



# Testimony

Unified Government Public Relations  
701 N. 7<sup>th</sup> Street, Room 620  
Kansas City, Kansas 66101

Mike Taylor, Public Relations Director  
913.573.5565 mtaylor@wycokck.org

---

## Video Competition Act and 5G Wireless Technology SB 380

**Delivered February 12, 2020**  
**Senate Utilities Committee**

The Unified Government of Wyandotte County/Kansas City opposes Senate Bill 380 because it would allow cable companies expanding into 5G phone service to run roughshod over cities and our citizens by using public right-of-way without regulation or compensation.

The Unified Government is the steward of public right-of-way on behalf of the citizens who own that land. SB 380 takes control of the public rights-of-way from cities and gives it to cable companies.

### SB 380:

- Allows a telecom to install a small cell/microcell in the public right-of-way without an agreement.
- Allows a telecom to install a small cell/microcell without notice to or permission from a city
- Eliminates the long-standing right of a city to regulate its rights-of-way
- Eliminates any aesthetic regulations a city may have regarding their rights-of-way.
- Eliminates all fees, including the one-time permit fee that is a reasonable approximation of a city's expenses in processing and approving the permit (typically \$65) and eliminates the \$25 annual right-of-way "rental" space fee

For cities - the proposed legislation would override a city's ability to act in the best interests of citizens by allowing cable companies to install wireless technology without any city input or oversight. Aesthetic regulations developed by a city, both regarding appearance and location, could be ignored.

Without any sort of agreement, small cell facilities could be abandoned by a telecom and remain in the public right-of-way indefinitely, until they are removed at the city's expense.

Public safety could be jeopardized. Without city regulations regarding placement in the right-of-way and design of monopoles or poles supporting small cell facilities (e.g. break-away poles), serious injury is more likely. Without city input, sight-lines may be ignored by telecoms, creating driving hazards.

In sum, the proposed legislation preempts any agreement between a city or public utility. It creates a wild-west scenario without any repercussions for cable companies. The legislation is a reckless power-grab that infringes upon the rights of cities to regulate the public rights-of-way.