



Wireless
Infrastructure
Association

February 19, 2026

VIA ELECTRONIC FILING

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

Re: Notice of *Ex Parte* Presentation, *Build America: Eliminating Barriers to Wireless Deployments*, WT Docket No. 25-276.

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 February 17, 2026, the undersigned, along with Michael Saperstein, Senior Vice President, Government Affairs & Chief Strategy Officer, Karmen Rajamani, Vice President, Government Affairs, and Madeline Sorg, Government Affairs Manager, of WIA, along with Liz Hill, Vice President, State & Local Affairs, of American Tower, Tom Anderson, Managing Counsel, of Crown Castle, and Victoria Weidenthaler, Corporate Counsel – Compliance, of SBA, met with Kari Hicks, Allison Jones, John Lockwood, and Jeffery Bartlett of the Wireless Telecommunications Bureau to discuss the above captioned proceeding.

During the meeting, WIA expressed its support for the ongoing efforts as part of the Commission’s Build America agenda, and specifically, the recent NPRM to eliminate remaining barriers to wireless deployment.³ The rules proposed in the NPRM 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, WIA strongly supports the Commission’s proposed reforms to improve

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 *Build America: Eliminating Barriers to Wireless Deployments*, Notice of Proposed Rulemaking, WT Docket No. 25-276 (rel. Sept. 30, 2025) [“*Wireless NPRM*”].

wireless permitting by setting common-sense and consistent standards for all state and local jurisdictions.⁴

WIA further highlighted remaining barriers to deployments routinely experienced by its members—including excessive and unrelated fees, uncertainty and disruption stemming from time-limited Conditional Use Permits (“CUPs”), and conflicting or inconsistent siting conditions. WIA’s members shared specific anecdotes with how these issues impact their businesses such as one ongoing application to remove wireless equipment from a site in Wheatland, New York. That removal application required an initial \$5,000 “escrow” deposit before the town’s consultant would commence review of the application. Inexplicably, the consultant has managed to deplete the \$5,000 payment, contends the applicant is in arrears and now demands an additional \$5,000 to re-commence the review of an application to remove a few pieces of equipment from the tower. There is no guarantee that this additional \$5,000 will be the end of the matter.

This also highlights a significant aspect of the claims that many applications are “incomplete.” The documentation and multiple, extraneous rounds of review of this equipment removal application, including site visits with travel expenses like meals and coffee included, required by this consultant (\$10,000 worth and counting) are wholly unnecessary for the simple determination of whether the application qualifies as an eligible facilities request. There is a place for the legitimate expertise of a consultant, but these “escrow fee” arrangements financially incentivize the consultant, who may not be a structural engineer, RF engineer, or possess any particular professional certification at all, to delay and obfuscate often by contending that an application is incomplete. In short, the harder it is to get a permit, the more money these consultants make—directly limiting the amount of investment that can actually go towards expanding and enhancing connectivity.

These challenges are far from unique, with numerous commenters in the record highlighting similar barriers to deployment still regularly encountered by the wireless industry.⁵ In order to address these remaining barriers, WIA urged the Commission to act expediently in adopting rules consistent with the NPRM. WIA discussed how proposals in the NPRM like adopting a safe harbor for fees, clarifications regarding when a structure is considered “existing” for the purposes of Section 6409, and reinstating the FCC’s interpretations and clarifications from the 5G Upgrade Order would materially improve the deployment landscape.

⁴ See *generally* Comments of WIA, WT Docket No. 25-276 (Dec. 31, 2025).

⁵ 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).

In addition to the points raised in its previous filings, WIA also encouraged the Commission to look at its successful Small Cell Framework to inform how it sets a presumptively reasonable fee safe harbor.⁶ WIA recognizes that the unique needs of each jurisdiction likely precludes a one size fits all solution for this issue; but by providing a framework that is grounded in a reasonable approximation of routine costs, and that allows for the needed flexibility for each entity to recoup its actual and direct costs for application review, the Commission can provide needed certainty for infrastructure providers. To this end, WIA encouraged the Commission to consider adopting a fee safe harbor of \$270 for attachments on, and non-substantial modifications to, existing infrastructure and \$540 for applications to site new infrastructure.

Finally, WIA reiterated that it respects the important role of local governments and highlighted the positive working relationships its members enjoy with many state and local governments. In fact, despite opposition to the NPRM from some local governments in this proceeding, states have already recognized the benefits of streamlining permitting regulations within their jurisdiction and ensuring they follow the FCC rules. Examples include legislation recently adopted in West Virginia and Colorado that implement a “colocation by right” regime consistent with FCC rules⁷ and legislation being considered this session in Virginia that would implement rules consistent with FCC guidance from its 5G Upgrade and Compound Expansion orders.⁸

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

Stephen Keegan
Sr. Counsel, Government & Legal Affairs

WIA – The Wireless Infrastructure Association
2111 Wilson Blvd., Suite 210
Arlington, VA 22201
800.759.0300

⁶ See *Accelerating Wireless Broadband Deployment by Removing Barriers to Infrastructure Investment*, WT Docket No. 17-79, Declaratory Ruling and Third Report and Order (rel. Sept. 27, 2018).

⁷ West Virginia, House Bill 3144 (enacted 2025); Colorado, House Bill 1056 (enacted 2026).

⁸ Virginia, House Bill 277 (introduced 2026).

Cc: Kari Hicks
Allison Jones
John Lockwood
Jeffery Bartlett