



CITY MANAGER

February 10, 2020

Dear Chairman Masterson and the Senate Committee on Utilities:

On behalf of the Derby City Council, thank you for the opportunity to testify in opposition to SB 380 which would authorize video service providers to unilaterally place micro wireless facilities on public infrastructure and within the public right of way (ROW). Allowing one industry unrestricted access to the ROW will result in conflict between ROW users and increased risk to the public.

On February 12, 2019, the Derby City Council approved a franchise agreement with Cox Wireless Access, L.L.C. as a wireless infrastructure provider. Derby made a local choice to accept certain terms concerning strand mounted equipment on Cox's existing cable infrastructure. Likewise, Cox agreed to work within the requirements of Derby's ROW management ordinance and permitting process and expressed no concern with these requirements. However, Cox has not installed small cell technology within Derby.

Derby (pop. 24,000) continues to grow and we do everything possible to accommodate development and welcome new businesses, as do most cities. Management of the ROW for the public benefit is a responsibility that Derby takes seriously. Derby's ROW ordinance and permitting process prioritize public safety without imposing unreasonable restrictions on ROW users. Even with these reasonable regulations and processes in place, Derby experiences issues with utilities and contractors in the ROW endangering the public, cluttering the view, and damaging the ROW. Derby's franchise agreements and permitting process provide the mechanism to hold these users responsible for their actions in the ROW. SB 380 would rob cities of their ability to treat ROW users in an equitable manner that ensures public safety.

Sincerely,

A handwritten signature in blue ink that reads "Kathleen B. Sexton". The signature is written in a cursive, flowing style.

Kathleen B. Sexton