

Angel Lopez Testimony in Opposition to House Bill 6151

April 12, 2021

To the Committee on Innovation, Internet, & Technology,

My name is Angel Lopez from Providence and I am an unofficial Advocate for my community. I am affiliated with 5GFreeRI but the views I express here are my own. I oppose House Bill 6151 because it does not improve the well-being of any community in the State. RI General Laws §39-32 also referred to as “The RI Small Cell Siting Act of 2017”, has left most if not all communities in Rhode Island vulnerable to adverse effects of a technological roll-out of this size. I am advocating for improved legislation that addresses these vulnerabilities.

Improved Legislation should define Public Rights-of-Way. Public Rights-of-Way is undefined in RI law due to common law. However, given the freedoms provided to corporations and the constraints placed on the residents of RI by the existing RI GL §39-32, Public Rights-of-Way as they relate to Public Utilities and Carriers must be defined. The definition should ensure the integrity of municipal budgets and, the Standards and Procedures implemented and upheld in all our communities.

RI GL §39-32 has left communities in the dark about new and upcoming “antenna” collocations outside their homes, Places of Worship, favorite food places, and even Schools. I have submitted many requests to obtain the work permits of certain devices and have been left helpless by all State Agencies. Below is one of my stories.

A Small Wireless Telecommunications Facility (sWTF) was placed on the telephone pole outside my residence during the Fall of 2017. The device was ugly, invasive, and in operation 24hours a day. 11 months later, the corner where the utility pole is located and the corner adjacent to it became a School Bus Stop for various bus routes. After a couple months the number of students waiting for the bus in the morning decreased but students still waited near that device until the last day of the school year. 11 months after Providence Students in my neighborhood were forced to wait for the School Bus at that collocation site, I inspired the move of the last bus route scheduled to pick-up and drop-off students at that location. During that same month of August, I filed to appeal an APRA request about an “Antenna”, that the legal department of Providence was denying me. The Attorney General’s Office not only officially denied and closed my case after 6 months, but also supported the censoring and poised framing of my request as criminal by the City of Providence. This is unacceptable treatment of a Citizen and Resident of this State who is inquiring through the proper channels about the Risks to Public Health in their community.

House Bill 6151 falls short of addressing these challenges and provides ongoing protections to the corporations and governmental entities encroaching on communities, residents, and small businesses across this state. I have Three recommendations that will address these vulnerabilities and empower the community engagement these contemporary times demand.

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- #1. Include a definition of Public Rights-of-Way and clearly define and distinguish,
- #2. The roles and responsibilities of primary influencers over Public Rights-of-Way creating
- #3. A Community First engagement initiative to ensure Public Rights-of-Way in a community are used for the benefit of the residents who live there.

Improved legislation with these inclusions along with provisions will catalyze the development of new and improved ways to determine community needs, track cost savings associated with renewable energy and lead to more efficient budget allocations. Improved legislation will also ensure the best direction to protect public health while strengthening municipal budgets.

A roll-out of this magnitude should have engaged all communities first along with all the within leaders them. There is a known significant impact to our environment and whether the pushers of the initiative describe it as a good or healthy environmental impact, mechanisms must be in place to address adverse effects. The existing Title 39-32 did nothing of the sorts and such behavior should not be rewarded. I also recommend engaging in a Section 106 Process according to the 36th Code of Federal Regulations (CFR) Part 800.

"Public Health is Public Safety."

Sincerely,

Angel Lopez
Providence, RI 02909

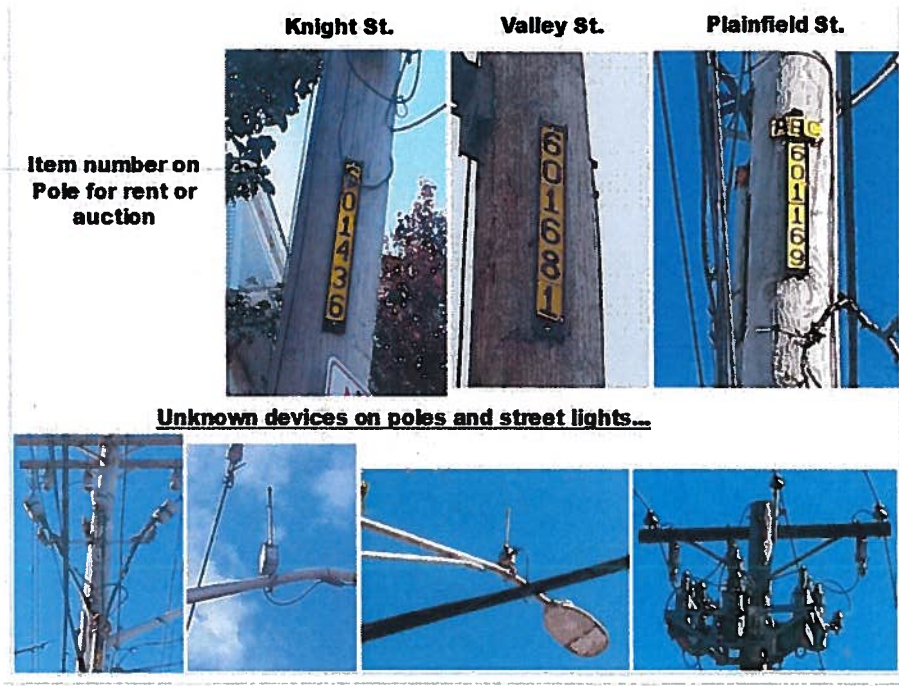
Supporting Documentation:

Link to 47 C.F.R. Pt. 1 App.B: 47 is the Code of Federal Regulations for Telecommunications. Part 1 are the rules for Practice and Procedure. Appendix B is the addendum to the National Programmatic Agreement for the Collocation of Wireless Antennas. https://www.ecfr.gov/cgi-bin/retrieveECFR?gp=&SID=f2a3b6f3d8e25095a7fc429efe71f52e&mc=true&n=pt47.1.1&tr=PART&ty=HTML#ap47.1.1_150007.b

Link to 36 CFR part 800: This is a link to the federal law that outlines the engagement in a Section 106 process. <https://www.achp.gov/sites/default/files/regulations/2017-02/regs-rev04.pdf>

Both were created to protect all RI communities from the adverse effects associated with the roll-out depicted in the photos below:

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4th Amendment Rights in violation via Surveillance Abuse



These are just three examples of excessive wires.

Where are the standards? This is a strain on the budget.

Excessive Wires means overbilling

Excessive Wires currently on Poles due to 5G antenna installations. This will only decrease the property value of the entire neighborhood. Why did property taxes increase during 2019 in zip code 02909? These photos were taken on January 29, 2020.



Charlesgate Nursing Center in Providence, RI

View from North Main Street in front of the Santander Bank at the Staples & Whole Foods Plaza



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