

Pursuant to R.S. 49:968(D)(1)(b), the Department of Transportation and Development announces its plan to proceed with rule-making by finalizing the Notice of Intent entitled, “Wireless Telecommunications Permit”, that was promulgated on pages 1246-1248 in the Louisiana Register on April 20, 2022.

This rule-making was effected by the provisions of the Administrative Procedure Act, R.S. 49:950, *et seq.*, and pursuant to the authority set forth in R.S. 48:381.2, that the Department of Transportation and Development, Office of the Secretary amends the rule for utilities fees and permits. These amendments address the continued need for Louisiana residents to work and attend school virtually due to the effects of COVID-19; thus, necessitating expansion and maximization of broadband capacity and wireless communication in communities that are markedly lacking in these services. In addition to the continued need created by COVID-19, the passage of the Infrastructure Investment and Jobs Act (IIJA) availed funds for future broadband infrastructure. As this infrastructure expands, small cell towers are the necessary last step to bring high speed internet to all Louisiana citizens, especially those located in rural areas. There are no estimated implementation costs or savings to state or local governmental units associated with the proposed rule revision. The Department of Transportation and Development already issues permits for use of public rights-of-way to utility operators for the purpose of installation of wireless telecommunications equipment and facilities within highway rights-of-way pursuant to R.S. 48:381.2. The permits contemplated by this rule will be folded into LADOTD's existing processes, using existing staff. Consequently, there will be no adverse impact to the public, businesses, local or state governmental entities.

The Department has received no written or oral comments; therefore, the Department has not conducted a public hearing pursuant to La. R.S. 49:953(A)(2).

The Notice of Intent was received by the Joint Legislative Committee on Transportation, Highways, and Public Works on April 7, 2022. Time delays have lapsed and no public hearings have been requested.

The Department intends to promulgate this rule in the same form as the Notice of Intent. A copy of the published Notice of Intent is attached for your convenience.

Subject to legislative oversight by either the Senate or House Committees on Transportation, Highways, and Public Works, DOTD intends to submit a Rule to the Office of the State Register for publication.