



May 29, 2015

VIA EMAIL

The Honorable Eric Garcetti
Mayor
City of Los Angeles
200 N. Spring Street
Los Angeles, CA 90012

Re: PCIA Concerns over Council File 15-0050

Dear Mayor Garcetti:

On behalf of PCIA – The Wireless Infrastructure Association (“PCIA”),¹ I write to urge you to reconsider your approval of Council File 15-0050, an ordinance to amend the Los Angeles Municipal Code to consider communications towers to be a “Class III Structure” subject to an “Importance Factor” of 1.50 of the Telecommunications Industry Association (“TIA”) TIA-222 standard. PCIA remains concerned that this modification will negatively impact the quality of wireless service that will be available to Los Angeles in the future.

Citizens, businesses, and visitors to California depend on wireless services and devices in every aspect of their lives. Users increasingly rely on wireless service as their exclusive means of voice communication while at home. Over 28% of households in Los Angeles County have “cut the cord,” relying entirely on wireless phones.² Further, Californians rely on wireless devices for broadband data and apps. Last year, North American mobile data usage grew 63%,³ and now two-thirds of Americans own bandwidth-hungry smartphones.⁴ Wireless services play a crucial public safety role as well. Because more than 70% of all emergency calls are placed with a

¹ PCIA – The Wireless Infrastructure Association is the principal organization representing the companies that build, design, own and manage telecommunications facilities throughout the world. Its over 200 members include carriers, infrastructure providers, and professional services firms. PCIA and its members partner with communities across the nation to deploy wireless infrastructure in a way that responds to the unique sensitivities and concerns of each community.

² See *Wireless Substitution: State-level Estimates from the National Health Interview Survey, 2012*, CENTERS FOR DISEASE CONTROL NATIONAL HEALTH STATISTICS REPORTS 4 (Dec. 18, 2013), available at <http://www.cdc.gov/nchs/data/nhsr/nhsr070.pdf>.

³ *North America – 2014 Year in Review*, CISCO VISUAL NETWORKING INDEX MOBILE FORECAST HIGHLIGHTS, 2014-2019, http://www.cisco.com/c/dam/assets/sol/sp/vni/forecast_highlights_mobile/index.html (last visited May 29, 2015).

⁴ PEW RESEARCH CENTER, U.S. SMARTPHONE USE IN 2015 2 (2015), available at http://www.pewinternet.org/files/2015/03/PI_Smartphones_0401151.pdf.

wireless device,⁵ wireless capacity and coverage is essential to ensuring access to public safety agencies wherever citizens are, whenever they need it.

Robust wireless network infrastructure will spur economic growth and promote job creation in California. A recent study indicates projected wireless infrastructure investment of \$34 to 36 billion per year over the next five years would result in \$1.2 trillion in economic development and 1.3 million net new jobs.⁶ Businesses large and small look to broadband as a driver of productivity and engine of economic development.

While PCIA and its members are committed to ensuring a reliable and resilient wireless network, especially in times of emergency, requiring Class III designations on all new communications support structures could stymie deployment and ultimately result in less broadband coverage and capacity in the future, which could endanger public safety. Specific requirements imposed by California state law on wireless facilities, including time-limited permits, as well as stringent zoning requirements from municipalities throughout the state, make siting wireless infrastructure a difficult and time-consuming process. Imposing additional burdensome structural requirements could have a chilling effect on new wireless facility investment and deployment and could constrain capacity at existing facilities. Further, imposing Class III construction requirements would add significant time and cost to the deployment of wireless broadband. Currently, the vast majority of existing commercial wireless support structures are built to TIA-222-G, Class II; one PCIA member estimates that less than 1% of its towers qualify as Class III. PCIA members estimate a 30-200% difference between the cost to deploy a Class II tower versus a Class III tower. This costly, untested solution will hinder the ability of infrastructure providers to serve the broadband needs of Los Angeles' consumers and businesses by undercutting the business case for deployment, thus limiting the development of new facilities to meet consumers' rising demand for wireless data.

PCIA and its members have voiced these fears to your office since at least August 2014, when we learned of the initiative. PCIA member Crown Castle, in a letter dated 19 August 2014, expressed concerns over increased hardening requirements chilling broadband deployment.⁷ In our conversations with your staff following that letter, we echoed Crown Castle's concerns and underscored how this change would affect the entire wireless infrastructure ecosystem.⁸

Moreover, PCIA is also concerned about the foundational logic and cited justifications for the increased Importance Factor in the "Resilience by Design" report, on which the increased

⁵ FCC.gov, *Guide: Wireless 911 Services*, <http://www.fcc.gov/guides/wireless-911-services>.

⁶ Alan Pearce et al., *WIRELESS BROADBAND INFRASTRUCTURE: A CATALYST FOR GDP AND JOB GROWTH 2013-2017* (Sept. 2013), available at http://www.pcia.com/images/IAE_Infrastructure_and_Economy2.PDF.

⁷ Letter from Monica Gambino, Vice President–Legal, Crown Castle International Corp., to Eileen Decker, Deputy Mayor for Homeland Security, City of Los Angeles (Aug. 19, 2014) (on file with author).

⁸ Email from D. Van Fleet Bloys, Government Affairs Counsel, PCIA – The Wireless Infrastructure Association, to Thalia Polychronis, Homeland Security & Public Safety, Office of Mayor Eric Garcetti (Nov. 21, 2014, 16:18 EST) (on file with author).

Importance Factor for communications towers is based.⁹ The study cites only two examples—the “collapse” of the cell phone system in Haiti during the 2010 earthquake, and the loss of 2,300 towers following the 2008 earthquake in China—before concluding that an increased importance factor is required.¹⁰ The study does not describe in any further detail the standards to which the Haitian cell network was built, nor the cause of its failure.¹¹ Further, the cited example of China’s loss of 2,300 towers has been disputed.¹² The report also estimates the cost of a new tower built to Class III standards to be only 10 to 20% more costly than one built to Class II standards,¹³ while our members estimate the difference to be between 30 and 200% costlier. Before arriving at a conclusion that has far-reaching impacts for wireless communications in Los Angeles, a more thorough investigation into post-disaster network resiliency is warranted. In short, there is little relevant scientific evidence to support this decision. A more considered opinion may find that the resiliency accomplished by deploying additional facilities is more likely to provide continued coverage after an earthquake than fewer hardened facilities. An issue of this importance deserves more thorough evidence to avoid unintended consequences that could actually *limit* the availability of wireless service after an earthquake—rather than increase it as intended.

Finally, it is our understanding that TIA—which, through its ANSI-accredited standards body, Engineering Committee TR-14, is responsible for the development of the building standards to which communications support structures adhere (TIA-222-G)—has expressed similar concerns over this item. Given their expertise in this matter, these concerns should be carefully considered before proceeding.

⁹ OFFICE OF THE MAYOR OF LOS ANGELES, RESILIENCE BY DESIGN (2014) [hereinafter “RESILIENCE BY DESIGN REPORT”].

¹⁰ *Id.* at 85-86.

¹¹ The provider who lost most of its coverage in Port-au-Prince, Digicel, lost coverage due to antennas placed on “houses” that were destroyed in the earthquake. See Anne-Marie Corley, *Why Haiti’s Cellphone Networks Failed*, IEEE Spectrum (Feb 19, 2010, 20:31 GMT), <http://spectrum.ieee.org/telecom/wireless/why-haitis-cellphone-networks-failed/1>.

¹² *LA’s Earthquake-Proof Tower Ordinance is Heavily Based on an Incorrect News Article*, WIRELESS ESTIMATOR (May 11, 2015), <http://wirelessestimator.com/articles/2015/las-earthquake-proof-tower-ordinance-is-heavily-based-on-an-incorrect-news-article/> (“[A]ccording to a report from *The Wall Street Journal*, China Mobile reported that of their towers that were downed and damaged, 40% of them were back in service the first day and 77% were operational. Some of the towers that did collapse, according to further reports, were from landslides that would collapse a tower no matter how many importance factor multiples were used.”)

¹³ RESILIENCE BY DESIGN REPORT at 86.

For the foregoing reasons, we respectfully request that you reject, amend, or otherwise closely revisit Council File 15-0050. Please contact the undersigned if you have any questions.

Sincerely,

A handwritten signature in black ink that reads "Zachary Champ". The signature is written in a cursive, flowing style.

D. Zachary Champ
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