



To: New York State Legislature
From: Bethanne Cooley, CTIA
Date: April 23rd, 2017
RE: Support, S2042 (Little)

On behalf of CTIA and its members, I am writing to express support for S2042. CTIA is the trade association for the wireless communications industry and our members include wireless carriers and suppliers as well as providers and manufacturers of wireless data services and products. Enactment of S2042 will help to provide New York consumers and businesses with the coverage and capacity they demand in wireless communication services.

Demand for wireless broadband is growing exponentially as new applications, devices and technologies consume more bandwidth and attract more subscribers. In fact, today, New York wireless subscribers account for 22.36 million subscribers, an increase of 15% since 2010.¹ Further, there are more wireless devices, at over 2.5 million, than there are New Yorkers.² According to a recent report from Cisco, in the United States alone, mobile data traffic is expected to grow 5-fold from 2016 to 2021.³ The migration of customers to wireless services and the steady growth in mobile data usage increases the need for adequate infrastructure.

To address these demands, wireless providers continue to invest in, build-out and upgrade networks to compete on network quality. In fact, since 2010, wireless providers have invested more than \$177 billion to improve their coverage and capacity to better serve Americans, with \$32 billion invested in 2015 alone.⁴

It is important to note, wireless communications are also a key component of the nation's 9-1-1 emergency response system. CTIA estimates that there are more than 460,000 wireless 9-1-1 calls made every single day.⁵ Emergency communications networks are updating public safety systems to "Next-Generation 9-1-1" technologies that will enhance

¹ FCC, Voice Telephone Services: Status as of June 2015, August 2016, at https://apps.fcc.gov/edocs_public/attachmatch/DOC-340665A1.pdf, last accessed 4/23/2017.

² U.S. Census, Population Estimates, at <http://www.census.gov/popest/data/state/totals/2015/index.html>, last accessed 4/23/2017.

³ Cisco, "VNI Mobile Highlights," http://www.cisco.com/c/dam/assets/sol/sp/vni/forecast_highlights_mobile/index.html#~Country, last accessed 4/23/2017.

⁴ CTIA's Wireless Industry Summary Report, Year-End 2015 Results, 2015, <http://www.ctia.org/industry-data/ctia-annual-wireless-industry-survey>, last accessed 4/23/2017.

⁵ *Ibid.*



information provided to first responders with the transmission of such things as video, images and data. Like all broadband-based technologies, next-generation 9-1-1 requires comprehensive infrastructure deployment.

S2042 is an important vehicle that simply harmonizes New York's siting processes with federal requirements. S2042 establishes a uniform process for the placement, collocation, modification and maintenance of equipment on wireless facilities in accordance with these federal requirements. In 2009, the Federal Communications Commission (FCC) established a "shot clock" requiring local governments to make final decisions on all proposed wireless facilities. A decision is required within 150 days of receipt of a complete application for a new tower and within 90 days for a complete application for proposed wireless facilities on existing structures.⁶ Since 2009, other states across the country have moved to enact similar guidelines to enable the deployment of new wireless infrastructure, and update existing wireless infrastructure, in order to facilitate broadband deployment. S2042 harmonizes New York law with the FCC's existing "shot clock" rules.

Furthermore, it is important to note that under S2042, local governments retain their ability to exercise zoning and land use authority, and to approve or deny permit applications, consistent with state and federal law.

Wireless infrastructure is critical to meet the public's increasing demand for wireless services. Infrastructure is the first point of network contact for all of our smartphones, tablets and other wireless devices. Without adequate wireless facilities and the ability to expeditiously update existing infrastructure, wireless providers cannot meet demand for coverage or capacity, whether for citizens making 9-1-1 calls, public safety responding to emergencies, or consumers and businesses sharing data.

CTIA and its member companies respectfully urge your support for S2042.

⁶ See Declaratory Ruling to Clarify Provisions of Section 332(c)(7)(B) to Ensure Timely Siting Review and to Preempt Under Section 253 State and Local Ordinances that Classify All Wireless Siting Proposals as Requiring a Variance (Nov. 18, 2009), available at: <http://apps.fcc.gov/ecfs/document/view?id=7020393456>, last accessed 4/23/2017.