

GOVERNMENT OF THE DISTRICT OF COLUMBIA
ADVISORY NEIGHBORHOOD COMMISSION 3B
GLOVER PARK AND CATHEDRAL HEIGHTS



October 11, 2018

Mr. Matthew Marcou
Public Space Regulation
Department of Transportation
1101 4th Street SW
Washington, DC 20024

Dear Mr. Marcou:

Our Advisory Neighborhood Commission ANC3B representing Glover Park-Cathedral Heights appreciates DDOT's invitation to ANCs to present testimony at the October 15 Public Space Committee hearing on the vital matter of small cell technology and the proposed design guidelines published in late August.

To deliver higher speed 4G and 5G service throughout the city, telecommunications companies ("providers") have said they will require widely distributed "small cell" transmitting units that operate over short distances. At least five companies (Verizon, Crown Castle, AT&T, Mobilitie, ExteNet) have signed Master Licensing Agreements (MLAs) with DDOT covering their plans to install small cell technology in the District.

We support development of systems to accommodate effective higher speed telecommunications in the District. But we have major concerns about the content of the draft guidelines, the rushed timetable for review, and the significant flaws in the process of developing the regulatory framework for this technology in the city:

- the short notice and very abbreviated opportunity for ANCs and the public to comment on the guidelines;
- the almost invisible process DDOT has followed to develop and finalize the guidelines and MLAs;
- the absence of provisions for ANC and public input on specific proposals for small cell installations in public space, as well as on the provisions of the basic MLA and the specific terms of MLAs signed to date;
- the terms of the MLAs that allow providers to go forward with their desired small cell installations without further public review once the provider has received approval for its first installation; and
- DDOT's agreement to allow each provider to put up as many as 3 new poles on each block to hold its small cell units, as close as 10 feet apart, and install a refrigerator-size auxiliary unit above ground on every block, though DDOT has recognized that shared poles including public utility poles could be used and the auxiliary units could be placed underground, where they would not intrude on public space and the look of the area.

For residents and visitors to Washington, DC, the visual appearance of the city's residential and commercial neighborhoods is a major factor in the quality of life and day-to-day experiences in the District. Protection of the vistas in the parks around the city, on the National Mall, and in historic districts is also essential to preserving the historic architectural and cultural heritage of the District and the nation, which is also a foundation of the region's economy and tourism. We are very concerned that having so many additional poles holding small cell boxes over sidewalks and in other public space, along with sizable auxiliary boxes above ground, would create significant "visual clutter" as well as safety risks in our residential and commercial neighborhoods. The added objects in sidewalks and public spaces would create obstacles and block sight lines for pedestrians, motorists, and those who use assistive devices, bikes, and scooters.

The ANCs, community organizations, and the public in general have had very little notice of the steps being taken by DDOT to facilitate small cell technology, the design guidelines DDOT is proposing, or the changes that DDOT's proposal could mean for our communities and the health and well-being of people in the city. DDOT notified ANCs in late August about the proposed small cell technology guidelines; held one informational meeting for ANC Commissioners about the proposed guidelines on September 6, which was immediately after Labor Day and was not well attended; organized a second informational meeting on September 25, after most ANCs had held their September meetings; set a deadline of October 5 for ANCs and members of the public to submit written comments, which was before most ANCs had their October meetings; and scheduled a hearing and vote of the Public Space Committee on the proposed guidelines on October 15. That timetable has significantly reduced the chance for ANCs to participate in the process.

DDOT notes in the proposed guidelines the unique nature of the District's streetscape and states that the public space enhances the quality of life for residents and visitors and also provides the foundation for the city to become a more walkable and sustainable city. But the guidelines fail to protect the unique streetscapes and public space that are so vital to the District. It does not appear that DDOT has evaluated those effects.

DDOT and its Public Space Committee have assumed the authority for regulating the small cell technology and must take into account these matters before adopting design guidelines and standards for governing installation of this next generation of communications technology, which is likely to be with us for decades.

For all the above reasons, we strongly urge DDOT:

- 1 - to delay consideration of the proposed guidelines until further informational meetings about the small cell technology can be held in each ward, the DC Council has held hearings on the subject, and residents and ANCs have had fuller opportunity to review and comment on the proposed guidelines;
- 2 - to provide the public with more detailed information about the technology;
- 3 - to analyze in greater depth and report to the public on the potential impacts of the installation of small cell technology on the city's streetscape, quality of life, and the health and well-being of the public;
- 4 - to amend the proposed guidelines to ensure that affected ANCs and the public have at least 30 days to review and comment on each proposed installation of small cell technology in a neighborhood, and also to put in place a process to hear and respond to any ANC comments and objections to the installations;
- 5 - to amend the MLAs with providers (including agreements that providers and DDOT have already signed) to require that notice be given to affected ANCs and the Council about proposed small cell installations beyond just a provider's initial installation in the District, and also to call for DDOT to consider comments from affected ANCs and the public on proposed small cell installations in public space in a neighborhood before DDOT approves the additional installations (beyond the first small cell installation);
- 6 - to require companies installing small cell technology in the District to provide additional benefits to residents, such as free wifi in disadvantaged areas of the city, in exchange for the permission to install their technology in public space or on public utility poles.

This letter was approved by a vote of 5-0 at a duly noticed regular public meeting of the Commission on October 11, 2018, at which a quorum was present. (Three of the five Commissioners make a quorum.)

At the same time, we also voted that I or my designee, the Commissioner for ANC3B01, will be authorized to represent the Commission on this matter.

Thank you for your attention to this important matter for the city.

Sincerely,



Brian Turmail
Chairman