



HB 478

PROPOSER TESTIMONY

OHIO SENATE PUBLIC UTILITIES COMMITTEE

**KENT SCARRETT
EXECUTIVE DIRECTOR
OHIO MUNICIPAL LEAGUE**

March 15, 2018

Chair Beagle, Vice Chair McColley, Ranking Member Williams, and members of the Senate Public Utilities Committee, my name is Kent Scarrett and I am the Executive Director of the Ohio Municipal League and I thank you for the opportunity to testify on HB 478, new language that would govern the implementation of small cell wireless infrastructure in a municipality's right-of-way.

The Ohio Municipal League, along with a coalition of multiple municipal leadership groups and individuals representing municipalities both large and small, was approached by Ohio House Speaker Rosenberger to work on new legislation with representatives from the wireless telecommunication companies operating in Ohio.

For over three months on a bi-weekly basis, both municipal and telecom officials participated in conference calls that usually lasted approximately 5 hours. On these calls, pain-staking time was devoted to craft language that addressed municipalities' concerns with the small cell facility language enacted through SB331, while also addressing the telecommunication industry's real concerns of ensuring greater predictability in deploying new technology throughout the state via Ohio's cities and villages. Although the product before you, we believe, restores important aspects of local control to municipalities, not all of our requests for relief were agreed to; nor were all of the requests by the industry for greater access to municipal infrastructure accepted. Therefore both sides, I believe, could be characterized as being satisfied but not overwhelmed with enthusiasm. Some may characterize this condition as a sign of good legislation.

From a 30,000-foot perspective, there are positive aspects in the bill for our members, which I will touch on briefly. The bill includes language that provides more predictability with regard to pole heights; improved language for the tolling of applications and basic "clock management" issues important to both sides; important language related to our municipal historical districts and issues related to "undergrounding" of infrastructure to conform with existing municipal aesthetic designs; and requirements for the removal of infrastructure that has been abandoned – just to name a few.

The League and our members appreciate the opportunity to work in a spirit of transparency and cooperation to find solutions for all parties impacted by the evolving landscape of telecommunications and economic development opportunities. We also appreciate Representatives LaTourette and Smith for their leadership in bringing the parties together to address concerns and work towards solutions. We are happy to be able to stand in support of the bill as it has been written, and we urge the support and passage of the legislation by this committee.

Thank you for your time, and I would be happy to answer any questions you may have.