

TELECOMMUNICATIONS AND TECHNOLOGY

Proposed Resolution to Clarify that NACo’s Telecommunications and Technology Policies and Practices Apply to “Small Cell” and “DAS” Technologies and to Oppose Efforts to Preempt County Rights at the Federal or State Level

Issue: The National Association of Counties (NACo) must clarify that its Telecommunications and Technology policies and practices apply to new small cell technologies or shared wireless infrastructure technologies such as distributed antennae systems (DAS), as there are proceedings at the FCC, legislation being considered in Congress and legislative and regulatory actions at the state level that seek to preempt local authority over the siting of small cell and DAS technologies.

Proposed Policy: The American County Platform and Resolutions, specifically those subsections listed below, shall be read to apply to all wireless technologies regardless of their size and where within a county those technologies are deployed, including rights-of-way.

NACo has developed powerful and effective policy positions in the Telecommunications and Technology area as reflected in the NACo American County Platform and Resolutions 2016-17, specifically the Telecommunications and Technology policies and practices outlined in:

- Subsection A (Encouraging Competition and Development of New Technologies),
- Subsection B (Opposing Preemption of Local Authority), and
- Subsection E (Preserving the County Role in Wireless Communications Facilities Siting)

There are numerous proceedings at the FCC, legislation being considered in Congress and legislative and regulatory actions at the state level that seek to preempt local authority over the siting of small cell and DAS technologies and drastically reduce, if not eliminate, the rent, in-kind benefits and public private partnerships that counties may now charge for the use of public assets such as rights of way and above ground infrastructure. NACo’s voice is needed now more than ever in calling on the FCC and Congress to make data driven decisions that respect local rights and preserve local choice.

County governments have long supported and will continue to work with industry and other stakeholders to support the deployment of next generation wireline and wireless networks and the smart technologies they make possible and the meaningful role they may play in addressing challenges such as: congested transportation, air quality, environmental sustainability, enhanced public safety communications and Internet of Things connectivity.

February 25, 2017

Approved | Telecommunications and Technology Steering Committee | Voice Vote