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*Via U.S. mail and email*

M. Teresa Hopkins  
Executive Director  
Navajo Nation Telecommunications Regulatory Commission  
P.O. Box 7440  
Window Rock, AZ 86515  
[mthopkins@navajo-nsn.gov](mailto:mthopkins@navajo-nsn.gov)

**Re: Comments on Draft Navajo Nation Telecommunications Facilities Siting Regulations**

Dear Ms. Hopkins:

I am writing on behalf of AT&T Mobility to provide comments on the draft telecommunications facilities siting regulations circulated on April 7, 2016.

AT&T Mobility believes it would be a positive step for the Navajo Nation to establish a clear, formalized process for the siting of wireless facilities within the Navajo Nation. This would provide wireless carriers a roadmap for deploying and upgrading wireless technologies on Navajo Nation lands and, to the extent it provides a clear and timely path to siting approvals, should encourage the deployment of advanced facilities. That said, AT&T Mobility believes that the draft regulations could be improved in a few respects:

(1) The planning and placement of wireless facilities requires significant investment, and in deciding where and when to make such investments wireless carriers necessarily take into account the potential costs, uncertainties, and delays in obtaining needed approvals. For this reason, under the federal Telecommunications Act the FCC has required state and local governments to process wireless facility applications within certain timeframes. While this of course does not ensure that any particular application will be granted, it provides carriers some certainty that their applications will be addressed in a timely manner so that their network upgrade and investment plans are not held in limbo.

Ideally, the Navajo Nation's regulations would similarly impose definite timeframes for the processing, review, and decision on siting applications. But if the Navajo Nation is not at this time prepared to impose binding timeframes, it would be helpful to wireless carriers to at least have specified goals. For example, the regulations could specify that upon the submission of a complete application for a minor modification or minor replacement, the Navajo Land Department ("NLD") will

endeavor to approve or deny the application within “x” days; that upon the submission of a complete application for a temporary revocable use permit the DNR will endeavor to act with “y” days; etc.


(2) The draft regulations appropriately recognize that temporary, portable cell towers on wheels (“COWs”) should not be subject to all the same requirements as installations intended to be more permanent. The regulations thus exempt the temporary placement of COWs in the event of an emergency. However, COWs also are frequently used for special events, where a large number of people gather in a place that does not have adequate coverage or where existing wireless capacity would be exhausted by many persons attempting to use their phones at the same time. As a result, we suggest that the regulations also provide an exemption for COWs used during special events.

(3) Many of the permitting and licensing procedures in the draft appendices involve multiple “pre-application” steps requiring the collection of multiple documents from various departments. While AT&T Mobility understands the need for multiple departments to have input into various aspects of a siting decision, AT&T Mobility urges the Commission to consider whether there are ways to clarify and streamline these procedures to promote the faster deployment of wireless technologies.

We thank the Commission for the opportunity to review and provide comments on the draft regulations, and hope that you will find our comments useful.

If you have any questions concerning this matter, please call me to discuss. I can be reached at 913-685-7581.

Sincerely,

A handwritten signature in black ink, appearing to read "Wauneta Browne". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

Wauneta Browne  
Regional Vice-President External Affairs