Why the telecommunications bills before the California Assembly & Senate

put California and each locality at extraordinary fire risk.

*Susan Foster; 4/16/2021*

* Fire safety & prevention, particularly in California, needs to be controlled at the local level, not in Sacramento. Each location carries its unique fire risks.
* These telecom bills, when combined, codify the September 2018 FCC Declaratory Ruling and Third Report and Order to further ensure that telecom has unprecedented access to local rights-of-way for placement of 4G/5G small cells.
* The small cells, whether 5G technology or 4G LTE acting as 5G as advertised by some of the carriers, are cell towers that are being brought closer to the center of people’s lives. This proximity to people’s homes, schools, daycare centers, nursing homes, hospitals, parks and places of business creates an increased fire risk for California residents & visitors. The economic cost is incalculable because the telecom self-insures and frequently places cell towers in LLCs that can declare bankruptcy and escape financial ruin for the carrier. Localities pay the price.
* Every cell tower is an electrical device. Every electrical device will eventually fail. The job of the electrical engineer is to make sure that when an electrical device fails, it fails as safely as possible and does not create a fire. That is what the National Electric Code (NEC) and California Electric Code and many of the county electric codes are for. These electric codes are important because they tell you that professional electrical engineers have been involved in design decisions that protect life, health and property. When an electrical engineer stamps his/her signature and his/her professional seal on a design, they are putting their professional reputation and their job on the line in case that design or diagram ends up failing. These electric codes are extremely important.
* Telecom was able to obtain an exemption from the National Electric Code.
* Telecom was successful in obtaining an exemption from the California Public Utilities Commission, so they are exempt from the California Electric Code.
* Most counties have not applied their own county electric codes to telecom.
* Most cities have failed to recognize that telecom is exempt from national, state, and county electric codes.
* Therefore, telecom arrives in most cities with designs that have not been proven to be scrutinized by professional electrical engineers.
* Cell tower fires do occur.
* They are not frequent, but when cell tower fires occur, they can be devastating. It is not the frequency but the severity that is causing deep concern. There are several reasons for the potential devastation of cell tower fires. Electrical fires cannot be fought through conventional means until the cell tower has been de-energized (the power has been cut).
* Fire protocol is established at the local level; some fire departments will allow their firefighters to find a power shut off and cut the power themselves. Other fire departments never allow this because of liability issues. Again, these decisions are made at the local level. It is up to the local utility to cut the power. This can take between 10 and 30 minutes on a good day. It has been known to take over an hour.
* Imagine a cell tower on fire with Santa Ana winds gusting at 50, 60 or 70 miles an hour and a fire that cannot because fought through conventional means until the power has been cut. It must be de-energized before water can be put on the cell tower.
* If you have a 5G tower in your front yard and it catches on fire, your instinct may be to go out with a fire hose and put fire on the 5G tower on the streetlight at the corner of your property. If you do that, you can be electrocuted. This is why firefighters are trained not to put water on an electrical fire until the utility informs them that the cell tower has been de-energized. A city can the engulfed in flames during a Santa Ana in the time it takes to de-energize a cell tower.
* California is facing its worst fire season ever.
* California is enduring the third driest year on record.
* At this time when California is clearly in fire crisis due to climate change and unrelenting drought, the California Assembly & Senate have introduced legislation to build out the 5G infrastructure, usurp local control, and take over the public rights-of-way to build out the 5G infrastructure. Keep in mind, this 5G infrastructure does **not** carry voice data at this time and does not facilitate internet connection. To claim urgency in the face of the pandemic & remote learning is false & misleading advertising.
* These bills put the cities and counties at unprecedented fire risk. With the introduction of every cell tower, another potential fire threat from an electrical device has been introduced, and each cell tower fire presents residents and firefighters with complex firefighting risks and likely uncontrolled fire spread, depending upon winds.
* Cell towers should *not* be placed close to residences because cell tower fires cannot be quickly extinguished, and residents need space to flee. This is particularly true for schools and any facility that has young children, the elderly & infirm, the disabled, as well as hospitals and places of business. Localities must determine setbacks, not the state.
* As the California legislature and telecom-friendly legislators introduce a series of bills that, when combined, will codify the FCC’s Declaratory Ruling published in September 2018, they are ignoring the fact that California Fire Season is now year-round. They are imperiling life, health and property.
* Look at Malibu, California as an example of the fire harm telecom can bring to a city. The **2007 Malibu Canyon Fire** was caused by the overloading of an Edison utility pole by three telecom carriers: **AT&T, Verizon & Sprint (now T-Mobile)**.
* Look at the **Woolsey Fire which destroyed over 400 homes in Malibu** and caused residents to flee into the ocean because the three routes of exit out of the city were blocked by traffic & fire. Three people were killed trying to flee in their cars, and over **$6 billion** in damages was inflicted before the fire was finally extinguished. **Woolsey Fire is currently under criminal investigation; we know there is a telecom component in the ignition of that fire.** It was a combined fault of Southern California Edison & the telecom that owned the lashing wire that was involved in the ignition.

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