



December 22, 2025

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
45 L Street, NE
Washington, DC 20554

VIA ELECTRONIC SUBMISSION

Re: WT Docket No. 25-276 — Build America: Eliminating Barriers to Wireless Deployments¹

Dear Ms. Dortch:

The U.S. Chamber of Commerce (“Chamber”) submits these comments in response to the Federal Communications Commission’s (“FCC” or “Commission”) Notice of Proposed Rulemaking (“NPRM”) published in the *Federal Register* as “Build America: Eliminating Barriers to Wireless Deployments.”

For Americans to reap the benefits of the 21st century digital economy, public safety and health benefits, as well as lead on AI, permit streamlining will be necessary for all forms of connectivity. Regarding wireless connectivity, the Chamber strongly supports the Commission’s efforts to streamline wireless infrastructure deployment under Section 6409(a) of the Spectrum Act and Sections 253 and 332(c)(7) of the Communications Act. Predictable, nationwide processes for timely approvals reduce project risk, accelerate private investment, strengthen network resiliency and public safety, and enable next-generation services

I. Shot Clocks

A. Apply Shot Clocks to All Required Permits

The NPRM seeks comment on unreasonable delays and the scope of shot clocks. The Chamber recommends clarifying that statutory and FCC shot clocks run across the full stack of permits a locality requires to complete the deployment, not

¹ 90 Fed. Reg. 55066 (December 1, 2025) available at <https://www.govinfo.gov/content/pkg/FR-2025-12-01/pdf/2025-21620.pdf>.

only the “primary” siting application. Absent this clarification, localities can evade federal timelines by segmenting work into secondary building, electrical, traffic-control, or tree-trimming permits.

B. Deem Backup Power Equipment Transmission Equipment

Reliable communications require resilient power. Generators and battery systems are integral to the operation of covered wireless facilities and thus fall within “transmission equipment” under Section 1.6100(b)(3). The Commission should clarify by rule that backup power generators, batteries, transfer switches, and associated cabling and enclosures are “transmission equipment” when part of a non-substantial modification to existing facilities. This ensures 6409(a) eligibility and applies the 60-day shot clock.

C. Public Safety-Related Eligible Facilities Request (“EFR”)

Public safety and network resiliency enhancements—such as adding generators, hardening mounts, or upgrading antennas or radios—should be fast-tracked. The Commission should establish a 15-day shot clock for EFRs that are (1) limited to modifications consistent with §1.6100(b)(7)(i)-(iv) and (2) certified by the applicant as directly supporting public safety or network resiliency. Non-action by day 15 triggers deemed-granted status.

D. Deemed Granted

The Commission should adopt a deemed-granted remedy across all wireless siting shot clocks—both Section 332 and Section 6409(a)—to address persistent delays and eliminate litigation-first approaches that stall investment. For all shot clocks, non-action by the deadline results in deemed-granted status. The applicant’s filing of a deemed-granted notice should be explicitly recognized as a legally valid permit.

II. Minor Modifications and Routine Maintenance

The Commission should only require notification, as opposed to applications or additional permits, for non-substantive modifications or replacement of wireless facilities. Moreover, the FCC should provide for deemed-granted approvals for applications involving minor modifications and upgrades such as like-for-like equipment replacement or routine maintenance of existing wireless infrastructure if no action is taken by a permitting authority within 30 days. Again, the applicant’s filing of a deemed-granted notice should be recognized as a legally valid permit.

III. Moratoria

The Commission should reiterate its findings in the 2018 Declaratory Ruling (FCC 18-111) any moratorium—temporary or otherwise—violates Sections 253(a) and 332(c)(7) and clarify that a refusal to accept applications constitutes a *de facto* moratorium. Such actions categorically prohibit service and invite gamesmanship. The FCC should codify a bright-line prohibition on permit intake rejections and other moratoria for all covered wireless applications.

IV. Aesthetic Requirements by Localities

The Chamber supports the Commission’s approach that aesthetic requirements by localities should not be used to prevent densification of wireless networks. This includes setback requirements adopted under the guise of aesthetic protection. We also support the Commission’s approach of defining a “concealment element” as an element of a wireless facility that is designed to shield the appearance of the facility.

V. Macro Facilities

The Chamber supports extending the 2018 Small Cell Order’s cost-based fee standard, shot clock principles, and “prohibit or effectively prohibit” analysis to macro towers and other wireless facilities, with any necessary tailoring. Macro facilities remain essential to coverage, capacity, and competition.

VI. Dispute Resolution

Not only is it necessary to obtain timely decisions in permitting applications, it is also critical that there be efficient dispute resolution. The Chamber supports creation of a voluntary accelerated process to resolve disputes under 253(d) to reduce costly litigation and expedite permitting.

VII. Concerns About State and Local AI Regulation Impacting Broadband Deployment

The Chamber is increasingly concerned about the potential negative impacts of state and local artificial intelligence (AI) regulations on broadband deployment. State-level AI regulations often create a fragmented and inconsistent regulatory environment that increases compliance costs and delays deployment efforts. These regulations can stifle innovation and deter investment in critical technologies, including AI-driven tools that are essential for modern broadband networks.

For example, state regulations may impose requirements that are duplicative or inconsistent with federal policies, creating significant compliance burdens for broadband providers. These challenges are compounded by the fact that both generative and agentic AI technologies, such as those used for network management and optimization, resiliency and troubleshooting, self-healing, and customer service, are critical to ensuring efficient and effective broadband deployment. A patchwork of state laws could limit the use of these technologies, hindering the ability of providers to deploy broadband infrastructure effectively. A consistent federal framework is essential to fostering innovation, reducing compliance burdens, and ensuring that broadband deployment efforts are not unnecessarily impeded.

In particular, the Chamber is concerned about the impact of sweeping or comprehensive AI laws having a negative impact on investment in cutting-edge technologies and broadband generally. One such example is SB-205 in Colorado, which was enacted into law in 2024 and will go into effect next year. The Common Sense Institute has estimated that in 2030 the law will cause the state to forgo \$5.5 billion in GDP on the technology development side and a loss of \$7 billion in economic output from the impact on deployers.² AI, which promises to drive economic growth across the economy, particularly for smaller businesses, will require substantial investments in core infrastructure like data centers and resilient broadband networks.

A patchwork of state AI-specific regulations jeopardizes continued technology development and adoption. Laws such as Colorado's SB-205, as well as rate regulations or other utility-style regulations of broadband, will have a significant downstream impact on core infrastructure investment. For this reason, the FCC should appropriately preempt these types of sweeping laws and regulations because they frustrate the FCC's statutory obligation regarding laws that inhibit the provision of telecommunications service. Such an action would be consistent with the Administration's goal of expediting the deployment of advanced technologies like broadband and AI.

VIII. Conclusion

The Chamber commends the Commission for its efforts to address barriers to broadband deployment and urges the FCC to implement the recommendations outlined above in a timely manner. By eliminating state and local impediments, leveraging Section 253, and adopting targeted reforms, the Commission can help

² See Common Sense Institute, "Unintended Costs: The Economic Impact of Colorado's AI Policy" (August 20, 2025) available at <https://www.commonsenseinstituteus.org/colorado/research/jobs-and-our-economy/unintended-costs-the-economic-impact-of-colorados-ai-policy>.

ensure that broadband deployment efforts are successful and that all Americans have access not only to high-speed internet services, but also to advanced AI technologies.

We look forward to engaging with the Commission on this important initiative. Should you have any questions, please do not hesitate to contact jcrenshaw@uschamber.com.

Sincerely,

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

Jordan Crenshaw
Senior Vice President
Chamber Technology Engagement Center
U.S. Chamber of Commerce