



## DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT & TOURISM

DAVID Y. IGE  
GOVERNOR

LUIS P. SALAVERIA  
DIRECTOR

MARY ALICE EVANS  
DEPUTY DIRECTOR

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Statement of  
**LUIS P. SALAVERIA**, Director  
Department of Business, Economic Development, and Tourism  
before the  
**HOUSE COMMITTEE ON CONSUMER PROTECTION & COMMERCE**  
Thursday, March 30, 2017  
2:00 P.M.  
State Capitol, Conference Room 329  
in consideration of  
**SB 1201, SD2, HD2**  
**RELATING TO TECHNOLOGY.**

Chair Takumi, Vice Chair Ichiyama, and Members of the Committee.

The Department of Business, Economic Development and Tourism (DBEDT) **supports the intent** of SB 1201, SD2, HD2, **with amendments**.

DBEDT supports the intent to convene a task force of 17 stakeholders to develop a statewide broadband plan. DBEDT recommends the following amendments:

- 1) Revise Section 1(a)(1) and (8) to designate the DBEDT director and the DCCA director as co-chairs of the task force; and
- 2) Delete Section 1(f)(4) which requires the statewide broadband plan include a recommended structure to regulate all broadband services under DBEDT.

DBEDT's mission is to be the state's economic development agency. DBEDT strongly supports expanded and expedited deployment of broadband equipment, both wireline and wireless, to ensure that Hawaii remains economically viable in a rapidly changing global business environment.

DBEDT supports Section 2 of the bill which conditions the effective date upon enactment of legislation to amend Chapter 27 or Chapter 46 to allow state and county agencies with jurisdiction over utility poles, light standards, buildings and structures to evaluate and issue permits for small wireless equipment.

We defer to DCCA on the impact of this measure on the county public, educational, and government access providers and the regulation of wireless carriers.

Thank you for the opportunity to offer these comments on SB 1201, SD2, HD2.



DAVID Y. IGE  
GOVERNOR  
  
SHAN S. TSUTSUI  
LT. GOVERNOR

STATE OF HAWAII  
CABLE TELEVISION DIVISION  
DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS  
335 MERCHANT STREET  
P.O. Box 541  
HONOLULU, HAWAII 96809  
(808) 586-2620  
FAX (808) 586-2625

CATHERINE P. AWAKUNI COLÓN  
DIRECTOR  
  
JI SOOK KIM  
CABLE TELEVISION ADMINISTRATOR

TO THE HOUSE COMMITTEE ON  
CONSUMER PROTECTION & COMMERCE

TWENTY-NINTH LEGISLATURE  
Regular Session of 2017

Date: Thursday, March 30, 2017  
Time: 2:00 p.m.

TESTIMONY ON S.B. NO. 1201, S.D. 2, H.D. 2 – RELATING TO TECHNOLOGY.

TO THE HONORABLE ROY M. TAKUMI, CHAIR, AND MEMBERS OF THE  
COMMITTEE:

My name is Ji Sook “Lisa” Kim, and I am the Cable Television Administrator at the Department of Commerce and Consumer Affairs (the “Department”). The Department appreciates the opportunity to provide comment on S.B. No. 1201, S.D. 2, H.D. 2, which establishes a broadband task force within the Department of Business, Economic Development, and Tourism, to create a statewide broadband plan for submission to the Legislature prior to the 2018 legislative session.

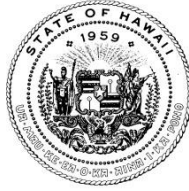
The Department supports the bill’s intent to gather public and private stakeholders to create a plan to advance broadband services across the State. The Department notes, however, that the allowed time frame of approximately six months is likely insufficient to prepare a statewide broadband plan, given the breadth and complexity of the issues directed to be included in the plan.

The Department also has serious concerns regarding the applicability of the State’s Sunshine Law to the task force, which is required to take official actions by vote. The current composition of the task force includes many public officials and private stakeholders who must, as a function of their jobs, interact regularly on many of the very issues the task force is charged to consider, i.e., “board business.” Because the

Sunshine Law would likely restrict discussions between task force members on matters that are “board business,” persons designated under the bill may be unable to serve on the task force.

The Department defers to the Department of Business, Economic Development, and Tourism for further comment on this bill.

Thank you for the opportunity to testify.



Testimony by:  
FORD N. FUCHIGAMI  
DIRECTOR

Deputy Directors  
JADE T. BUTAY  
ROSS M. HIGASHI  
EDWIN H. SNIFFEN  
DARRELL T. YOUNG  
IN REPLY REFER TO:

STATE OF HAWAII  
DEPARTMENT OF TRANSPORTATION  
869 PUNCHBOWL STREET  
HONOLULU, HAWAII 96813-5097

March 30, 2017  
2:00 p.m.  
State Capitol, Room 329

**S.B. 1201, S.D. 2, H.D.2  
RELATING TO INFRASTRUCTURE**

House Committee on Consumer Protection and Commerce

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The Department of Transportation (DOT) – Airports Division **supports** the intent with comments on S.B. 1201, S.D.2 H.D. 2 which establishes the siting process of infrastructure for small wireless facilities and small wireless facilities networks on state and county owned land.

However, the Airports Division requests it be exempted from this measure as it has a concessionaire providing WiFi service for its major airports.

The DOT is concerned the bill requirement to allow small wireless facilities and small wireless facilities networks in all public rights-of-way could adversely impact the WiFi System Concession at major state airports. Under the WiFi System Concession, the Concessionaire provides WiFi service to travelers and others in terminal buildings at all major State Airports. As the users of the airports are from many countries, the Concessionaire is required to provide multilingual service.

The DOT is also concerned that the requirement to allow small wireless facilities and small wireless facilities networks on utility poles in the airports could interfere not only with the WiFi concession service, but other existing wireless communication within the airports. To assure that there is no such interference, the DOT requests that the bill be amended to exempt rights of ways and property within the boundaries of the State Airports from the requirement to allow small wireless facilities and instead allow the DOT to determine whether such facilities can be accommodated on airport property, and if they can to what extent, without interfering with existing wireless communication.

Airports, unlike many other venues, have existing wireless communication activities that are essential to the operation and safety of the airports, users and aviation activity. Any potential interference with, or interruption of, such activities or systems could have significant adverse health and safety impacts. In order to avoid such potential impacts, the DOT requests the bill be amended to require that anyone seeking to install a small wireless facility or small wireless facilities networks receive written approval from the DOT prior to installing such a facility or network.

Thank you for the opportunity to provide testimony.

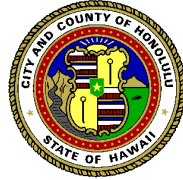
**OFFICE OF THE MAYOR  
CITY AND COUNTY OF HONOLULU**

530 SOUTH KING STREET, ROOM 300 • HONOLULU, HAWAII 96813  
PHONE: (808) 768-4141 • FAX: (808) 768-4242 • INTERNET: [www.honolulu.gov](http://www.honolulu.gov)

KIRK CALDWELL  
MAYOR

ROY K. AMEMIYA, JR.  
MANAGING DIRECTOR

GEORGETTE T. DEEMER  
DEPUTY MANAGING DIRECTOR



CITY AND COUNTY OF HONOLULU  
BEFORE THE COMMITTEE ON CONSUMER PROTECTION  
AND COMMERCE  
THURSDAY, MARCH 30, 2017; 2:00 PM

TO: THE HONORABLE ROY M. TAKUMI, CHAIR  
THE HONORABLE LINDA E. ICHIYAMA, VICE CHAIR  
AND MEMBERS OF THE COMMITTEE ON CONSUMER PROTECTION  
AND COMMERCE

FROM: ROY K. AMEMIYA, JR., MANAGING DIRECTOR  
CITY AND COUNTY OF HONOLULU

SUBJECT: SUPPORT OF SB1201, HD2 RELATING TO TECHNOLOGY

The City and County of Honolulu (City) supports the widespread deployment of 4G and 5G technology on City-owned poles; and supports SB1201 HD2, with amendments. SB1201, HD2 establishes a task force to provide a statewide broadband plan only upon passage of legislation that allows the collocation of small wireless facilities upon county-owned property during the Regular Session of 2017.

The City supports an amendment to establish the task force to come up with recommendations for legislation on the collocation of equipment on City-owned property. This task force should be established instead of prematurely passing legislation allowing collocation because many issues have not yet been addressed, including:

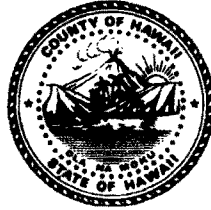
- Public safety concerns;
- Equipment can be placed on any county structure without limitation;
- Liability for injuries and damages should remain with the wireless providers;
- Future city uses of city property may be precluded;
- Visual blight must be addressed;
- Adverse impact on public use of the right of way should be minimized;
- Fees must be fair to the state and counties; and

- Decommissioning is not addressed.

The City has been actively working with the industry and stakeholders to come up with language that addresses the concerns of all parties. The City supports the formation of a task force to continue to develop a framework that is fair to all and looks forward to being a part of these continuing discussions.

Thank you for your consideration of this testimony.

Harry Kim  
Mayor



Wil Okabe  
Managing Director

Barbara J. Kossow  
Deputy Managing Director

County of Hawai'i  
Office of the Mayor

25 Aupuni Street, Suite 2603 • Hilo, Hawai'i 96720 • (808) 961-8211 • Fax (808) 961-6553  
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(808) 323-4444 • Fax (808) 323-4440

March 28, 2017

Rep. Roy M. Takumi, Chair  
Committee on Consumer Protection &  
Commerce  
Hawai'i State Capitol  
Honolulu, HI 96813

Dear Chair Takumi and Members:

**RE: SB 1201, SD 2, HD 2  
Relating to Technology (Broadband)**

Thank you for this opportunity to express tentative support for SB1201, SD2, HD2, relating to broadband infrastructure, but requesting amendment.

Over the past weeks, we have raised objections to various aspects of numerous telecommunication bills. Early on, we suggested that the bills be kept alive for further discussion, but we came to the belief that the issues are simply too complex to expect them to be resolved this session. We then started urging that no bill pass this session, and that the Legislature set up a mechanism (by Joint Resolution, study by the Auditor, or some other approach) for further discussion in the interim, with a consensus bill to be presented to next year's Legislature. The installation of telecommunication facilities on county-owned or State-owned property is complicated, far reaching in scope, and raises substantial questions related to fairness, public safety and costs. Our concerns are mirrored by the State and the other counties, and with numerous private sector voices compounding the number of perspectives that must be accommodated, we trust that the legislative process will yield a satisfactory result, but only if given substantially more time.

Upon first reading of SB1201, SD2, HD2, we thought it might be calling for the kind of interim work that we could endorse. However, we are concerned that the bill would only be effective if some other co-location bill were also approved. Our hope was that this kind of Task Force would be set up without anything else passing this legislative session.

That is still our hope.

Our main objection to prior drafts of SB1201 and other bills like it remains the same—they do not protect radio towers/first responder communications. They may give the counties some ability to regulate in the right of way, but those towers are still vulnerable (and probably prime targets for the telecommunications companies because they will get good coverage where we get good coverage).

Among numerous concerns we have is that, if any of the other bills were to pass in present form, the County could not adequately protect against the overburdening of its equipment, which could cause interference with the County's existing equipment or system.

In addition, coerced co-location could interfere with the County's existing and prospective contractual relations, as some County "structures" are on leased or licensed properties that do not allow collocation without a landowner's consent, and landowners may be hesitant to let the County have a structure on their properties if doing so will allow any and all small wireless facilities or small wireless facilities networks to be placed on their properties without their consent. Co-location raises security concerns, concerns about existing equipment being damaged by allowing private entities to do installation and other work on County sites, and concerns about increased use and wear-and-tear on existing structures, equipment, and access routes to rural sites. We do not believe any of the bills a) grant counties immunity for private entities accessing and using county property, b) allow the counties to recoup costs due to a small wireless facility or network's use of counties' utilities, or c) expressly allow counties to require companies that are accessing or using a county's property to assume liability for any damages to existing equipment or structures and to defend and indemnify a county for any such damages.

If the final bill does not define "structure," it could be read to allow wireless equipment to be placed on any County owned or operated building.

One early draft totally exempted wireless equipment from any County permits. It required the wireless companies to provide notice prior to installation to the DCCA but not to an affected county. It allowed utilities to reject applications but did not provide counties that authority and did not have any process for applications. It required wireless companies to comply with "applicable safety and engineering requirements", but that would be difficult for us to check with no prior notice or permitting process.



There is also considerable debate over costs and fees, which by no means are inconsequential to the providers, and therefore should be equally important to government as the protector of taxpayer assets. One draft limited collocation charges to \$20 annually—a giveaway that does not seem to reflect proper stewardship of the public trust. Staff did some brief research and did not see other states giving away public land so freely. Washington State, for instance, has a schedule of fees and regulations in place that looks like a better balance protecting public land. The fact that someone suggested \$20 makes it even more important that the Legislature demand due diligence before making any final, long-lasting decisions.

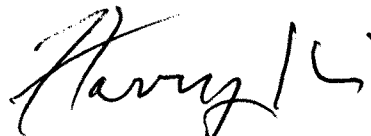
At an absolute minimum, we would ask that any bill that passes provide that an entity proposing the installation, construction, development, or improvement of broadband networks must file a written request to do so with the State and affected county, and allow the counties to reject an application if the proposed installation might interfere with or overburden existing equipment.

But for a subject this big with so many long-term ramifications, it would be better to assure that these other bills not become law without a good deal of further discussion and amendment. A very real danger to public safety could inadvertently result if, for instance, civil defense operations or emergency and first responder networks were compromised by the anticipated new installations.

We have joined in a discussion led by the City and County, and appreciate the efforts being made by the parties to develop a bill that will be fair to all. We just cannot be optimistic that those discussions will yield an adequate product in time for the 2017 Legislature to act.

We therefore would support the establishment of a broadband task force, but one that is not conditional on other legislation passing, and we would defer to the Legislature's wisdom as to the make-up of such a task force, which departments and agencies should be involved, and the scope of the task force's mandate.

Respectfully submitted,



Harry Kim  
Mayor

**TO THE HOUSE COMMITTEE ON  
CONSUMER PROTECTION & COMMERCE  
TESTIMONY REGARDING  
SB1201 SD2 HD2 RELATING TO TECHNOLOGY**

**MARK BROWN  
VICE PRESIDENT – STATE REGULATORY AFFAIRS  
CHARTER COMMUNICATIONS, INC.**

**March 30, 2017  
2:00 PM**

TO THE HONORABLE ROY M. TAKUMI, CHAIR, AND MEMBERS OF THE COMMITTEE:

I appreciate the opportunity to submit testimony on behalf of Charter Communications, the overall corporate parent of Oceanic Time Warner Cable, regarding both our company and pending legislation concerning small cell deployment. We support this measure and have a few comments and recommendations for the legislation as it is currently drafted.

At the outset, I want to highlight Oceanic's commitment to robust broadband deployment in Hawaii. Oceanic is the single largest provider of high-speed broadband and video throughout the state. We currently have deployed over 2,900 Wi-Fi hotspots throughout the Islands, with a commitment to provide an additional 1,000 hotspots by 2020. Oceanic has also committed to raise our base or floor-level broadband speed to 60 MBs by May of this year. Additionally, Oceanic is also planning to introduce by May Spectrum Internet Assist, our low-cost broadband program for low-income families and seniors, which at 30MBs, will be the fastest program of its kind offered by any broadband provider, and we believe will have a tremendous positive impact on the communities we serve in Hawaii.

In our testimony on previous versions of this bill, we highlighted the complex nature of the right-of-way regime in Hawaii and urged the legislature to take a deliberative and holistic approach to these issues, rather than providing a streamlined process for wireless providers for one type of technology when others, such as cable operators, continue to operate pursuant to a much more burdensome right-of-way and fee structure. We pointed out that access to public rights-of-way should be equitable for all occupiers and that cable providers should not be treated discriminatorily simply because we use the public rights-of-way to offer video/cable service.

We are therefore very pleased that SB 1201 SD2 HD 2 recognizes the complexity of ROW access and calls for a broadband task force to study these issues, fully vetting all the implications of any change to Hawaii's current right-of-way regime. The bill requires the task force to study, among other issues, how fees are used for infrastructure and the impact of wireless technology on the availability of revenue. This legislation commits the state to a thoughtful and inclusive stakeholder process that will take a comprehensive approach to broadband and right-of-way issues in Hawaii.

We fully support and welcome the creation of a task force, and have several minor suggestions for the Committee to consider. First, we believe the provider community (national wireless providers; third party wireless infrastructure providers; cable, internet, and phone service providers) should have equal representation on the task force. Because there are more wireless and wireless infrastructure providers than cable television providers in the state, the current composition of the task force does not lend itself to balanced industry representation. Second, similar to the wireless companies, the cable members should be “representatives” of those companies (the bill currently indicates “respective directors”). Third, instead of suggesting that DBEDT regulate broadband, the bill should ask the task force to look more broadly at the regulatory landscape as a whole for the provision of voice, video and broadband and the establishment of whether and how these industries should be regulated and by whom. Fourth, Section 2 of the bill appears to suggest that the bill will *not* take effect if legislation regarding broadband infrastructure is *not* enacted in 2017. We believe the intent of this measure is for its passage in lieu of enacting other small cell wireless legislation this session, and accordingly, Section 2 of this bill should be amended to simply provide that the bill “shall take effect upon its approval.”

These modest suggestions do not take away from our strong support for this bill. Hawaii will benefit from the deliberative and thoughtful process a task force will bring to complex broadband and ROW regulation in Hawaii.



March 30, 2017

Honorable Roy M. Takumi  
Chair, House Committee on Consumer Protection & Commerce  
Hawaii State Capitol  
Room 320  
Honolulu, HI 96813

Honorable Linda Ichiyama  
Vice Chair, House Committee on Consumer Protection & Commerce  
Hawaii State Capitol  
Room 327  
Honolulu, HI 96813

**RE: Oppose Senate Bill 1201 SD2 HD2 – Broadband Task Force**

Dear Chair Takumi and Vice Chair Ichiyama:

On behalf of CTIA, the trade association for the wireless communications industry, I am writing in opposition to Senate Bill 1201 SD2 HD2, related to the creation of a broadband task force. CTIA supports the previous iteration of this legislation, Senate Bill 1201 SD2 HD1, and would urge the legislature to continue its consideration of that legislation.

The previous iteration of Senate Bill 1201 helps to remove barriers to efficient deployment of small cell wireless infrastructure. Senate Bill 1201 SD2 HD1 allows providers the opportunity to responsibly deploy small cells by having reasonable access to existing state and county infrastructure within and outside of the public rights-of-way (ROW). Such access will help to meet customer demands for faster data speeds, stronger in-building signals and an overall improved customer experience. Senate Bill 1201 SD2 HD1 makes small cells on existing infrastructure a "permitted use" and not subject to discretionary review like larger "macro" towers. Finally, Senate Bill 1201 SD2 HD1 also allows for consolidation of substantially similar small cell applications, to minimize administrative impacts while improving efficiency.

Thank you for the opportunity to submit testimony in opposition to Senate Bill 1201 SD2 HD2. We strongly urge the legislature to reconsider previous iterations of Senate Bill 1201 related to streamlining deployment of small cell wireless infrastructure.

Sincerely,

A handwritten signature in black ink that reads "Bethanne Cooley". The signature is written in a cursive, flowing style.

Bethanne Cooley  
Director, State Legislative Affairs  
CTIA

**SB 1201 SD2 HD2**

**RELATING TO TECHNOLOGY**

**KEN HIRAKI  
VICE PRESIDENT – GOVERNMENT & COMMUNITY AFFAIRS  
HAWAIIAN TELCOM**

**March 30, 2017**

Chair Takumi and Members of the Committee:

Hawaiian Telcom would like to offer comments on SB 1201 SD2 HD2- Relating to Technology.

The original purpose of this bill is to facilitate the deployment of high-speed broadband infrastructure in Hawaii. Should this measure move forward, we suggest that SB 1201 SD2 HD2 be amended to also require the task force to offer recommendations on ways to improve the deployment of both wireless and wireline broadband statewide. Representation on the task force should also reflect a balanced representation of both wireless and wireline providers.

Measures designed to promote both wireline and wireless broadband solutions provide Hawaii's consumers with the best opportunity to receive both the advanced broadband services that they need, and at competitive prices.

Thank you for the opportunity to testify.

**Testimony of Mobilitie, LLC  
IN SUPPORT OF SB 1201, SD2, HD2, Relating to Technology  
Before the House Consumer Protection and Commerce Committee  
Thursday, March 30, 2017 2:00 pm  
Conference Room 329, State Capitol  
RE: Senate Bill SB 1201, SD2, HD2**

Chair Takumi, Vice Chair Ichiyama, and Members of the Consumer Protection and Commerce Committee:

Mobilitie **supports** SB 1201, SD2, HD2, which establishes a broadband task force to create a statewide broadband plan.

Mobilitie is a nationwide provider of wireless infrastructure solutions, currently deploying a hybrid transport network designed to provide high-speed, high-capacity bandwidth to facilitate the next generation of devices and data-driven services. SB 1201, SD2, HD 1, in concurrence with HB 625, is much needed legislation which would allow Mobilitie to efficiently deploy small wireless facilities that will meet the needs of both Hawaii's consumers and businesses.

SB 1201, SD2, HD2 creates a statewide broadband plan which will bring together relevant stakeholders, including third party wireless infrastructure parties. HB 625 facilitates the permitting process of small wireless facilities (also known as small cells) which are installed on state or county utility poles, light standards, or other structures.

Together these bills will enable the industry to efficiently and rapidly deploy much needed high-speed broadband infrastructure for Hawaii. These small wireless facilities will help densify the current network in order to sustain the data capacity needs of today, while building in capacity for future technologies that support 5G.

Mobilitie is poised to invest in building out our network throughout Hawaii, which will provide for dozens of local jobs, and millions of dollars invested in the local economy. Therefore, I urge you to support SB 1201, SD2, HD 2.

Thank you for the opportunity to testify.



Joyce Masamitsu  
Director, Public Policy & Legal Affairs  
Pacific and North Central Markets  
15505 Sand Canyon Avenue  
Irvine, CA 92618

March 29, 2017

Honorable Roy M. Takumi, Chair  
House Committee on Consumer Protection  
& Commerce  
Hawaii State Capitol, Room 320  
Honolulu, HI 96813

Honorable Linda Ichiyama, Vice Chair  
House Committee on Consumer Protection  
& Commerce  
Hawaii State Capitol, Room 327  
Honolulu, HI 96813

**RE: SENATE BILL 1201, SD2, HD2 – Relating to Technology – SUPPORT**  
**Hearing date: March 30, 2017 at 2:00 pm**

**Dear Chair Takumi, Vice Chair Ichiyama and Committee Members:**

On behalf of Verizon, I submit this testimony in SUPPORT of the intent of Senate Bill 1201, SD2, HD2, Relating to Technology. Verizon is one of the nation's largest wireless providers and a leader in promoting breakthroughs in broadband services for our customers including digital media and the Internet of Things. We have a keen interest in Hawaii and want to see broadband technology continue to develop throughout the islands.

Verizon has steadfastly supported all versions of Senate Bill 1201. The HD2 version of Senate Bill 1201 seeks to establish a broadband task force of industry experts within the Department of Business, Economic Development, and Tourism to provide a statewide broadband plan. Notably, Senate Bill 1201 is meant to work in conjunction with House Bill 625 which establishes a collocation permitting and approval process for small wireless facilities to be installed on state or county utility poles, light standards, or other structures, and will help densify the current network throughout Hawaii and set the platform for 5G.

Both these bills are needed to ensure that the necessary legal framework is created to expedite the deployment of small wireless facilities while at the same time devising a long term plan for advancing the deployment of broadband services and supporting the distribution of public, educational, or governmental access providers' content. We are concerned, however, with the implication that additional fees should be considered for mobile wireless services. Instead, Verizon recommends that the task force consider maximizing broadband deployment opportunities championed by the Federal Communications Commission.

Mahalo for your consideration.



Chamber of Commerce HAWAII  
*The Voice of Business*

**Testimony to the House Committee on Consumer Protection & Commerce  
Thursday, March 30, 2017 at 2:00 P.M.  
Conference Room 329, State Capitol**

**RE: SENATE BILL 1201 SD2 HD2 RELATING TO TECHNOLOGY**

Chair Takumi, Vice Chair Ichiyama, and Members of the Committee:

The Chamber of Commerce Hawaii ("The Chamber") **supports the intent** of SB 1201 SD2 HD2, which establishes a broadband task force to create a statewide broadband plan.

The Chamber is Hawaii's leading statewide business advocacy organization, representing about 1,600+ businesses. Approximately 80% of our members are small businesses with less than 20 employees. As the "Voice of Business" in Hawaii, the organization works on behalf of members and the entire business community to improve the state's economic climate and to foster positive action on issues of common concern.

We support efforts to move the state forward on broadband issues. We do ask that representation on the task force should reflect a balanced representation of both wireless and wireline providers.

Measures designed to promote both wireless and wireline broadband solutions will provide Hawaii consumers with the best opportunity to receive the kind of advanced broadband services that they need at competitive prices.

Thank you for the opportunity to testify.





HAWAII COUNCIL OF MAYORS  
BEFORE THE COMMITTEE ON CONSUMER PROTECTION  
AND COMMERCE  
THURSDAY, MARCH 30, 2017; 2:00 PM

Dear Chair Takumi, Vice Chair Ichiyama, and Members of the Committee on Consumer Protection and Commerce:

SUBJECT: SUPPORT OF SB1201 WITH AMENDMENTS, HD2 RELATING TO TECHNOLOGY

The Hawaii Council of Mayors (HCOM) supports SB1201, HD2, with amendments. SB1201, HD2 establishes a task force to provide a statewide broadband plan that will take effect only upon passage of a bill that allows for collocation of small wireless facilities on county-owned property during the Regular Session of 2017. HCOM believes this task force should be established to come up with recommendations for legislation on the collocation of equipment on county-owned property, rather than prematurely passing legislation.

A task force is needed to address the counties' concerns that:

- Public safety concerns are not adequately addressed;
- Equipment can be placed on any county structure without limitation;
- Equipment placement could interfere with existing contracts;
- Liability for injuries and damages was not described;
- Future unforeseen county uses of county property should not be precluded;
- Visual blight was not addressed;
- Adverse impact on public use of the right of way;
- Fees must be fair to the state and counties; and
- Decommissioning was not addressed.

This issue is very complex and has many long-term ramifications. HCOM believes it is better to ensure that a law is passed addressing the installation of small wireless facilities on county-owned property only **after** further meaningful discussion. HCOM supports this measure which creates a task force with representatives from the counties, State, industry, and public to look into ways to address the many issues mentioned in this testimony.



Mayor Harry Kim  
County of Hawaii  
25 Aupuni Street  
Hilo, Hawaii 96720



Mayor Kirk Caldwell  
City and County of Honolulu  
530 South King Street, Rm. 306  
Honolulu, Hawaii 96813



Mayor Bernard Carvalho, Jr.  
County of Kauai  
4444 Rice Street  
Lihue, Hawaii 96766



Mayor Alan Arakawa  
County of Maui  
200 South High Street, 9<sup>th</sup> Floor  
Wailuku, Hawaii 96793

Thank you for your consideration of this testimony.

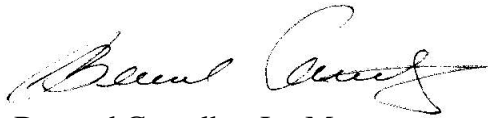
Sincerely,



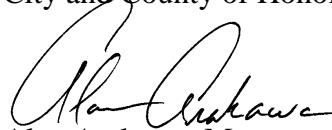
Harry Kim, Mayor  
County of Hawai'i



Kirk Caldwell, Mayor  
City and County of Honolulu



Bernard Carvalho, Jr., Mayor  
County of Kaua'i



Alan Arakawa, Mayor  
County of Maui