



November 24, 2025

Marlene H. Dortch
Secretary, Office of the Secretary
Federal Communications Commission
45 L Street NE
Washington, DC 20554

RE: Notice of Proposed Rulemaking, WT Docket No. 25-276

Submitted to Electronic Comment Filing System

Dear Secretary Dortch:

On behalf of the Rural County Representatives of California (RCRC), the California State Association of Counties (CSAC), the League of California Cities (Cal Cities), we write to express concerns and provide recommendations regarding the Federal Communications Commission (FCC) Notice of Proposed Rulemaking (NPRM) in the matter of “Build America: Eliminating Barriers to Wireless Deployments.”

Our members are deeply committed to facilitating the timely, safe, cost-effective deployment of telecommunications infrastructure. For years, our cities and counties have worked to welcome wireless infrastructure while protecting the people who live closest to it. We share the Commission’s goal of bringing modern telecommunications options to communities that have waited too long for technological upgrades. But we also understand the realities on the ground, where local governments must reconcile deployment with wildfire risk, steep topography, historic downtowns, emergency evacuation routes, environmental protection, and fragile infrastructure that literally holds up our communities. The best policies recognize this partnership, rather than brush it aside.

As you may know, local governments are extensively involved in the approval of wireless structures and facilities on two primary fronts: 1) Boards of Supervisors and City Councils are elected to serve the local community interests and subsequently ensure that wireless telecommunication structures and facilities adhere to local land-use ordinances and zoning regulations; and 2) provide final approval for wireless telecommunication facilities and structure proposals that may be controversial and/or may pose a local health and safety risk. Local elected leaders must evaluate proposals not simply as abstract

deployments, but as physical structures placed near homes, schools, fire access roads, evacuation corridors, and critical community assets.

California's rural and underserved communities could stand to benefit tremendously from the expansion and deployment of wireless telecommunications facilities, especially where service is inadequate or nonexistent. However, we believe the NPRM would, at best, pave the way to increase deployment in well-served, urbanized, profitable markets while high-cost, less dense regions would shoulder increased risks and fewer safeguards. In many ways, this mirrors the experience of our jurisdictions where promises of quality service never materialize, but pressure to waive, override, and disregard minimum protections continue.

This tension is especially visible in the NPRM's approach. Congress spoke very clearly when drafting Sections 253 and 332 of the Communications Act. Under 47 U.S.C. § 253 (b) and (c), state and local governments retain the authority (and responsibility) to protect public safety, preserve service quality, safeguard consumer rights, and manage the public rights-of-way on fair and competitively neutral terms. The NPRM acknowledges these subsections preserve state authority to adopt competitively neutral requirements "necessary to preserve and advance universal service, protect the public safety and welfare, ensure the continued quality of telecommunications service, and safeguard the rights of consumers."¹ For decades, this language has formed the backbone of a cooperative federalism system that allows state and local governments to ensure the safety of telecommunications infrastructure while still accommodating new technology.

These concerns are not theoretical in California. Critically, the state of California, through state law and a regulatory framework established by the California Public Utilities Commission (CPUC), has developed resiliency standards such as 72-hour back-up power requirements in the highest fire risk (and, therefore, largely rural) areas of the state, as well as through other means such as network redundancy, network hardening, emergency preparedness planning with a qualified workforce, and coordination with other utilities and emergency responders. These standards exist because many high-risk areas have lived through multiple catastrophic wildfires and because wireless communications often fail at the exact moments communities need them the most.

For entities such as the California Telecommunications Industry Association (CTIA) to portray such measures as a barrier to deploy wireless infrastructure is as much as farce as it is disingenuous. The NPRM goes so far as to highlight CTIA's complaints regarding challenges associated with generator replacement and backup power,² but fails to reconcile those claims with the statutory protections states have to do so under Section 253 (b). For instance, these "requirements," as currently constructed by the CPUC, have no current penalty mechanisms and contain overly broad exemptions, such as allowing giant for-profit wireless companies the ability to self-determine whether it would be

¹ NPRM ¶ 13.

² See ex parte letter from Any Bender, Vice President, Regulatory Affairs, CTIA to Marlene H. Dortch, Secretary, FCC, WT Docket No. 25-276 (filed September 22, 2025).

infeasible (either financially or physically) to adopt resiliency strategies to maintain a sufficient level of service to access 9-1-1. In effect, the deregulated communications marketplace in California that CTIA bemoans has resulted in a race to the bottom where providers are providing the least reliable service at unaffordable rates without any minimum level of service in communities with the least amount of alternative options.

Furthermore, the NPRM also considers accelerated timelines and a form of procedural “rocket docket.” Smaller jurisdictions with limited staff cannot accurately evaluate complex applications within a shortened or unreasonable time frame. Unrealistic timelines, therefore, threaten to silence the very people who must live with the consequences. The NPRM requests comment on expanding or revising the Commission’s existing shot-clock rules, including whether additional accelerated timelines should apply to macro facilities.³ If applications are rushed through or “deemed granted” without adequate review, the responsibility for any resulting harm rests not with the applicant, but with the local authority left to deal with the aftermath. We strongly oppose a “rocket docket,” but nevertheless any accelerated process must ensure that all parties have due process with a fair and reasonable opportunity to be heard.

Again, we support responsible telecommunications infrastructure deployment and our members work with carriers every day to make that goal a reality. Congress preserved state and local authority for a reason, and communities cannot afford policies that place haste over safety, or uniformity over local judgement. For these reasons, we urge the Commission to withdraw this NPRM.

Thank you for your consideration of these comments. Should you have any questions, please do not hesitate to contact Tracy Rhine (RCRC) at trhine@rcrcnet.org, Mark Neuburger (CSAC) at mneuburger@counties.org, or Damon Conklin (Cal Cities) at dconklin@calcities.org.

Sincerely,



Mark Neuburger
Legislative Advocate
CSAC



Tracy Rhine
Senior Policy Advocate
RCRC



Damon Conklin
Legislative Advocate
Cal Cities

³ NPRM ¶ 5, 29.