

**Glendale Organized Against Cell Towers** ([www.getthecelloutofhere.com](http://www.getthecelloutofhere.com))  
**Residents Engaged Against Cell Towers**, Southern California Coalition  
**Citizens for Local Oversight of Utility Technologies**, National Coalition  
([www.cloutnow.org](http://www.cloutnow.org))

Glendale residents don't want wireless towers with electrical vaults installed all over our neighborhoods. More than 200 northwest Glendale residents supported our January 2009 petition to the Glendale city council for an ordinance preventing installations in residential areas. Many other neighborhood groups in Glendale joined us. The city enacted a moratorium and is now drafting an ordinance that complies with current state and federal law.

Our 3 goals:

- stop wireless facility installations in residential areas
- limit the total number of facilities overall, and
- guarantee oversight over facilities' location and construction.

State and federal laws make it difficult for municipal governments to restrict wireless installations.

The Ninth Circuit Court of Appeals September 11, 2008 decision **against** Sprint and **for** the County of San Diego affirmed a municipality's right to control wireless facility installations in accordance with federal law. Sprint has appealed this decision to the Supreme Court.

We need changes to California Public Utilities Code Section 7901. This law was written in the 19<sup>th</sup> century. Many communities now are cleaning up the built environment by undergrounding utilities. Telephone service is universal. This code section should be revised to give oversight of telecom companies' local construction plans to municipalities.

The 1996 Federal Telecommunications Act also frustrates these goals. It prohibits discrimination among providers of 'functionally equivalent services'. The result: wireless towers going up to compete with cable, dsl, and fiber optic and lots of equipment littering our neighborhoods, lowering property values, etc. This is not the best way to serve citizens' and businesses' broadband needs. The Act also quashes communities' free speech rights by disallowing protests based on perceived or potential health effects of the wireless facilities, which emit microwaves.

GOACT asked the Glendale city council to send resolutions to Sacramento and to Washington, D.C., condemning the above state and federal rules which favor the telecom industry at the expense of ordinary citizens and local governments. The FCC has called for comments on U.S. broadband policy and now is an appropriate time for communities and their elected officials to ask for change.

The telecoms are for-profit businesses - competing for market share, and moving into neighborhoods to do so. They are using state laws enacted for the benefit of public utilities, and federal laws guaranteeing their access to markets. Allowing unregulated proliferation of several telecom/internet/video infrastructures in each community is not in the public interest.

California's share of the U.S. Broadband Stimulus package should be allocated and spent with a focus on citizen and community welfare, including environmental protection. Give citizens and community groups an equal voice in broadband infrastructure decisions. Community organizations like GOACT should also be consulted as local governments respond to the FCC's request for policy input on the future of broadband.