

WHEREAS: The Federal Communications Commission (FCC) will be conducting at their September 26, 2018 meeting, a Declaratory Ruling and Third Report and Order regarding Accelerating Wireless Broadband Deployment by Removing Barriers to Infrastructure Investment, WT Docket No. 17-79; Accelerating Wireline Broadband Deployment by Removing Barriers to Infrastructure Investment, WC Docket No. 17-84; and

WHEREAS: The FCC is poised to issue a \$2 billion unfunded mandate "Small Cell" order that will result in the dramatic reduction of a community's authority to say "no" to demands for access to public property by private, for-profit telecommunications providers; and

WHEREAS: The "Small Cell" order will Cap annual rent for use of public property far below current market rates; and

WHEREAS: The "Small Cell" order limits local aesthetic control; and

WHEREAS: The "Small Cell" order shortens the permitting timelines, thereby jeopardizing public safety and burdening local governments; and

WHEREAS: The FCC's "In-Kind Offset" Cable Proposed Rule would allow cable operators to deduct the value of in-kind contribution from cable franchise fee payments; and

WHEREAS: The "In-Kind Offset" Rule potentially forces communities to choose between receiving cable franchise fee revenues and continuing PEG operations; and

WHEREAS: The National Association of Telecommunications Officers and Advisors (NATOA), the National League of Cities (NLC), the National Association of Counties (NACo), the United States Conference of Mayors (USCM) and the National Association of Regional Councils (NARC) (Local Governments) have jointly urged the Federal Communication Commission to reject the Declaratory Ruling and Third Report and Order (Order) to be considered at the September 26, 2018 meeting; and

WHEREAS: In their September 19, 2018 filing with the FCC, these organizations have concluded, "The Local Governments urge the Commission to oppose the draft Order, which will have significant, negative impacts on our communities with no commitment of public benefits in return. Local elected officials are far better suited than the Commission - and have every incentive - to implement policies that meet their unique local needs while incentivizing robust and timely deployment of communications services for the benefit of the entire community."; **NOW, THEREFORE BE IT**

RESOLVED: That the Somerville Board of Aldermen joins with The National Association of Telecommunications Officers and Advisors (NATOA), the National League of Cities (NLC), the National Association of Counties (NACo), the United States Conference of Mayors (USCM), the National Association of Regional Councils (NARC) (Local Governments) in their opposition to these FCC orders; **AND BE IT FURTHER**

RESOLVED: That the Somerville Board of Aldermen stands with the sentiments of FCC Commissioner Jessica Rosenworcel, who remarked at the June 9, 2018 US Conference of Mayors in Boston "the fastest and most resilient way to broadband deployment is with a community on board. That's because picking fights with cities and states promises to yield little more than a fast trip to the courts."; **AND BE IT FURTHER**

RESOLVED: That this resolution be communicated to the City of Somerville's national and state delegations.