



**OFFICE OF THE CITY MANAGER**

CITY HALL

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November 22, 2017

Senator Dianne Feinstein  
United States Senate  
331 Hart Office Building  
Washington, D.C. 20510

Senator Kamala Harris  
United States Senate  
112 Hart Office Building  
Washington, D.C. 20510

Dear Senators Feinstein and Harris,

**RE: City of Cupertino, California  
Opposition to Draft Bill Limiting Local Authority over Wireless Facilities**

The City of Cupertino has expended considerable effort in establishing agreements with several wireless communications providers, including Verizon, AT&T, Crown Castle and Mobilitie. These existing agreements create a consistent and fair playing field among the various providers, and possess reasonable terms that the providers have found acceptable. The proposed legislation would erode these efforts and limits the City's authority to manage these agreements, as well as manage publicly owned property and wireless facility placement. Further, it begins a dangerous trend of shifting authority of publicly owned land and facilities away from the general public and to privately owned, for-profit industry.

The City of Cupertino is very interested in ensuring our residents, businesses and visitors have access to reliable wireless service. We are diligently working to install wireless facilities in the public right of way and on City owned street light poles. The draft bill interferes with Cupertino's ability to manage its own property and its ability to receive appropriate compensation for its use. The City of Cupertino actively manages the rights of way to protect resident safety, preserve the character of their communities, and maintain the availability of the rights of way for current and future uses. By limiting the factors that we may consider in our land use decisions, the bill would limit our ability to adequately serve and protect our residents.

The City of Cupertino thanks you for your service and requests that you carefully consider this legislation and the adverse effect it will have to local and state authority.

Sincerely,

David Brandt, City Manager  
City of Cupertino

cc: Meg Desmond, League of California Cities, [mdesmond@cacities.org](mailto:mdesmond@cacities.org)

DRAFT