



NO on SB 649 (HUESO)

Not So "Small Cell" Examples

1. Under SB 649 these could be on nearly every street and public building in your neighborhood:

#NoOnSB649



2. SB 649 does not require "small cells" to actually be as small as the picture below, or to blend into the pole or the environment where it is placed.



SB 649 goes way beyond "small cell" antennas by deregulating all local authority over "micro-wireless" facilities that dangle in between utility poles.

(4) Notwithstanding anything to the contrary in this section, the installation, placement, maintenance, or replacement of micro-wireless facilities that are suspended, whether embedded or attached, on cables or lines that are strung between existing utility poles in compliance with state safety codes shall be exempt from permitting requirements and fees.



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SB 649 Talking Points

SB 649 makes at least three key changes to existing law, the following two of which are unprecedented:

1. It forces cities and counties to lease out their public property for wireless equipment.
2. It eliminates negotiated leases, and places a \$250 cap on what they call an attachment rate instead.

The 3rd key change the bill makes is sweeping as it:

- Eliminates public input, full local discretion, and ability to reduce equipment blight.
 - By using encroachment and building permits instead of discretionary ones.
- Eliminates any conditional requirements to provide public benefits
 - Specifically prohibits “in-kind” conditions for issuing a permit such as free Wi-Fi in public parks as a condition of the permit.
- Eliminates ability to remove equipment that is blighting neighborhoods.

These permitting changes are significant because:

- The bill allows for antennas as large as 6 cubic feet, associated and ground mounted equipment totaling a whopping 35 cubic feet, with no size or quantity limitations for a host of “ancillary” equipment.
- To be clear, because this equipment can already go up on utility poles, this bill goes after street lights, traffic lights, and public buildings such as libraries where communities currently have a say.
- Gives the wireless industry to much control over public infrastructure without imposing any meaningful requirements that they use the facilities appropriately.

In short, cities have a responsibility to protect public property and to condition fair use over taxpayer assets. Unlike the wireless industry, cities are not driven by profit, but by the public services we strive to deliver – from police, fire, libraries, infrastructure, and parks.

Despite promises made by the wireless industry, this bill does nothing to require the technology meet 5G, that it gets deployed to unserved/underserved areas, and that whatever cost savings they see from this bill are passed onto their customers. SB 649 is the wrong answer for California.

Q&A

Q: How much do cities charge for placing wireless equipment?

A: To be clear, cities negotiate the terms and conditions of a lease for wireless small cells, such as the design, location, and public benefits when considering lease rates. In the City of _____, we (i.e. rent) the space out for _____ (i.e. \$___ or data for libraries).

Q: What do you say to the claim that California needs to lower costs for deployment of 5G technology?

A: First, the bill doesn't require 5G or deployment – but if it were and this is their claim, then I'd like for the industry to go on record and say they cannot afford to deploy without government intervention – in this case ratepayer subsidies.

Q: What about amending the bill, do you see there being any middle ground?

A: Given the 3 key areas this bill goes after, our discretion, our revenue, and our infrastructure, I don't see anything we can offer the industry that won't fundamentally alter what they're trying to accomplish. Removing every one of those provisions would be a must for cities but viewed as a “poison pill” for the industry.