

# FCC Launches Proceeding to Facilitate Deployment of Distributed Antenna Systems and Small Cell Solutions

[Chip Yorkgitis](#)

October 4, 2013

On September 26, 2013, the Federal Communications Commission released a [Notice of Proposed Rulemaking \("NPRM"\)](#) in which it will address and update rules and policies applying to wireless infrastructure builds. The *NPRM* proposes a series of rule changes designed to remove barriers to the expansion of wireless infrastructure, especially for Distributed Antenna Systems ("DAS"), small cell deployments, and other similar wireless installations. It seeks comment on numerous ancillary issues. The primary matters on which the FCC seeks comment are

- streamlining environmental and historic preservation review procedures within the scope of the Commission's authority to implement portions of the National Environmental Policy Act and the National Historic Preservation Act;
- adopting a narrow exemption from the pre-construction environmental notification requirements for temporary towers that satisfy certain prescribed criteria;
- clarifying the mandate in Section 6409(a) of the Middle Class Tax Relief and Job Creation Act of 2012 requiring State and local government to approve modifications to existing wireless towers and base stations, including collocation, a provision on which we published a recent [blog post](#);
- addressing certain discrete matters that have arisen regarding implementation of Section 332(c)(7)'s preservation of State and local authority related to antenna sitings.

Read our [advisory](#) here which provides further detail on the primary issues raised by the *NPRM*.

This proceeding will likely significantly and enhance the wireless industry's ability to quickly deploy DAS and small cell solutions and further define the nature of State and local government review of siting applications. Comments will be due 60 days after publication in the Federal Register and replies due 90 days after publication. But given the current federal government shutdown, publication of the *NPRM* will be delayed until sometime after normal government operations resume.