



May 22, 2020

**VIA EMAIL AND ELECTRONIC FILING**

Chairman Pai  
Commissioner O'Rielly  
Commissioner Carr  
Commissioner Rosenworcel  
Commissioner Starks  
Federal Communications Commission  
445 12th Street, SW  
Washington, District of Columbia 20554

*RE: Implementation of State and Local Governments' Obligation to Approve Certain Wireless Facility Modification Requests Under Section 6409(a) of the Spectrum Act of 2012, WT Docket No. 19-250; RM-11849*

Dear Chairman Pai and Commissioners O'Rielly, Carr, Rosenworcel and Starks,

The National Association of Telecommunications Officers and Advisors ("NATOA"),<sup>1</sup> the National League of Cities ("NLC"),<sup>2</sup> the National Association of Counties ("NACo"),<sup>3</sup> The United States Conference of Mayors ("USCM")<sup>4</sup> and the National Association of Towns and Townships ("NATaT")<sup>5</sup> ("Local Governments") urge the Commission to delay consideration of the Declaratory Ruling and Notice of Proposed Rulemaking in Docket 19-250, currently on the draft agenda for the Commission's June 9, 2020 meeting.

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<sup>1</sup> NATOA's membership includes local government officials and staff members from across the nation whose responsibility it is to develop and administer communications policy and the provision of such services for the nation's local governments.

<sup>2</sup> NLC is the oldest and largest organization representing cities and towns across America. NLC represents 19,000 cities and towns of all sizes across the country.

<sup>3</sup> NACo represents county governments, and provides essential services to the nation's 3,069 counties.

<sup>4</sup> USCM is the official nonpartisan organization of cities with populations of 30,000 or more. There are more than 1,400 such cities in the country today. Each city is represented in the Conference by its chief elected official, the mayor.

<sup>5</sup> NATaT represents the interests of more than 10,000 towns and townships across the country at the federal level.

The proposed Declaratory Ruling, as currently drafted, would dramatically impact the way that local governments across the nation manage their eligible facilities request applications and require major changes to stealth or screening requirements for wireless deployments. Because the item did not arise out of a rulemaking proceeding, the Commission has not had the benefit of local government input into the proposal.

As a member of the intergovernmental partnership, local governments are a critical component of the Commission's proposal process. However, the Commission's sunshine rules would require all communications with the Commission on the proposed order to cease on June 2 - giving local governments less than two weeks to provide the Commission with insight on practical implications of the proposed order.

Local governments are now serving as our nation's front line defense as our country faces a rapidly evolving public health and economic crisis. To ensure an efficient and effective response to the COVID-19 pandemic, local governments need a strong yet flexible federal partner. As such, we would request that the proposed matter be carried over to a later agenda this summer to ensure our local intergovernmental partners can provide the appropriate time and attention to the regulatory proposals.

During these unique and challenging times, local governments remain a productive partner in assisting the nation win the race to 5G - just as they did during the deployment of past generations.

We thank you for the Commission's time and consideration of this request.

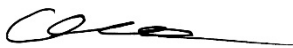
Sincerely,



Nancy Werner  
General Counsel  
National Association of Telecommunications  
Officers and Advisors



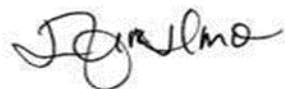
Matthew D. Chase  
Executive Director  
National Association of Counties



Clarence E. Anthony  
CEO and Executive Director  
National League of Cities



Tom Cochran  
CEO and Executive Director  
The United States Conference of Mayors



Jennifer Imo  
Executive Director  
National Association of Towns and Townships