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**Testimony on SB 380**  
**NEUTRAL**  
Senate Utilities Committee

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Chairman Masterson and Members of the Committee:

I write to you today regarding SB380, a bill advocated by the Kansas Cable Telecommunications Association and various individual cable companies (Cable). SB380 proposes to prohibit Kansas municipalities from imposing certain fees and other requirements on video service providers related to the provision of wireless services.

AT&T's position on SB380 is currently neutral due to our unique position as both a video service and wireless service provider. However, I would like to highlight a few points for the committee's consideration.

AT&T is committed to encouraging the adoption of policies that both facilitate wireless infrastructure investment and respect the priorities of Kansas' municipalities. Our legislative efforts in 2016 with the Wireless Siting Act (WSA) and last year's Wireless Franchise legislation were the result of extensive discussions with the Kansas League of Municipalities, the Kansas Association of Counties, and representatives of some of the state's largest cities and counties. Those discussions resulted in legislation passed with overwhelming bipartisan support that expressly preserved cities' planning and zoning authority, the cities' ability to reasonably manage the public right of way (ROW) and explicitly allowed for compensation to cities and counties for permit applications, use of the ROW and attachments to municipally-owned property and structures.

It is unclear if Cable intends for its small cell alternative – "micro wireless facilities" to be subject to similar provisions that the wireless industry agreed to for its small cells as part of the WSA and Wireless Franchise discussions. Given this uncertainty, we remain cautiously neutral on SB380 and encourage the legislature to continue to support policies that preserve a level playing field between providers, industries and technologies in the communications sector.

We thank you again for the opportunity to submit testimony on this legislation. We remain committed to protecting the interests of the citizens and businesses in our cities, while also facilitating the deployment of wireless telecommunications services in Kansas.

Respectfully submitted,  
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