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Carr Announces Next 5G Order in Indiana Statehouse Speech

Plan Cuts Small Cell Costs; Events Include State Senator, Congressional Leaders, and Mayor

INDIANAPOLIS—Commissioner Brendan Carr announced the FCC’s next 5G order on the Senate floor of the Indiana Statehouse this morning. Joined by Indiana elected leaders, including one of the authors of the state’s small cell bill, U.S. Sen. Todd Young, and U.S. Rep. Susan Brooks, Carr unveiled a proposal to cut costs and streamline approval periods for small cells—the physical building blocks of 5G.

“5G will create jobs, improve education, and promote public safety. But to upgrade our networks, we must upgrade our regulations,” said Commissioner Carr. “Policymakers can’t claim success if 5G is only deployed in big cities like New York and San Francisco. Those ‘must serve’ cities will get next-gen mobile broadband almost regardless of what we do. Success means every community getting a fair shot at 5G. To achieve that success, we need to update our rules to match this revolutionary new technology.”

According to a recent study, Carr’s plan will save \$2 billion in unnecessary fees, stimulate \$2.5 billion in additional small cell deployments, and create more than 27,000 jobs. The action will also help close the digital divide, providing new connections to those who need them most. The economic analysis shows that Carr’s plan will see two million more homes served by small cells—97% of them in rural and suburban communities.

Carr’s plan, set to be voted on at the FCC’s September 25 Open Meeting, is modeled on the small cell bills enacted in 20 states across the country. The bills aim to reform laws that were typically designed years ago for macro-cells—the 200-foot towers that were built to cover large areas with legacy wireless service. Small cells, most of which are the size of small backpacks, are most often attached to existing structures, such as light poles or buildings. The recently-enacted state small cell bills limit the fees that localities can charge to process construction and permitting applications for small cells, and they require localities to approve or disapprove small cell deployment within a certain time frame.

Indiana enacted forward-thinking small cell legislation in 2017, which paved the way for small cell deployment, especially in rights of way. Since passing its bill, Indiana has seen outsized investment from wireless providers. Two of the largest wireless providers have announced that 5G-capable service will go live in Indianapolis this year, making the city home to the most intensive 5G investment in America. In total, providers have built more than 1,000 small cells in 30 communities across the Hoosier state.

“High-speed connectivity drives jobs – economic growth – education – and improved healthcare outcome,” said Senator Todd Young. “Behind forward-thinking officials at the state level, Indiana has been a real leader in passing smart, effective regulatory reforms to the state’s siting laws. Now the FCC needs to ensure America is leading in the race with the rest of the world.”

“As the co-founder and co-chair of the Congressional 5G Caucus, I understand the significant impact 5G is going to have on our communities,” said Congresswoman Susan W. Brooks. “5G has the potential to unleash the power of emerging technologies such as telemedicine, save lives with enhanced critical public safety communications, transform existing industries, and so much more. Indiana was one of the first states to pass legislation streamlining the deployment of small cells—the wireless infrastructure needed to make 5G possible. Because of our state’s leadership and our friendly regulatory environment, it is not surprising that Indiana has quickly become a model state and overall leader in the country for 5G deployment. I am proud to be here today in Indianapolis for this announcement and I look forward to our state’s continued leadership so all Hoosiers can experience the benefits of the next generation of wireless connectivity.”

“Here in Indiana, we believe in minimizing burdensome regulations in order to pave the way for investments of all kinds in our local communities and across the state,” said State Sen. Jim Merritt, an author of Indiana’s small-cell reform legislation. “We made common-sense changes in our state law to encourage wireless investment, and those efforts are paying off in a tremendous way. This new technology is going to change our world significantly, and I believe Commissioner Carr’s proposals will have that same positive effect on the rest of the nation.”

“At the federal level, we have learned from the forward-looking legislation that local leaders have enacted in 20 states and counting,” concluded Carr. “We have been encouraged by their leadership, resulting investment, and new mobile broadband in their communities. My plan builds on those grassroots, commonsense reforms and extends regulatory relief throughout the country so that no community will be left behind.”

Carr’s plan has four main components:

1. Implements long-standing federal law that bars municipal rules that have the effect of prohibiting deployment of wireless service
2. Allows municipalities to charge fees for reviewing small cell deployments when such fees are limited to recovering the municipalities’ costs, and provides guidance on specific fee levels that would comply with this standard
3. Requires municipalities to approve or disapprove applications to attach small cells to existing structures within 60 days and applications to build new small cell poles within 90 days
4. Places modest guardrails on other municipal rules that may prohibit service while reaffirming localities’ traditional roles in, for example, reasonable aesthetic reviews

Following the statehouse announcement, Carr toured small cell deployments with Mayor Scott Fadness of Fishers, Indiana. Mayor Fadness was a leader in negotiating the state small cell bill and has stimulated tech investment in his city with pro-deployment policies. Fishers has balanced a desire to attract investment with aesthetic considerations. Carr saw firsthand the camouflaging designs the city has required of wireless providers on his tour.

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