

**Testimony of
Gerard Keegan
Director, State Legislative Affairs
CTIA – The Wireless Association®
In Opposition to House Bill 5544
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Before the Connecticut General Assembly Energy and Technology Committee

Co-Chairs Fonfara and Nardello, members of the committee, I am Gerry Keegan, Director of State

Legislative Affairs for CTIA-The Wireless Association®. CTIA is the international trade association representing wireless carriers, device manufacturers, and Internet service providers. I am here today to speak in opposition to House Bill 5544. The wireless industry believes this legislation, which would require telecommunications providers to maintain back-up generation equipment for every cell site in the state and keep fuel for such equipment to keep the cell sites operational for at least 72 hours, fails to recognize the complexity of wireless networks.

We understand our consumers' frustration when their wireless service is interrupted by storms and natural and manmade disasters. Having a reliable network and quickly responding to service interruptions are necessities in the competitive wireless ecosystem. If a carrier's network is down while its competitors' networks are operating, that carrier will suffer reputational harm and will likely lose subscribers. As such, wireless carriers are incentivized to ensure that their networks are as resilient as possible and they have disaster recovery plans in place to immediately deal with outages.

The wireless industry understands the need to promote continuity of service and network resiliency. Wireless carriers have implemented several strategies to address network reliability. Carriers have built redundant networks where appropriate. Overlapping cell sites allow for the rerouting of traffic and enable networks to continue operating even if a single site goes down. Carriers also deploy portable cell sites to increase network capacity when needed. Carriers regularly use cellular base stations on wheel (COWs), cellular base stations on light trucks (COLTs), and other portable equipment, including

antennas, generators, switching gear, and air conditioning units, in storm impacted and disaster areas. These base stations and related-equipment are strategically located throughout the country so that they can be staged and deployed quickly to an impacted community.

In addition, carriers have developed and consistently update their business continuity and disaster recovery plans to prepare and tailor their responses to the specific event within particular areas. CTIA has also established a Business Continuity/Disaster Recovery Program that provides annual certification to wireless carriers. The program includes ten steps with a number of requirements within each step to assist carriers in the development of continuity and recovery programs. Moreover, wireless carriers participate in numerous federal efforts to coordinate infrastructure protection and develop response and recovery best practices, including the U.S. Department of Homeland Security's National Infrastructure Protection Plan, the Communications Sector Coordinating Council, and the Federal Communications Commission's Communications Security, Reliability, and Interoperability Council.

Additionally - where appropriate and safe - carriers currently provide back-up power to maintain network operations when local power is lost. These power sources include batteries, onsite and mobile generators, and fuel. However, a blanket mandate, like the one included in HB 5544, that requires carriers to place back-up equipment at every cell site in the state, would be infeasible. For example, carriers and infrastructure providers place cell sites in closets and church steeples, which have limited room and do not have the requisite space to install rows of heavy batteries or large fuel-burning generators. Many cell sites, including those on rooftops and poles, may not support the weight or size of back-up generation equipment and may need to account for other structural issues. Compliance with the bill's back-up power mandate could require thousands of pounds of additional weight to the structure. Furthermore, power systems may use back-up batteries and generators that contain lead, sulfuric acid, oils, and other flammable liquids that may subject the equipment to a host of environmental and safety laws that restrict their placement and use. The placement and operation of diesel generators also raises a number of issues under the federal Clean Air Act.

Even when placement of equipment does not run afoul of any law, it may nevertheless not be appropriate at a facility because of site specific concerns. For example, many cell sites are on rooftop locations. Mandating that back-up power equipment be placed at all of these sites could expose the equipment at some sites to lightning or other weather conditions that could compromise the equipment, making it susceptible to fuel leakage. There may also be noise abatement concerns due to the placement of the equipment.

Moreover, HB 5544 fails to recognize that carriers and infrastructure providers are increasingly collocating facilities, whereby a single site may host several carriers and their equipment. Collocation is a commonly preferred method, for both providers and the communities they serve, to site wireless infrastructure as it is often the most efficient and economical solution, especially in locations where it is difficult to find new sites. It would be especially challenging for collocated sites to comply with this legislation's back-up generation mandate as sufficient power and separate equipment would be needed for all carriers operating on the collocated site. Additionally, any cell site modifications that require the addition of back-up power equipment raises other complicated issues related to the lease terms between carriers and the facility site owners, including the permissible use of this equipment and its exact placement within the site. This outcome would require leases between carriers and site owners to be renegotiated – the possibility of which is far from certain.

Considering the difficulties that may make it virtually impossible for wireless carriers to comply with HB 5544, the legislation would force carriers to take cell sites offline because they cannot comply with the mandate. This unintended consequence would adversely affect coverage and capacity of wireless service in areas where carriers were forced to decommission sites – a result clearly counter to the public's interest, especially during emergencies when consumers and first responders rely on wireless infrastructure for critical communications.

The wireless industry remains committed to promoting network reliability. Wireless carriers, however, need the flexibility to build and structure their networks to appropriately respond to weather

events and emergency situations. They need to retain this flexibility to appropriately manage their networks, especially during emergencies. There is no one size fits all approach to ensure network resiliency for the various elements that constitute wireless networks.

In fact, prescriptive regulations, including the type of back-up power equipment mandate in HB 5544, could actually harm network reliability by reducing the number of wireless cell sites and making facility siting more onerous. This outcome would benefit no one. For these reasons, we ask you to oppose HB 5544. Thank you for the opportunity to speak on this important issue.
