

November 5, 2009

Chairman Julius Genachowski  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W.  
Washington, D.C., 20554

**Re: November 18, 2009 Meeting: Opposition to Clarifications of Section 332(c)(7)**

Dear Chairman Genachowski:

It is the understanding of the County of Santa Barbara that the November 18, 2009 meeting of the Federal Communications Committee (FCC) will include a discussion regarding the petition submitted by the Cellular Telecommunications Industry of America (CTIA) requesting clarification of Section 332(c)(7) of the Telecommunications Act. The County of Santa Barbara believes that the requested interpretation limits the local authority and control of state and local governments and respectfully requests that the FCC not grant these specific requests.

The request of the FCC relates to the local zoning authority of state and local governments and includes:

- Establishing a review time of 45 and 75 days for wireless siting applications;
- Deeming applications granted if a government entity does not adhere to these stipulated timeframes;
- Prohibiting state and local governments from considering the presence of service by other carriers in evaluating an additional carrier's application and
- Preempting any state or local zoning ordinances that require variances for wireless siting applications.

The amount of time it takes for a respective State or local governments to act on a similar non-wireless siting application has been used as the basis for defining a reasonable period of time. The proposed ruling creates a national standard that may not address the differences in the zoning and review processes within communities.

Local governing agencies are responsible for ensuring the safety of residents and maintaining the unique characteristics of a community. Under these proposed changes, planning and zoning authority becomes centralized in Washington, D.C. and removed from the communities that are impacted by such rules. The County respectfully requests that the FCC not make declaratory findings as put forth by the CTIA. Thank you for the consideration of this issue.

Sincerely,

Joseph Centeno  
Chair, Santa Barbara County Board of Supervisors