

ONE HUNDRED NINTH LEGISLATURE

SECOND SESSION

LEGISLATIVE RESOLUTION 470

Introduced by Ballard, 21.

PURPOSE: The purpose of this resolution is to propose an interim study to streamline and improve wireless connectivity for residents, families and businesses, specifically by examining policies to address unreasonable fees and other costs for wireless deployments.

In recent years, wireless providers and infrastructure companies have experienced an exponential growth in fees for processing siting applications that include or require engagement with third-party contractors or consultants. Permitting fees for wireless sites are often substantially higher in municipalities and jurisdictions that utilize these consultants compared with those that do not. In some cases across the country, jurisdictions even require upfront retainer payments before an application can be considered.

This growth in fees and costs is happening as the public's demand for wireless services is growing at historic proportions in Nebraska and across the nation. In 2024 alone, United States consumers used a record 132 trillion megabytes of mobile data, shattering the 100 trillion-megabyte mark set the year before. The amount of wireless infrastructure necessary to carry that traffic and meet this growing demand is staggering and will only continue to grow, which is why wireless providers invested \$29 billion in 2024 and approximately \$219 billion since 2018 to expand the nation's wireless networks.

In 2021, LB520 was introduced to address this and other permitting issues. The bill preserved and protected the ability of Nebraska jurisdictions to charge fees for wireless permitting provided the assessed fees are reasonable and reflective of actual costs of wireless permitting. This included specific limits and guardrails on consultant-based fee assessments. Even if this and other related provisions had been enacted into law, LB520 would have maintained

already substantial, appropriate local control over the wireless permit application process.

This study shall examine policies adopted by other states as well as federal laws and regulations governing fees and costs assessed by municipalities and other jurisdictions for wireless permitting to facilitate the development of future Nebraska legislation to address the issue.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED NINTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Transportation and Telecommunications Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.