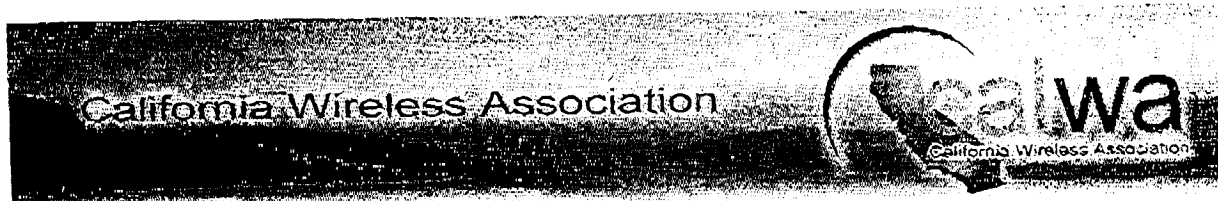


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May 18, 2010

FACSIMILE (562) 570-6789
Mayor Robert Foster
& Members of the City Council
c/o Larry Herrera, City Clerk
Civic Center Plaza
333 West Ocean Blvd., 14th Floor
Long Beach, CA 90802

VIA FACSIMILE (562) 436-1579
Michael Mais, Esq.
Deputy City Attorney
City of Long Beach
333 West Ocean Blvd., 11th Floor
Long Beach, CA 90802-4664

Re: **Proposed Urgency Ordinance Establishing Temporary Moratorium on Approval of Applications to Construct, Modify or Place Wireless Communication Facilities ("Moratorium")**

Dear Mayor and Council Members;

The purpose of this correspondence is to provide input on this important body of proposed legislation from the perspective of the California Wireless Association ("CALWA"), which is directly impacted. A brief introduction of CALWA is also provided for an understanding of our purpose.

About the California Wireless Association

Our primary mission is to raise awareness of the benefits of, and to promote, the wireless industry, to educate the public and our political leaders on issues of importance to the wireless industry, to support the industry in the rapid deployment of wireless technology and services, to voice a unified industry message on wireless issues and emerging technology, and to cultivate and nurture working relationships within the industry and between the industry and the public and our political leaders.

Analysis/Proposed Amendment

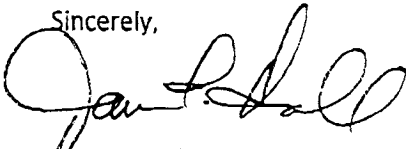
CALWA has reviewed the comments provided by Verizon Wireless and Clearwire and supports the analysis offered by both carriers. As such, CALWA will not duplicate the issues raised by these providers. That being said, CALWA would like to expound on the suggestion that the proposed moratorium be limited in scope. As the 5th largest City in California, a blanket City-wide moratorium will have a significant impact on the development of advanced wireless infrastructure in the City. Indeed, carriers are actively rolling out both "4G" and wireless broadband service, something advocated in the Federal

Communication Commission's recently adopted "National Broadband Plan."¹ These new technologies have the ability to literally transform the way consumers, businesses, and employees utilize their mobile devices. It goes without saying, therefore, that an unbounded moratorium will stifle the deployment of these services – something that CALWA suggests is not in the interest of the majority of the Long Beach citizenry. CALWA is cognizant that some wireless projects in residential zones can be contentious. However, banning the processing of all wireless projects throughout the City regardless of their design or location is not the best way to resolve this dilemma and is certainly not equitable for the overwhelming majority of citizens who expect reliable, state-of-the-art wireless coverage. Moreover, the social justice component this blanket moratorium presents bears noting. According to the Centers for Disease Control ("CDC"), one in four households in the United States is "wireless only." Significantly, adults living in poverty or near poverty were more likely to live in a wireless-only household than higher-income adults.² The proposed moratorium will therefore affect those living at or near poverty more profoundly. CALWA suggests that the moratorium be narrowly crafted to apply only to wireless applications located in residential zones, thus excluding commercial and/or industrial zones from the scope of the moratorium. Further, the moratorium can be crafted to exclude all wireless applications that are stealth (i.e. designed to look like something other than a wireless facility). Both of these approaches have been adopted by California jurisdictions under similar circumstances and CALWA strongly suggests that such a balanced approach makes sense from a policy/planning and social justice perspective.

Conclusion

As a primary stakeholder we wish to again thank you for your consideration of our important request and we appreciate your support to further our mutual goal of implementing and deploying a responsible and timely wireless infrastructure to serve the needs of the Long Beach Community.

Sincerely,



Jamie T. Hall, Channel Law Group, LLP
CALWA Regulatory Committee Member
207 E. Broadway, Suite 201
Long Beach, CA 90802
Office: 310-982-1760

Cc: Jon Dohm, President, California Wireless Association
Matthew S. Yergovich, Esq., Regulatory Committee Co-Chair, California Wireless Association
Julian K. Quattlebaum, III, Esq., Regulatory Committee Co-Chair, California Wireless Association
Sean Scully, Regulatory Committee Co-Chair, California Wireless Association
Patti Ringo, Regulatory Committee Co-Chair, California Wireless Association

¹ See <http://www.broadband.gov>

² See <http://www.wirelessweek.com/News/2010/05/Policy-and-Industry-CDC-1in4-Households-Wireless-Only-Research>