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September 19, 2018
ELECTRONICALLY FILED

Ms. Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, SW – Lobby Level
Washington, DC 20554

In Re 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

Dear Ms. Dortch:

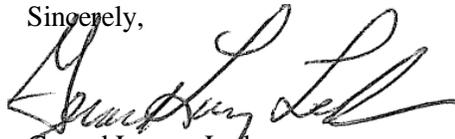
Charles Small, Washington Counsel for Los Angeles Mayor Eric Garcetti and the undersigned, in my capacity as counsel to the City of Los Angeles met with Commissioner Brendan Carr and Will Adams, his Wireless Legal Advisor on this date to review the attached letter to the Commission from Mayor Garcetti. Copies of the letter were also hand delivered to each of the other FCC Commissioners' offices.

We reviewed the content of the letter with Commissioner Carr and Mr. Adams to highlight Mayor Garcetti's requests that: existing agreements be honored, the Commission limit the growth patterns under 47 CFR 1.40001 of small cells in the rights-of-way, and that any order provide adequate transition time for localities to amend their forms and practices to accommodate the new shot clock time frames.

We also met with Umair Javed, Commissioner Rosenworcel's Wireless Legal Advisor. After sharing a copy of Mayor Garcetti letter with Umair, we highlighted the same issues we raised in the Carr office.

Pursuant to Section 1.1206(a) of the Commission's rules, a copy of this letter is being electronically submitted into the record of these proceedings. Please do not hesitate to contact the undersigned with any questions.

Sincerely,



Gerard Lavery Lederer
of BEST BEST & KRIEGER LLP

Attachment

cc (by email):
Will Adams
Umair Javed



September 18, 2018

Chairman Ajit Pai
Commissioner Michael O’Rielly
Commissioner Brendan Carr
Commissioner Jessica Rosenworcel
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

In Re 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

Dear Chairman Pai and Commissioners O’Rielly, Carr and Rosenworcel:

I write to ask that the Federal Communications Commission rewrite its small cell order (Carr Order) scheduled to be adopted on September 26, 2018, as it will serve only to undercut the many successful public-private partnerships that have, and are, developing in today’s marketplace.

I am committed to bringing 5G to the residents of Los Angeles – for this reason my staff and I have worked diligently over the past 14 months to develop comprehensive small cell and upgraded equipment deployment agreements, which are in the process of being fully executed and operational by two of the nation’s largest national carriers: Verizon and AT&T. These agreements, will not only bring 5G services to Los Angeles starting on October 1, 2018, but will also cooperatively leverage our city’s assets to enable deployment of 5G by companies while also closing the digital divide. The rent



we agreed to provides for a reduced monetary fee and a cooperative deployment of smart city and digital inclusion technology and services.

The proposed Carr Order would jeopardize all these benefits. It will insert confusion into the market, and sow mistrust between my technology team and the carriers with whom we have already reached agreements. The Commission, while staying true to its commitment to promote 5G deployment, could avoid marketplace confusion by simply grandfathering in any proposal or formal agreement entered into prior to the effective date of the order. Alternatively, the Commission can stay the adoption of such an order until the Commission has allowed for a one-year period or sufficient time to permit local authorities to enter into such agreements with the telecommunications industry, as we have done and will continue to do with the other carriers at the City of Los Angeles.

The agreements that my team and I have negotiated reveal that our pricing scheme is not prohibitory, and the beneficiaries of the deals are the residents of the City – rather than suffering from a digital divide we are able to leverage public assets to bring smart city solutions to all the neighborhoods of Los Angeles.

I also question the basis of the Commission's economic arguments. They run counter to the digital equity solutions like those we achieved in Los Angeles as we seek to eliminate the threat of a digital divide.

Sincerely,

A handwritten signature in black ink, appearing to read "E. Garcetti", with a small flourish at the end.

ERIC GARCETTI

Mayor, City of Los Angeles