

# *City of Encinitas*

## *City Council's Office*

September 20, 2021

The Honorable Gavin Newsom  
State Capital building 1st Floor  
Sacramento, California 95814

*Catherine S. Blakespear*  
Mayor

**RE: SB 556 (Dodd) Street Light Poles, Traffic Signal Poles, Utility Poles, and Support Structures: Attachments.**  
**Notice of OPPOSITION**

*Tony Kranz*  
Deputy Mayor

Dear Governor Newsom,

The City of Encinitas Opposes SB 556 (Dodd), related to wireless broadband infrastructure deployment and requests that you veto this bill.

*Joe Mosca*  
Council Member

SB 556 directly conflicts with the Federal Communications Commission's (FCC) adopted regulations on wireless services deployment, which cities and counties across the nation are actively implementing. This measure requires local governments to make space available to telecommunications providers without recognizing local authority to manage the public right-of-way preserved in federal law. FCC regulations explicitly enable local governments to ensure that such installations meet appearance and design standards, maintain traffic safety, protect historical resources' integrity, and safeguard citizens' quality of life. To protect the public's investment, the control of the public rights-of-way must remain local.

*Kellie Shay Hinze*  
Council Member

Additionally, SB 556 creates ambiguity in the fees local governments can charge for access to their infrastructure. Federal law explicitly outlines conditions for valid fees, limiting fees to a "reasonable approximation of the local government's actual and direct costs," including costs to maintain a structure within the right-of-way, process an application or permit, and review a siting application. SB 556, on the other hand, chooses not to incorporate these federal standards, further restricting fees to "actual cost" and "reasonable actual cost." If the goal of SB 556 is to implement the existing FCC orders into state law, there should be no added ambiguity created by changes from what was already decided at the federal level.

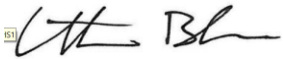
*Joy Lyndes*  
Council Member

*Pamela Antil*  
City Manager

SB 556 is an attempt by the telecommunications industry to undermine local authority while making no meaningful progress towards closing the digital divide in California's unserved and underserved communities. As previously mentioned, cities and counties across the nation are implementing the FCC's orders. If California is to close the digital divide, legislative efforts should focus on encouraging and incentivizing telecommunications companies to service areas that for too long have not had access to reliable and affordable internet.

While the City of Encinitas stands ready to work with the Legislature to further the state's broadband goals, these efforts do not inherently conflict with the appropriate local authority to manage the right-of-way and comply with existing FCC decisions. For these reasons, the City of Encinitas opposes SB 556 (Dodd), and requests that you veto this bill.

Sincerely,

A handwritten signature in black ink, appearing to read "Catherine S. Blakespear". The signature is fluid and cursive, with a small "51" in a box to the left of the first few letters.

Catherine S. Blakespear  
Mayor