Wireless Infrastructure Association

January 23, 2026

VIA ELECTRONIC FILING

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

Re: Notice of *Ex Parte* Presentation, *Modernizing the Commission's National Environmental Policy Act Rules*, WT Docket No. 25-217; *Build America: Eliminating Barriers to Wireless Deployments*, WT Docket No. 25-276; and *Upper C-Band (3.98-4.2 GHz)*, GN Docket No. 25-59.

Dear Ms. Dortch:

The Wireless Infrastructure Association ("WIA"),[1] pursuant to Section 1.1206 of the Federal Communications Commission's ("FCC" or "Commission") rules,[2] hereby provides notice that on January 21, 2026, the undersigned, along with Michael Saperstein, Senior Vice President, Government Affairs & Chief Strategy Officer and Madeline Sorg, Government Affairs Manager of WIA, along with Tom Anderson, Managing Counsel of Crown Castle,[3] met with Kari Hicks, Garnet Hanly, Allison Jones, and John Lockwood, of the Wireless Telecommunications Bureau to discuss the above captioned proceedings.

During the meeting, WIA expressed its support for the various ongoing efforts as part of the Commission's Build America agenda, including the recent NPRM to eliminate barriers to wireless deployment and the pending update to the Commission's rules for environmental and historic reviews. These proceedings all come at a crucial time given the recent proliferation of Artificial Intelligence ("AI") in many Americans lives and the ongoing efforts to close the digital divide. Further, the efforts are particularly timely as industry and the Commission prepare for the first auctions of new spectrum licenses in several years; the value of which will be dependent on the bidders' ability to utilize those licenses without undue delay. As provided in its comments,

[1] The Wireless Infrastructure Association ("WIA") is the principal organization representing companies that build, design, own, and manage telecommunications facilities throughout the world. WIA's members include infrastructure providers, carriers, and professional services firms.

[2] 47 C.F.R. § 1.1206.

[3] Mr. Anderson joined the discussion via teleconference.

WIA strongly supports the Commission's proposed reforms to improve wireless permitting by setting common-sense and consistent standards for all state and local jurisdictions along with right-sizing its environmental and historic review processes.[4]

Concerning the Commission's proposed rules regarding environmental and historic reviews, WIA reiterated its support for the conclusion that certain wireless facilities that are not registered in the Commission's Antenna Structure Registration ("ASR") platform are not major federal actions ("MFA") or federal undertakings and are exempt from these reviews.[5] Considering significant changes in guidance from courts, the executive branch, and Congress, on how and when these reviews must be conducted, the Commission is right to re-evaluate its current process. Consistent with its previous comments in the record,[6] WIA also highlighted that the Commission is in a substantially compliant position regarding its environmental and historic reviews compared to many other federal agencies and that it supports maintaining some of these existing procedures, including its broad categorical exclusion ("CatEx") framework for structures that are subject to environmental and historic reviews.

While recognizing this current posture, WIA also expressed its support for many of the specific reforms proposed in the NPRM for structures that will remain subject to the Commission's environmental and historic reviews, which will right-size the Commission's process for these reviews and ensure its procedures comply with changes to the law such as the Fiscal Responsibility Act ("FRA")[7] and recent executive orders.[8] In particular, reforms such as providing limits for page counts and durations for reviews of Environmental Assessments ("EA") and Impact Statements ("EIS"), clarifications to when Extraordinary Circumstances ("EC") apply, and how applicants comply with the process will support the timely and cost-effective deployment of needed wireless infrastructure. Further, finding structures that are not required to be registered in the ASR system do not qualify as MFAs or federal undertakings will exempt many routine and non-substantial deployments from unnecessary reviews. To the extent that final rules will make certain deployments no longer qualify as Federal Undertakings for NHPA reviews, WIA expressed

[4] *See generally* Comments of WIA, WT Docket No. 25-276 (Dec. 31, 2025); Comments of WIA, WT Docket No. 25-217 (Sept. 18, 2025).

[5] Modernizing the Commission's National Environmental Policy Act Rules, Notice of Proposed Rulemaking, WT Docket No. 25-217, FED. COMMC'NS. COMM'S. (rel. Aug. 14, 2025) ["*NEPA NPRM*"].

[6] *See* Comments of WIA, WT Docket No. 25-217 at 3-6 (Sept. 18, 2025); Reply Comments of WIA, WT Docket No. 25-217 at 4-5 (Nov. 18, 2025).

[7] *See* Fiscal Responsibility Act of 2023, Pub. L. No. 118-5, 137 Stat. 10 (2023).

[8] *See, e.g.*, Exec. Order No. 14154, *Unleashing American Energy*, 90 Fed. Reg. 8353, §§ 5-6(a) (Jan. 29, 2025) ["E.O. 14154"].

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its support for the Commission to affirm that existing structures that have not received sufficient historic reviews under the previous interpretation, but would not be required to complete these reviews if deployed under the new rules, are presumptively eligible for further colocations without additional review.[9]

In addition to this support, WIA emphasized that certain clarifications suggested by WIA and other commenters would be beneficial to eliminate lingering barriers to deployment and ensure a consistent application of the Commission's proposed reforms. These suggestions include clarifications that wireless sites that support both geographic and site-specific licenses, which would not otherwise be required to complete historic and environmental reviews under the proposed standard, should not be subject to environmental and historic reviews solely due to the presence of site-specific license;[10] ensuring that structures which are voluntarily filed in the ASR system do not automatically become subject to environmental and historic reviews;[11] and encouraging the Commission to affirm its position as the exclusive regulator of radiofrequency ("RF") emissions for wireless infrastructure, regardless of whether the structure is subject to Commission reviews under NEPA or NHPA.[12]

Further, during the discussion, WIA highlighted remaining barriers to deployments experienced by its members as well as its strong support for the Commission's proposed rules in the recent wireless NPRM.[13] As provided by numerous commenters in the record, wireless deployments still face various hurdles at the state and local level, ranging from excessive and unrelated fees to express and de facto moratoria on deploying wireless infrastructure.[14] WIA supports the Commission moving quickly to adopt rules consistent with the NPRM to address these lingering issues and unleash more investments in wireless infrastructure.

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[9] *See* Comments of WIA, WT Docket No. 25-217 at 11-12 (Sept. 18, 2025).

[10] *See, e.g.*, Reply Comments of WIA, WT Docket No. 25-217 at 4 (Nov. 18, 2025); Reply Comments of Verizon, WT Docket No. 25-217 at 1-2 (Nov. 18, 2025).

[11] Comments of WIA, WT Docket No. 25-217 at 8, 11.

[12] *Id*. at 6-7.

[13] *See Build America: Eliminating Barriers to Wireless Deployments,* Notice of Proposed Rulemaking, WT Docket No. 25-276 (rel. Sept. 30, 2025) *["Wireless NPRM"]. See generally* Comments of WIA, WT Docket No. 25-276 (Dec. 31, 2025).

[14] *See generally* Reply Comments of WIA, WT Docket No. 25-276 (providing examples of barriers to deployment experienced by WIA's members and other commenters supporting the Commission's proposed rules).

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Finally, WIA emphasized its support for the Commission adopting rules to facilitate the auction of frequencies in the Upper C-Band for commercial licensed operations.[15] Consistent with prior comments in the record, WIA discussed how bringing this spectrum to market is necessary for the continued deployment of 5G and will continue to facilitate the availability of fixed wireless access broadband ("FWA"), which has helped transform the connectivity landscape in recent years.[16] As the Commission works to establish rules for this auction, WIA encouraged it to consider how the Commission can best collaborate with its counterparts at the FAA to ensure timely deployments of these licenses while avoiding impermissible interference with radio altimeters in adjacent bands. WIA also highlighted the utility to members of the FAA's Colo-Void Clause and, as part of this collaboration, urged the Commission to identify additional frequencies that could be added to that rule. Currently, the FAA is considering adding C-Band frequencies to this provision within the next six years.[17] While recognizing the complexity of including new frequencies in this framework, WIA believes this timeline is likely too long to materially improve deployment timelines for these frequencies after auction and urges quicker action.

Pursuant to Section 1.1206 of the Commission's rules, a copy of this letter is being filed via ECFS. Please do not hesitate to contact the undersigned with any questions.

Respectfully submitted,

/s/ Stephen Keegan
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[15] *Upper C-Band (3.98-4.2 GHz)*, Notice of Proposed Rulemaking, GN Docket No. 25-59 (rel. Nov. 21, 2025).

[16] *See* Reply Comments of WIA, *Upper C-Band (3.98 GHz to 4.2 GHz)*, GN Docket No. 25-59 (May 29, 2025). *See also* Madeline Sorg, *Why 5G Home Means Savings for You – Even If You Have Cable*, WIA (Dec. 11, 2025), https://wia.org/why-5g-home-means-savings-for-you-even-if-you-have-cable/.

[17] *See Requirements for Interference-Tolerant Radio Altimeter Systems*, Notice of Proposed Rulemaking, Docket No. FAA-2025-5666, 91 Fed. Reg. 459 at 476 ("FAA will also be evaluating if any frequencies in the Lower and Upper C-band should be added to the Colo Void Policy after the final [Radio Altimeter] performance deadline.").

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