



Testimony of Jonathan M. Campbell, Director of Government Affairs,  
**PCIA—The Wireless Infrastructure Association**  
Before the  
Pennsylvania House of Representatives Consumer Affairs Committee  
Hearing on House **Bill 2061**—Wireless Broadband Collocation Act

**March 26, 2012**

Chairman Godshall, Democratic Chairman Preston, and members of the Committee,

On behalf of **PCIA—The Wireless Infrastructure Association**,<sup>1</sup> thank you for the **opportunity** to participate in this hearing on House Bill 2061. PCIA applauds the sponsors of HB 2061 for their recognition of the benefits and necessity of wireless services, and for their action to ensure that **Pennsylvanians** have access to these services. Wireless service and **infrastructure** providers strive to **ensure** access to robust services across Pennsylvania and the United States. In light of recent federal law, PCIA urges the Committee to augment HB 2061 to work hand-in-hand with the new federal **law** and strengthen the consistency and predictability necessary for statewide deployment of advanced wireless networks.

In years past, wireless providers' work was **benchmarked** by coverage, as indicated by the now ubiquitous "service **bars**" on the displays of most handsets. However, the nature of wireless services, their use by **consumers** and public **safety**, and the industry's benchmarks for delivering these services continue to change rapidly. **Wireless** providers **are** currently undertaking a **multi-faceted** effort to deliver next-generation wireless services, such as 4G LTE. In addition, wireless providers are working to ensure that **current** and next-generation networks have the capacity to handle the drastic surge of **traffic** associated with the increasing adoption of **smartphones**, tablets and other data devices.

Wireless services, **from** basic voice communication to mobile broadband, enable **communication**, productivity, mobility, and public safety. Wireless **infrastructure** is necessary for the effective provision of wireless services. The strategic deployment of wireless **infrastructure** improves the efficient use of limited spectrum resources, which in turn improves the **performance** of wireless services. **Wireless infrastructure** — including towers, **rooftop** facilities, **distributed** antenna systems ("DAS"), and **more** — is the backbone of wireless networks; without it, wireless **services** cannot be delivered to **users**. HB 2061 encourages the efficient use of existing, approved infrastructure to rapidly deploy the wireless facilities necessary to deliver

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<sup>1</sup> PCIA is the national trade association representing the wireless telecommunications infrastructure industry. PCIA's members, which include wireless carriers and infrastructure providers, develop, own, manage and operate more than 125,000 telecommunications towers and antenna structures upon which cell sites can be collocated. PCIA seeks to facilitate the widespread deployment of communications networks across the country, consistent with the mandate of the Telecommunications Act of 1996. PCIA and its members work with the federal government and partner with communities across the nation to affect solutions for wireless infrastructure deployment that are responsive to the unique sensitivities and concerns of states and localities. For more information, visit [www.Dela.com](http://www.Dela.com).

these services by streamlining the review processes, which reduces both deployment costs and **timelines**.

**Wireless** networks and **the** infrastructure that supports them must adapt to growing **capacity** demands. In the last four **years**, **traffic** on wireless networks has **increased 1,800 percent**<sup>2</sup> with a projected **growth** of **18** times current levels of mobile data **traffic** in the next five **years**.<sup>3</sup> Mobile broadband users **are** projected to outnumber **wireline** broadband users by **2015**, when a majority of Americans will utilize a wireless device as **their** primary **Internet** access tool? This will result in two billion **networked** mobile devices by **2015**.<sup>4</sup> With limited **spectrum** resources, wireless providers **are** leveraging a wide **array** of **wireless** facilities, such as DAS and small cell solutions, to address increased capacity demands in a variety of environments.

Furthermore, wireless **networks** and **infrastructure** must expand their vital role in facilitating public safety. In Pennsylvania, the number of adults and children living in wireless-only households **has** increased **83.3%** and **116.6%**, respectively, between **December 2007** and June **2010**.<sup>6</sup> With more than **70** percent of all emergency calls placed **with** a wireless device,<sup>7</sup> wireless capacity and coverage is essential to ensuring **access** to public safety agencies wherever citizens **are**, whenever they need it. Also, public safety agencies themselves will be able to take advantage of streamlined collocation and modification review processes as they **construct** and maintain their own telecommunications networks.

Collocating and modifying wireless facilities on existing structures is the most efficient and cost-effective method of **building** out a wireless network and providing necessary capacity. The **infrastructure** that supports current wireless **networks** has passed an extensive local **zoning** and permitting process. That existing **infrastructure** can be used to serve the same purposes for next-generation public safety and **commercial** wireless networks. The use of existing **infrastructure** improves speed to market and reduces capital expenditures, thereby facilitating deployment. **PCIA** members estimate that an average new site build costs approximately **\$250,000 - \$300,000**, while an average collocation costs **\$25,000 - \$30,000** to deploy. The math is simple--a carrier can deploy approximately ten collocations for the cost of a single new tower.

Yet despite the increasing importance and reliance on wireless services, local regulation of collocation and modification of wireless facilities remains a **persistent** barrier to the deployment of wireless services. Many local governments impose significant red-tape and burdens on wireless facility deployment and the efficient use of approved, existing infrastructure.

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Mobile Future, 2011 Mobile Year In Review, available at

[http://mobilefuture.org/content/pages/2011\\_mobile\\_year\\_in\\_review](http://mobilefuture.org/content/pages/2011_mobile_year_in_review) (last accessed March 23, 2012).

<sup>3</sup> Quentin Hardy, *The Explosion of Mobile Video*, N.Y. TIMES, Feb. 14, 2012, available at

<http://bits.blogs.nytimes.com/2012/02/14/the-explosion-of-mobile-video/>.

<sup>4</sup> Hayley Tsukayama, IDC: Mobile *Internet* users to *outnumber wireline* users by 2015, WASHINGTON POST, available at [http://www.washingtonpost.com/blogs/post-tech/post/idc-mobile-internet-users-to-outnumber-wireline-users-by-2015/2011/09/12/pIQAkZP7MK\\_blog.html?wprss=post-tech](http://www.washingtonpost.com/blogs/post-tech/post/idc-mobile-internet-users-to-outnumber-wireline-users-by-2015/2011/09/12/pIQAkZP7MK_blog.html?wprss=post-tech) (last accessed December 5, 2011).

<sup>5</sup> Mobile Future, 2011 Mobile Year In Review, available at

[http://mobilefuture.org/content/pages/2011\\_mobile\\_year\\_in\\_review](http://mobilefuture.org/content/pages/2011_mobile_year_in_review) (last accessed March 23, 2012).

<sup>6</sup> Stephen J. Blumberg, Ph.D., et al., *Wireless Substitution: State-level Estimates From the National Health Interview Survey, January 2007 – June 2010*, National Health Statistics Reports Number 39, at Table I (April 20, 2011).

<sup>7</sup> FCC.gov, Guide: Wireless 911 Services, <http://www.fcc.gov/guides/wireless-911-services>

Foremost among the burdens is the requirement of a *de novo* zoning review for a collocation and the requirement of a special or conditional use permit to collocate or modify facilities on an existing structure. **When** wireless **infrastructure** is initially permitted, it passes the jurisdiction's **health, safety and welfare review** with **regards** to its placement and its use for the provision of wireless **services**. The collocation of additional antennas that do not substantially change the size of the tower should not trigger a **full** zoning review because: radio **frequency** emissions must adhere to strict FCC guidelines; safety issues are addressed through an **engineering** report **certified** by a licensed engineer as part of a standard building **permit**; and aesthetics and related **concerns** are not an issue **because** the tower **itself** is essentially unchanged.

In recent years, numerous states have revised wireless siting laws and regulations to streamline the review process for siting of wireless facilities on existing **infrastructure**. For example, California, Florida, Georgia, Nevada, New Jersey, North Carolina, and Tennessee passed legislation that **streamlines** the efficient use of existing **infrastructure** through collocation and modification.<sup>8</sup>

More recently, Congress enacted a streamlined process for the collocation and modification of wireless facilities as part of the Middle Class **Tax** Relief and Job Creation Act of **2012**.<sup>9</sup> This law requires **state** and **local** governments to approve applications for collocation, removal, or replacement of wireless facilities that will not substantially increase the physical dimensions of the underlying tower. In effect, this law removes discretionary local review of these applications. This new law works in conjunction with the Federal Communications Commission Wireless Facility Siting Shot Clock, which **requires** State and local governments to act on an application to **collocate** wireless facilities on existing structures **within** 90 days.<sup>10</sup>

Though the regulatory landscape **has** changed with the enactment of the federal law, HB 2061 **affords** the Commonwealth of Pennsylvania an **opportunity** to strengthen the federal law and further speed the deployment of advanced wireless networks across the State. **PCIA** urges the Committee to streamline review processes for the efficient use of non-traditional vertical **infrastructure**, including utility poles and **transmission** towers. As coverage gaps and capacity constraints are often in urban centers and other areas where macro wireless towers may **not** be feasible or readily available, **streamlining** the review process for collocations on non-traditional vertical **infrastructure** will allow wireless service and **infrastructure** providers to utilize a diverse array of wireless facilities, such as DAS, to effectively address service demands and needs across Pennsylvania

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<sup>8</sup> CAL. GOV'T CODE § 65850.6(2006); FLA. STAT. § 365.172 (2006); GA. CODE ANN. §§36-66B-1-4 (2010); NEV. REV. STAT. § 707.575 (2003); N.J. STAT. §40:55D-46.2 (2012); N.C. GEN. STAT. § 160A-400.53 (2007); TENN. CODE ANN. § 13-24-305 (2005).

<sup>9</sup> Pub. L. No. 112-96, § 6409 (2012), available at <http://www.gpo.gov/fdsys/pkg/BILLS-112hr3630enr/pdf/BILLS-112hr3630enr.pdf>.

<sup>10</sup> *Petition for Declaratory Ruling To Clarify Provisions of Section 332(C)(7)(B) To Ensure Timely Siting Review and To Preempt Under Section 253 State and Local Ordinances That Classify All Wireless Siting Proposals as Requiring a Variance, Declaratory Ruling*, 24 FCC Rcd 13994, 14021 ¶ 71 (2009) ("*Shot Clock Ruling*"), recon. denied, 25 FCC Rcd 11157 (2010), *aff'd*, City of Arlington, Tex., et al. v. FCC, 2012 U.S. App. LEXIS 1252 (5th Cir. 2012).

**In conclusion**, wireless networks, though subject to regulations at the local level, are intrinsically national. In order to **construct** robust and ubiquitous wireless networks, consistency and predictability are essential to build **out** plans, both now and in the **future**. PCIA **urges** the Committee to facilitate the deployment of advanced **wireless** services and their corresponding economic and social **benefits**. By **recognizing** the diverse **array** of wireless facility siting options and their efficient use of existing **infrastructure**, HB 2061 can help ensure that the **citizens**, businesses and first **responders** of Pennsylvania have access to advanced wireless services everywhere. **Thank** you for the opportunity to participate in this process.

Sincerely,

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