FINAL BILL REPORT
SHB 2044

PARTIAL VETO
C 219 L 97
Synopsis as Enacted

Brief Description: Revising the definition of personal wireless service facilities and microcells.

Sponsors: By House Committee on Energy & Utilities (originally sponsored by Representatives Crouse, Pennington, Mastin, McMorris, DeBolt, D. Sommers, Kessler and Delvin).

House Committee on Energy & Utilities
Senate Committee on Energy & Utilities

Background: As the demand for wireless telecommunications services has increased, the need for wireless antenna sites has increased correspondingly. Numerous small sites help the wireless telecommunications industry address two concerns: (1) capacity (more users wanting to use a wireless system at a given time than the system can accommodate); and (2) coverage (providing coverage in all areas and preventing dropped calls– because antenna sites do not overlap). Microcell technology has the potential of increasing capacity and coverage by replacing a single antenna tower with several smaller microcells.

An antenna, or cell, site consists of radio transmitters, receivers, and antennas. Most sites are created by placing antennas on existing structures. Other sites are created by placing antennas on towers or monopoles. The receivers and transmitters usually are housed in small equipment shelters or rooms. A site connects with other facilities by transmitting radio waves to a mobile switching office, which routes calls to the intended destinations.

In 1995, the Governor's Telecommunications Policy Coordination Task Force studied the issue of wireless antenna siting. At that time, some citizens suggested encouraging the siting of microcells, in part, out of the belief that exposure to radio frequency electromagnetic radiation is lower near microcells than near other wireless antennas.

In 1996, the Legislature enacted legislation encouraging local governments, when a telecommunications service provider applies to site several microcells in a single geographical area: (1) to allow the applicant to file a single set of State Environmental Polity Act documents, if applicable, and a single set of land use permit documents

that would apply to all the microcells to be sited; and (2) to render decisions in a single administrative proceeding.

The legislation defined a microcell as a wireless communications facility consisting of an antenna that is either: (1) four feet in height and having an area of not more than 580 square inches; or (2) if a tubular antenna, no more than four inches in diameter and no more than six feet in length.

Finally, the legislation directed the State Building Code Council (SBCC) to exempt equipment shelters from state building envelope insulation requirements.

When the SBCC enacted rules exempting equipment shelters from building envelope insulation requirements, the SBCC found the statutory definition did not correspond to the actual configuration of microcells. Consequently, the SBCC modified the definition of microcell,– by including a requirement that the associated equipment cabinet be six feet or less in height and no more than 48 square feet in floor area.

Summary: When a telecommunications service provider applies to site several microcells and/or minor facilities in a single geographical area, local governments are encouraged: (1) to allow the applicant to file a single set of State Environmental Policy Act documents and land use permit documents that would apply to all the microcells and/or minor facilities to be sited; and (2) to render decisions in a single administrative proceeding.

Minor facility– is defined in the same manner as the State Building Code Council definition of a microcell, except a minor facility may have up to three antennas.

Votes on Final Passage:

House 97 0
Senate 45 3

Effective: July 27, 1997

Partial Veto Summary: The three sections amending the current definition of personal wireless service facilities– are removed.