

**AMENDMENT TO THE AMENDMENT IN THE
NATURE OF A SUBSTITUTE
OFFERED BY M . _____**

At the end of subtitle D, add the following new chapter:

1 CHAPTER 4—OTHER MATTER
2 SEC. 3331. CODIFYING 60-DAY TIME FRAME FOR CERTAIN
3 REQUESTS.

4 Section 6409(a) of the Middle Class Tax Relief and
5 Job Creation Act of 2012 (47 U.S.C. 1455(a)) is amend-
6 ed—

7 (1) in paragraph (1), by striking “any eligible
8 facilities request” and inserting the following: “any
9 complete—

10 “(A) eligible facilities request for a modi-
11 fication of an existing wireless tower, base sta-
12 tion, or eligible support structure that does not
13 substantially change the physical dimensions of
14 such tower, base station, or eligible support
15 structure; and

16 “(B) eligible telecommunications facilities
17 request for a modification of any existing tele-
18 communications service facility in or on an eli-

1 gible support infrastructure that does not sub-
2 stantially change the physical dimensions of
3 such facility.”.

4 (2) by amending paragraph (2) to read as fol-
5 lows:

6 “(2) TIME FRAME.—

7 “(A) IN GENERAL.—Not later than 60
8 days after the date on which a State or local
9 government receives a complete request de-
10 scribed under paragraph (1), the State or local
11 government shall approve such request.

12 “(B) DEEMED APPROVAL.—If a State or
13 local government does not approve a request by
14 the date required under subparagraph (A), the
15 request is deemed approved on the day after
16 such date.

17 “(C) WHEN REQUEST CONSIDERED COM-
18 PLETE; RECEIVED.—

19 “(i) WHEN REQUEST CONSIDERED
20 COMPLETE.—

21 “(I) IN GENERAL.—For the pur-
22 poses of this paragraph, a request to
23 a State or local government shall be
24 considered complete if the requesting
25 party has not received a written notice

1 from the State or local government
2 within 10 business days after the date
3 on which the request is received by
4 the State or local government—

5 “(aa) stating that all the in-
6 formation (including any form or
7 other document) required by the
8 State or local government to be
9 submitted for the request to be
10 considered complete has not been
11 submitted; and

12 “(bb) identifying the infor-
13 mation required to be submitted
14 that was not submitted.

15 “(II) DEFINITION.—In this
16 clause, the term ‘received by the State
17 or local government’ means—

18 “(aa) in the case of a re-
19 quest submitted electronically, on
20 the date on which the request is
21 transmitted;

22 “(bb) in the case of a re-
23 quest submitted in person, on the
24 date on which the request is de-
25 livered to the individual or at the

1 location specified by the State or
2 local government for in-person
3 submission; and

4 “(cc) in the case of a re-
5 quest submitted in any other
6 manner, on the date determined
7 under regulations promulgated by
8 the Commission for the manner
9 in which the request is sub-
10 mitted.

11 “(ii) WHEN COMPLETE REQUEST CON-
12 sidered received.—For the purposes of
13 this paragraph, a complete request shall be
14 considered received on the date on which
15 the requesting party submits to the State
16 or local government all information (in-
17 cluding any form or other document) re-
18 quired by the State or local government to
19 be submitted for the request to be consid-
20 ered complete.”; and

21 (3) by adding at the end the following:

22 “(4) DEFINITIONS.—In this subsection:

23 “(A) ELIGIBLE FACILITIES REQUEST.—
24 The term ‘eligible facilities request’ means any
25 request for modification of an existing wireless

1 tower, base station, or eligible support structure
2 that involves—

3 “(i) collocation of new transmission
4 equipment;

5 “(ii) removal of transmission equip-
6 ment;

7 “(iii) replacement of transmission
8 equipment; or

9 “(iv) placement, modification, or con-
10 struction of equipment that—

11 “(I) improves the resiliency of
12 the wireless tower, base station, or eli-
13 gible support structure; and

14 “(II) provides a direct benefit to
15 public safety, such as—

16 “(aa) providing backup
17 power for the wireless tower, base
18 station, or eligible support struc-
19 ture;

20 “(bb) hardening the wireless
21 tower, base station, or other eligi-
22 ble support structure; or

23 “(cc) providing more reliable
24 connection capability using the

1 wireless tower, base station, or
2 other eligible support structure.

3 “(B) ELIGIBLE TELECOMMUNICATIONS FA-
4 CILITIES REQUEST.—The term ‘eligible tele-
5 communications facilities request’ means any
6 request for modification of an existing tele-
7 communications service facility in or on an eli-
8 gible support infrastructure that involves—

9 “(i) collocation of new telecommuni-
10 cations service facility equipment;

11 “(ii) removal of telecommunications
12 service facility equipment; or

13 “(iii) replacement of telecommuni-
14 cations service facility equipment.

15 “(C) ELIGIBLE SUPPORT INFRASTRUC-
16 TURE.—The term ‘eligible support infrastruc-
17 ture’ means infrastructure that supports or
18 houses a facility for communication by wire (or
19 is designed to and capable of supporting or
20 housing such a facility) at the time when a
21 complete request to a State or local government
22 or instrumentality thereof for authorization to
23 place, construct, or modify a telecommuni-
24 cations service facility in or on the infrastruc-

1 ture is received by the government or instru-
2 mentality.

3 “(D) ELIGIBLE SUPPORT STRUCTURE.—
4 The term ‘eligible support structure’ means a
5 structure that supports a personal wireless serv-
6 ice facility at the time at which the eligible fa-
7 cilities request is made.

8 “(E) PERSONAL WIRELESS SERVICE FA-
9 CILITY.—The term ‘personal wireless service fa-
10 cility’ means a facility necessary for the provi-
11 sion of—

12 “(i) commercial mobile service;

13 “(ii) commercial mobile data service
14 (as that term is defined in section 6001 of
15 the Middle Class Tax Relief and Job Cre-
16 ation Act of 2012 (47 U.S.C. 1401));

17 “(iii) unlicensed wireless service; and

18 “(iv) common carrier wireless ex-
19 change access service.

20 “(F) TELECOMMUNICATIONS SERVICE FA-
21 CILITY.—The term ‘telecommunications service
22 facility’ means a facility for the provision of any
23 interstate or intrastate telecommunications
24 service.”.

1 **SEC. 3332 IMPLEMENTATION.**

2 Not later than 180 days after the date of the enact-
3 ment of this Act, the Federal Communications Commis-
4 sion shall issue final rules implementing section 3331, and
5 the amendments made by such section.

