

# Modernizing Local Policy to Support Connected Communities

By Mark Rambo

**M**ichigan communities are experiencing a significant influx of requests to install small cell wireless technology and distributed antenna systems (DAS) within their public rights of way. This new technology presents challenges and opportunities for communities as public demand for wireless connectivity is on the rise.

## Understanding the Technology

A small cell is a relatively “small” low-powered cellular node that independently adds speed and capacity to existing cellular networks. Similarly, a Distributed Antenna System adds speed and capacity through a network of many connected nodes.

The deployment of small cell technology and DAS is quickly progressing to keep pace with increasing mobile devices, streaming video services, and the future data needs of autonomous vehicles.

Cisco reports that global mobile data traffic grew 63 percent in 2016 and has grown 18-fold over the past 5 years. Cisco also claims that mobile data traffic will grow at a compound annual growth rate of 47 percent from 2016 to 2021. The Small Cell Forum’s December 2017 Small Cell Market Status Report demonstrates that densification has already begun in today’s Long-Term Evolution networks and will intensify in the 5G era. The report also forecasts that

*An Advanced Communication Data (ACD) employee installs a new small cell. Photo courtesy of ACD.*



# “Our model emphasizes collaboration, which speeds deployment and preserves local stewardship of the public right of way.”

between 2015 and 2025, new non-residential small cell deployments will grow worldwide at a compounded annual rate of 36% to reach almost 8.5 million. Additionally, by 2025, deployments will be 22 times higher than they were in 2015.

## Current Regulatory Environment

At present, there is no state or federal legislation that specifically regulates small cells or DAS in public rights of way (ROW). In Michigan, the Metropolitan Extension Telecommunications Rights-of-Way (METRO) Act regulates telecommunication facilities; however, it expressly provides that poles, supporting structures, antennae, and ancillary equipment are not considered “telecommunications facilities” for purposes of the Act. Thus, obtaining a METRO Act permit does not entitle a telecommunications provider to install small cell or DAS infrastructure in the public ROW. Currently, communities have the ability to establish their own approval process for this technology.

As this article was being drafted, Michigan Senate Bill 637 of 2017 was under review by the Senate Energy and Technology Committee. SB 637 would enact the Small Wireless Communications Facilities Deployment Act and would significantly cap fees and local influence over the installation and operation of these facilities in the ROW.

The bill is backed by the telecommunications industry but local communities believe it is missing the vital conversation and compromise necessary to balance the interests of the public and private parties involved. Of significant concern is the broad definition of a collocation. Local communities are pushing for small cells to be collocated on existing facilities to reduce the number of new poles being installed in the ROW.

The Grand Valley Metro Council (GVMC) DAS Consortium, Michigan Municipal League, and Michigan Townships Association have proposed amendments to this legislation and collectively agree there should be reasonable and consistent regulation of DAS/small cell wireless facilities across Michigan communities. The proposed amendments draw from the model process developed by the GVMC DAS Consortium over the past two years.

## Modernizing Local Policy

The GVMC is a council of governments dedicated to enhancing the quality of life of the people in West Michigan through collaboration among regional partners. In early 2016, many GVMC member communities received applications for DAS/small cell wireless facilities. Some were approved inadvertently under the METRO Act or under electrical permits,

*A small cell in service. Photo courtesy of Advanced Communication & Data.*

while many were denied or put on hold because it was an unknown technology.

In response, GVMC facilitated the formation of the GVMC DAS Consortium to further investigate this technology and attempt to establish a uniform and collaborative regulatory process for DAS/small cell wireless facilities.

The consortium's objectives were to be business friendly, create regional consistency, be good stewards of the public right of way, recognize the need for increased cellular capacity, and recognize individual community nuances.


Nineteen public entities financially backed this initiative. From that group, an ad hoc work group was established, comprised of the City of Kentwood, City of Wyoming, City of Coopersville, City of East Grand Rapids, Plainfield Township, Alpine Township, Cascade Township, Village of Middleville, Kent County Road Commission, and the Grand Valley Metro Council. This team was strategically selected to cover a broad range of stakeholders.

Advanced Communication & Data (ACD), Mobilitie, and Verizon were invited to discuss their technology and share their input on the proposed process, documents, fees, and approach. These telecommunication agencies were actively pursuing DAS/small cell wireless installations in West Michigan and brought valuable insights to the process.

The final deliverables created by the consortium included a model ordinance, model license, and fee schedule for DAS/small cell wireless facilities. Ultimately, a collaborative and consistent approach to permitting DAS/small cell wireless facilities has been achieved that both speeds the deployment of this technology while acknowledging the need for local stewardship of the right of way.

Since the creation of this model process, the consortium has grown to 24 communities. Approximately half of the consortium communities have adopted the model process; the other half are in process or reviewing. Within those communities that have adopted the model process, more than 80 new installations or co-locations have been installed or are in the pipeline to be installed.

### Get Involved

If you would like more information about the activities of the GVMC DAS Consortium or copies of the model documents, please visit [www.kentwood.us/das](http://www.kentwood.us/das). 

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An advertisement for OHM Advancing Communities. It features a smiling child in the foreground against a warm, orange-toned background. The OHM logo is prominently displayed, along with the tagline "Advancing Communities®". Below the logo, the text reads: "Community is at the center of everything we do. We're more than an architecture, engineering, and planning firm. We're the community advancement firm." At the bottom, the contact information "888.522.6711 | OHM-Advisors.com" is provided.