deployment simply by creating rules that align with the reality that most collocation applications present minor modifications to an existing structure. An antenna swap or simply adding additional equipment to a structure to increase coverage or capacity should not involve a lengthy and drawn out approval process.

In addition, at the end of the Mobile Now Act's 270-day deadline, there is no consequence for the agency's failure to meet the deadline. Recognizing the limited scope of review for minor collocation applications, the federal government has provided a deemed granted remedy on state and local

⁷ Section 606(a), Division P, of the Consolidated Appropriations Act, 2018, amending Section 6409 of the Middle Class Tax Relief and Job Creation Act of 2012, also known as the "Making Opportunities for Broadband Investment and Limiting Excessive and Needless Obstacles to Wireless Act," 47 U.S.C. § 1455(b) ("MOBILE NOW").

governments for their failure to act within 60 days. Having an extra 210 days for review of the same type of applications, Crown Castle respectfully suggests that collocation applications on federal property should be deemed granted if a final resolution is not issued by an agency within the 270-day deadline. This would greatly enhance regulatory certainty and promote more efficient deployment of wireless technology on federal property.

2. Increase Efficiency and Transparency.

There are several achievable improvements to the process of federal review of telecommunication applications. Recently, the Bureau of Land Management created an online application portal which holds great promise as a significant improvement in submitting and processing telecommunications site applications. At a time when many Americans, including federal workers, are working remotely, the ability and applicants to file and the agency to review these applications is an initiative worthy of federal resources. Benefiting both agencies and applicants, the creation of consistent federal online application portals is also consistent with the intent of 2018 Executive Order calling for the review and revisions to the GSA common form application.

The creation of online application portals also opens the possibility for further transparency to the process of federal review and approval of these applications. The recent rulemaking by the Forest Service provided for tracking of applications, but only internally to the agency. Currently, after submission of an application, applicants have little understanding as to where their application has been routed, what tasks have been performed and which have yet to be done. Rather than the current system of applicants tracking down such information on their own accord, an online system that also lets applicants know where the application stands would be welcomed communication. An automated system would also reduce the time spent by the agencies for such routine matters and allow them to focus on the substance of their review.

3. Add Technological Process Improvements.

Much like the creation of an online application and review portal, Crown Castle would strongly encourage the authorization and widespread adoption of electronic signatures by authorized personnel at the various federal agencies. This common-sense process improvement made possible by secure technology would again benefit both the applicants and the federal agencies. Recently, Crown Castle encountered situations in which documents were approved as to substance

The ability to review, approve and provide an authorized signature in an online, digital format is currently common in our economic marketplace and would be a significant benefit to the federal government as well. Crown Castle understands that different agencies may have different requirements or authorizations but providing the authority and incentive for the agencies to adopt and utilize electronic signatures would be a simple but significant improvement to the process.

IV. CONCLUSION.

Crown Castle appreciates the opportunity to submit these comments to inform the development of an Implementation Plan for the National Strategy to Secure 5G and looks forward to working with the Administration as it moves forward with implementing changes that facilitate the domestic rollout of 5G technologies and the development of a robust domestic 5G commercial ecosystem.

Respectfully submitted,

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