

Cheryl Scheurer, PhD: July 8, 2021 Testimony to the Sen. Governance & Finance Committee

(view testimony at <https://wirecalifornia.org/> and <https://youtu.be/46rsfsJmDR8>)

Thank you, honorable Mike McGuire and esteemed members. Please ask me questions after my testimony.

I attest and affirm that these statements are true, accurate and within my personal knowledge.

I'm Dr. Cheryl S. My PhD is in Business Administration and Financial Management, and I've been working through my TV show and podcasts for nine years to promote the safety of life and property – the exact purpose of the Telecommunications Act, under which AB.537 falls, but which AB.537 violates. As a fourth-generation Californian and a direct descendant of Charles Cotesworth Pinckney, one of the signatories of the US Constitution, I also intend to ensure that our federal and state constitutions remain intact. However, AB.537 is clearly in violation of both, in offering an open-ended contract for FCC to do whatever it may want in perpetuity.

AB.537, SB 556, and SB 378 – and related bills are not just an affront to Contract Law: they also sabotage the local control guaranteed by the US Congress. These bills would harm our cities, threatening residents' public safety, privacy and freedom from warrantless surveillance. The Senate knows these Bills are not of, by, or for the People, but rather bills written by ALEC and Industry lawyers rushed forward to avoid public scrutiny.

We-the-People want wired broadband service – fiber-optics to the premises — for which we've already paid on our phone bills from 1995 to the present . . . NOT hazardous wireless broadband deployed far too close to homes using excessive power. You must abide by Title 47 U.S.C. §324, Use of Minimum Power, which states:

“In all circumstances . . . all radio stations. . . shall use the minimum amount of power necessary to carry out the communication desired.”

Yes, every Wireless Telecommunications Facility is a fixed radio station with frequencies licensed from the FCC. Section 324 applies.

California State Public Health Officer and the Director of CDPH — Dr. Tomás Aragón is a mandated reporter for conditions of child endangerment and Dr. Aragón, was informed on October 22, 2019, of child endangering conditions created by wireless infrastructure in San Francisco and Sacramento. Five months after losing an appeal of a so-called small cell and the woman living there needed emergency surgery to remove a bloody-mass from her brain, forcing her to move. In Sacramento, children sickened within three weeks of powering on the cell tower in front of their home. This is real evidence — stated by Doctors — real endangerment.

It is critically important that Dr. Aragón, address this BEFORE any more votes are taken on SB.556, AB.537 or SB.378. The CA Legislature can simply postpone further deliberations on until January 2022, making them two-year bills.

Alex Krohn: July 8, 2021 Testimony to the Sen. Governance & Finance Committee

Chair McGuire and esteemed members, thank you for your time today.

My name is Alex K. I am a licensed physical therapist and founder of Safe Technology for Santa Rosa. After years of hard work and community support, just last week Santa Rosa passed a protective small cell ordinance. Please don't take that away.

Wireless of any "G" is cheap, third-rate broadband infrastructure — far inferior to fiber optic or cable service directly to homes.

Wireless infrastructure is not reliably fast enough and NOT symmetric. An important concept to understand-it must have the same speed down and up. Who says that? The Dept of Treasury in their June 2021 funding requirements for broadband Corona virus recovery funds. Wireless broadband can't meet this standard. According to Ookla Speedcheck and PC Magazine in 2021, 5G is no faster than 4G and its asymmetric upload speeds are a small fraction of its download speeds. What is needed for federal broadband funding is 100 Megabits down (what I receive) and 100 up (what I send).

Only cable or fiber to the home can do this. Wireless can't reliably do this. It is not future proof. As we continue to require more and more bandwidth for our economy and education, it will be impossible for wireless to keep up.

Wireless uses microwave radiation (a proven carcinogen, neurotoxin and immunosuppressor) through-the-air to send/receive data, but fiber optics uses visible light through a cable to send/receive data. The difference between wireless and fiber optic frequencies are a million times — this means fiber optic can carry a million times more data than wireless can.

AB.537 will be a deemed-approved nightmare for localities. It will pit millions of Californians against their cities and counties — local governments that are obligated to deliver actual public safety and quiet enjoyment of streets. Californians do not want their neighborhoods flooded with cell towers outside their bedroom windows. Do you want this for you and your family?

Senators, please understand the FCC shot clocks for so-called small cells were ruled by the Ninth Circuit to be presumptive only — that means they are statements of FCC preferences, not federal law.

Don't let the wireless industry bamboozle you. AB.537 is attempting to turn weak FCC preferences into concrete state law.

Trusting the sponsors of these bills, the Wireless Cos. to make good on contractually unenforceable promises is simply repeating the broken-promise playbook of the last 30 years. What we got in the last 30 years was revealed by the pandemic: higher prices, degrading quality of service and over two million kids who could not connect to attend school.

So AB537 will in large part leave kids, mostly minorities, right where they are today — on the wrong side of the Digital Divide.

Please do the right thing—Vote No on this deemed-approved nightmare and go back to the drawing board and find a way to truly provide Californians affordable broadband to bridge the Digital Divide.

FTTP — Fiber Optics to the Premises is the answer.