

Telecommunications and Minnesota Cities

House Commerce Finance & Policy Committee
January 20, 2021

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The League of Minnesota Cities promotes excellence in local government through effective advocacy, expert analysis, and trusted guidance for all Minnesota cities.



Regulating City Rights of Way

- Much of the infrastructure to support telecommunications utilizes city-owned infrastructure with technology located in the right-of-way (ROW)
- ROW includes street and area supporting street, sidewalks, and area below and above roadway.
- Cities hold ROW and public infrastructure as an asset in trust for its citizens
- Adopt ordinances and processes including permitting and engineering review to properly care for and manage important assets.
- Adopt fee schedules for permitting and rent to receive reimbursement for review and rent for placing equipment in ROW or collocating on city owned structures



Telecom Infrastructure in the Public Right-of Way

- Increased demand for access to city public-rights-of-way to support new technologies
- Siting of technology infrastructure on city-owned/managed assets necessitates a balanced approach
- Important to allow technology to flourish while preserving local regulatory authority to further public safety, economic development and other community interests



Wireless Infrastructure Deployment



- Wireless infrastructure (macro cell and small cell) dependent on robust wireline networks
- Wireless infrastructure siting governed by local, state, and federal law.
- Local preemption regarding 5G fixed wireless deployments by the FCC (Small Cell Order) and State Law (Minn. Stat. 237.163)
- 5G deployment carries with it exciting opportunities for smart city applications but also concerns with density of facility deployment and digital divide questions
- 5G rollout will require fiber optic backhaul and many more wireless facilities (10-60 per sq. mile per carrier) located in the ROW and on street furniture to serve the same area 4G does today – an estimated 800,000 deployed in US by 2026



Broadband

- Deployment of reliable, scalable broadband infrastructure is critical for local economies
- Border-to-Border Broadband grant program is essential for encouraging infrastructure deployment in hard-to-serve areas
- In addition to resources, policy changes could help hold providers accountable to improve service or allow for competition to do so
- Barriers still exist in Minnesota (Minn. Stats. § 429.021 and 237.19) for the provision of municipal broadband that can encourage competition in underserved cities



Cable Franchising

- Cable television is regulated through federal and state law, along with a local franchise with the cable provider
- Franchise allows the cable company to operate cable in a city and run cable/internet through city-owned ROW
- Franchise agreements negotiated between city and provider include public benefits from cable company such as 5% franchise fee, PEG fees for public programming, and connections for government facilities/schools.
- Concerning trends with cord cutting and FCC action are putting critical PEG programming at risk and reducing compensation for use of ROW.
- Policy considerations to update franchising authority to allow for over-the-top streaming services that utilize infrastructure in ROW

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Questions?