



COMMONWEALTH OF MASSACHUSETTS

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Department Notice

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The Department of Telecommunications and Cable has received several inquiries about wireless broadband infrastructure deployment on publicly owned or controlled property. The Department offers the following questions for stakeholders' consideration.*

What is the proposed installation – Which rules apply?

- Is the proposed installation a new structure or new equipment on an existing structure?
 - If a new structure, will other utilities or wireless carriers be able to attach to the new structure?
 - If on an existing third-party-owned structure (*e.g.*, utility pole), has the third party authorized the new installation?
- Can the new equipment be placed on some other structure (*e.g.*, streetlight pole, traffic light pole, municipally-owned building or other structure)?
- Is the proposed installation in the right-of-way?
 - How is “right-of-way” defined in the municipality?
- How big is the proposed installation (height, width, weight)?
 - Does the installation qualify as a “small wireless facility” under federal rules?

What type of accessory equipment will be needed?

- Where will this accessory equipment be located?
- How will this new infrastructure be powered? Will generators or back-up power be required?
- Will this infrastructure require a physical connection to backhaul?
- How much space will this accessory equipment occupy?

What costs does the proposed installation involve?

- What are the costs of managing the right-of-way?

* Please note that under the Federal Communications Commission's interpretation of federal law, not all of these factors may be relevant to or considered for all attachments.

- What are the costs of filing and reviewing an application?
- Are these costs documented?

Other considerations

- What aesthetic requirements apply to the proposed installation?
 - Are the requirements reasonable? Objective? Nondiscriminatory? Published in advance?
- Is the proposed installation safe, both on its own and, if applicable, as placed on the existing structure?
- What review timeframe(s) (*i.e.*, “shot clocks”) apply to the installation application?
 - Is the installation application complete upon filing?
 - What other approvals are required for the installation (*e.g.*, environmental, building permits, etc.)?
- Who stands to benefit from the installation?
- Do any zoning ordinances apply to the installation?
- Are there current or planned utility undergrounding requirements?
- If the new federal rules apply to the proposed installation, what happens if the Federal Communications Commission’s Order adopting the rules is overturned on appeal?