
Statement by U.S. Conference of Mayors on Motion Filed with the FCC by U.S. Cities and the National Local Government Organizations to Stay the Effective Date of its Order Preempting Local Authority.

Washington, DC — Below is a statement by U.S. Conference of Mayors CEO and Executive Director Tom Cochran on the Conference of Mayors joining with cities and other local government interests across the nation in requesting the FCC to stay the effective date of its recent order substantially preempting local authority over the installation of small cell facilities in local rights-of-way and local public infrastructure:

> "The U.S. Conference of Mayors and more than 60 cities, counties and local government organizations throughout the U.S. filed a motion with the Federal Communications Commission last evening to stay the effective date of its recent order that substantially preempts local governments' authority over their own rights-of-way and infrastructure. This action would allow local governments to have their day in court and be heard on what many consider an unauthorized taking of local property and an unwarranted usurpation of elected local government authority by this unelected federal regulatory agency.
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> "We urge the FCC to use our motion as an opportunity to grant a stay and allow the court to speak directly to the agency's actions. The stay would also avoid the complete upheaval that would occur, as thousands of U.S. cities and counties scramble to rewrite longstanding and well-established local rights-of-way and permitting rules and procedures between now and early January, complicated further by federal and religious holidays in between.
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> "It is wasteful and needlessly disruptive to ask the nation's nearly 20,000 municipalities and more than 3,000 counties to comply with this ill-conceived and intrusive new federal regulatory regime by January 13, especially when the FCC knows full well that its order relies on broad and activist interpretations of federal law that were certain to be challenged vigorously in federal court. By refusing to accede to local requests to set compliance deadlines that made sense, the FCC has shown its complete and utter disregard for the burdens local governments and their officials confront in working every day to fairly and effectively manage our most valuable public asset – local public rights-of-way and infrastructure – on behalf of all the many public and private users and beneficiaries, not just a few FCC-preferred companies."

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