



# CITY OF MOORPARK

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May 20, 2022

Honorable Chairwoman Jessica Rosenworcel  
Federal Communications Commission  
45 L Street NE  
Washington, DC 20554

RE: **Environmental Health Trust v. FCC, 9 F. 4th 893 (D.C.Cir. 2021)**

Dear Chairwoman Rosenworcel:

The City of Moorpark, California writes to encourage the FCC to reopen and complete its rulemaking process regarding the potential of the thermal effects of radiofrequency (RF) emissions to cause health impacts other than cancer, regardless of whether reopening the process ultimately leads or does not lead to new RF emissions standards.

The City understands the appropriateness of having a nationwide safety standard for RF emissions generated by wireless telecommunications facilities, rather than having a cumbersome patchwork of inconsistent state and local government standards across the country. However, the FCC's current RF emissions standards have not changed since 1996, when the type of wireless technologies and the ubiquity of wireless devices were dramatically different than those that exist today.

In 2013, the FCC was right to initiate a formal rulemaking process regarding the adequacy of the 1996 guidelines. Even if the FCC's 1996 guidelines prove to continue to be appropriate, there is tremendous value for the American public to have the peace of mind generated by reassessing and revalidating the standard, particularly with regard to the long-term effects of exposure to RF emissions.

It was then disappointing when the FCC decided to close its formal rulemaking process in 2019 without either revalidating or updating its RF standards. The City reviewed the *Environmental Health Trust* case and ruling with interest, and the City accepts the court's conclusion that the FCC had adequately supported its conclusion that such exposure to RF radiation at levels below the FCC's existing standards do not cause cancer.

However, the City is cognizant that the court also held that the FCC's decision to close the formal rulemaking process with respect to non-cancer related health impacts. At this time, the FCC must choose between: (1) producing evidence that changes are not needed to address non-cancer related health impacts; or (2) reopening its formal rulemaking process to determine if new RF standards are warranted.

**The City of Moorpark strongly urges the FCC to reopen its formal rulemaking process, accept additional public comment on whether changes in the ubiquity of wireless devices and any other new information warrants revising RF emissions standards, and either revalidate or revise RF emissions standards as warranted.**

The City does not have any preconceived notions about whether current RF emissions standards will ultimately be revalidated or revised. However, given widespread concern among many members of the public, even if the current standards are appropriate, there is tremendous value in affirming them after a thorough and transparent rulemaking process. Option 2 provides the thoroughness and transparency that will give the American public the confidence it both seeks and deserves.

On behalf of all Moorpark residents, I appreciate your consideration. If you have any additional questions on this topic, please contact Brian Chong, Assistant to the City Manager, at (805) 517-6247.

Sincerely,



Janice S. Parvin  
Mayor

cc: City Council  
City Manager  
Assistant to the City Manager  
Senator Dianne Feinstein  
Senator Alex Padilla  
Congresswoman Julia Brownley