

## **H.R. XX (Huffman, D-CA) The Public Lands Telecommunications Act**

This bill would unlock new opportunities for broadband deployment on and near to our nation's public lands. Modeled on proven successes in the administration of land use fees, the legislation ensures that public land management agencies have the capability and incentives to act as partners to improve connectivity and broadband deployment in rural and remote communities. The Public Lands Telecommunications Act would improve and accelerate broadband and telecommunications deployment on and near public lands by:

- Providing fee retention authority for rights-of-way and other telecommunications infrastructure use authorizations to ensure these funds are utilized to further broadband and telecommunications deployment;
- Providing cooperative agreement authority to public land management agencies for the administration of communications sites to break down funding silos and encourage new federal partnerships.

Current status: New

History:

9/21/16 Set to be introduced by Congressman Jared Huffman (D-Ca) into the House

## **HR XX (Eshoo, D-CA) Community Broadband Act of 2016**

This federal legislation preserves the right of local communities to provide community-owned broadband service to consumers. Introduction of the bill comes after a ruling from the Sixth Circuit Court of Appeals in August striking down a Federal Communications Commission (FCC) Order preempting state laws in North Carolina and Tennessee restricting service from community broadband providers. The bill prohibits the states from preventing public entities "from providing to any person or any public or private entity advanced telecommunications capacity or any service that utilizes the advanced telecommunications capacity by such provider." The bill also includes anti-discrimination safeguards that would ensure that any public provider who regulated competing private providers of

advanced telecommunications capabilities or services applies its ordinances and rules without discriminating. This bill can be expected to face fierce opposition by republicans.

Current status: New

History:

9/13/16 Introduced by Anna G. Eshoo (D-Ca, Ranking Member of the Communications and Technology Subcommittee)

### **ACA 11 (Gatto) Constitutional Amendment Act**

The ACA is a constitutional amendment that authorizes the Legislature to reallocate or reassign all or a portion of the functions of the CPUC to other state agencies, departments, boards, or other entities.

Current status: 6/27/16 author cancelled committee hearing date

History:

3-9-16 Introduced in Assembly

5-27-16 Amended in Assembly

6-2-16 Adopted in Assembly and sent to Senate

6-9-16 Referred to Senate Committees

6-27-16 Hearing cancelled at request of author;

Governor Brown and Assemblymember Gatto announced a broad package of CPUC reforms to improve accountability, transparency and oversight.

### **HR 4596 (Walden, R-OR) Small Business Broadband Deployment Act (also search under HB 4596)**

(Sec. 2) This bill exempts for five years any small business broadband Internet access service provider with no more than 250,000 subscribers from the enhancements to the transparency rule of the Federal Communications Commission (FCC) under which any person engaged in the provision of broadband Internet access service must disclose publicly accurate information regarding the network management practices, performance, and commercial terms of its broadband Internet access services. The FCC shall report to specified congressional committees, within 180 days after enactment of this Act, its recommendations (together with supporting data) on whether:

- this exception should be made permanent, and

- the definition of “small business” for these purposes should be modified.

**Current status:** Active

History:

2-24-16 Introduced by Rep. Walden (R-OR) in House

3-16-16 Passed/agreed to in House without amendment 411 – 0

3-17-16 Received in the Senate and Read twice and referred to the Committee on Commerce, Science, and Transportation

### **AB 2788 (Gatto) Wireless telecommunications facilities**

This was a “gut and amend” bill to remove most of local government’s discretion regarding cell site.

Current status: 6-22-16 It was withdrawn by it’s author before it’s hearing date

History

2-19-16 Introduced in Assembly

5-5-16 Amended in Assembly

5-27-16 Passed Assembly, sent to Senate

6-13-16 Amended in Senate

6-22-16 Withdrawn by author before hearing date

### **AB 2603 (Nazarian) PUC: Complaint registration and resolution mechanism**

An act to add Section 5388 to the Public Utilities Code, relating to the Public Utilities Commission. It would require the commission to establish a telephone communications service, with a designated telephone number, that would be available to members of the public to communicate to the commission any concerns, or register complaints, regarding service provided by charter-party carriers of passengers, including transportation network companies.

Current status: Active Bill – In Committee Process

History:

2-19-16 Introduced in Assembly

3-10-16 Referred to Assembly Utilities and Commerce Committee

4-20-16 In committee; second hearing. Held without recommendation

## **SB 1250 (McGuire) Emergency Reliability and Public Safety Act**

Originally this bill that would change the currently very high outage reporting thresholds (based on user-minutes) so that outages in rural areas are reported to county and state Office of Emergency Services. It requires carriers to inform the CPUC, County, and State OES within 30 minutes of outages that last more than 30 minutes or have the potential to affect 75,000 user minutes in rural areas of the state. Also required carriers provide the CPUC and Cal OES with a secondary, more detailed report within 120 minutes; and provide a detailed summary of the outage to the CPUC within 20 days, and what steps are being taken to avoid similar outages in the future.

Current status: Active Bill; 50% progressed – In Committee Process

BAMC support: originally yes (provided letters of support and in-person testimony at hearing in Sacramento on 4/5/16).

Continued support unknown since amendments.

History

2-18-16 Introduced in Senate

3-28-16 Amended in Senate

6-1-16 Passed Senate and sent to Assembly

6-20-16 Amended in Assembly

6-27-16 Re-referred to committee

## **AB 2395 (Lowe) Withdrawal of Landline Service (or Replacement of Public Switched Telephone Network)**

This was a bill that was intended to allow telecoms to petition the CPUC to withdraw from their obligations as “carrier of last resort” (legacy public switched telephone network services) if an alternative wireless or IP service was available, beginning January 1, 2020.

Current status: “dead” as it did not come out of committee/put into suspense (but a new bill will likely be back)

BAMC support: Strong No; CPUC issued a “no” recommendation as well; see “Alliance thoughts on AB 2395” for more info.

History:

2-18-16 Introduced in Assembly

4-13-16 passed Assembly Utilities and Commerce Committee easily (11-3)

5-27-16 Didn't pass out of committee/put into suspense/held under submission

**AB 2130 (Quirk) Universal Service – CASF**

This was an alternative, industry-written/introduced bill to compete with AB1758.

Current status: 4/19/16 Failed; Hearing cancelled at request of author

BAMC support: No

History:

2/17/16 Introduced

3/17/16 Amended

4/17/16 Hearing cancelled at request of author; probably because with the failure of AB1758 this bill was no longer needed.

**SB 2555 (Thune, R-SD) The Mobile Now Act; Making Opportunities for Broadband Investment and Limiting Excessive and Needless Obstacles to Wireless Act or the MOBILE NOW Act**

(Sec. 3) This bill requires the National Telecommunications and Information Administration (NTIA) and the Federal Communications Commission (FCC), by December 31, 2020, to make available at least 255 megahertz of federal and nonfederal spectrum below the frequency of 6000 megahertz for mobile and fixed wireless broadband use. At least: (1) 100 megahertz shall be made available on an unlicensed basis; and (2) 100 megahertz shall be made available on an exclusive, licensed basis for commercial mobile use, subject to the FCC's regulatory purview, including consideration of continued use of such spectrum by incumbent federal or nonfederal entities in designated geographic areas indefinitely. This bill will clear more wireless spectrum for broadband purposes and streamline access to federal property in order to install both wireline and wireless facilities.

Current status: Active; 25% progression

History:

2/11/16 Introduced in Senate and referred to the Committee on Commerce, Science, and Transportation

3/3/16 Amended

4/28/16 Amended; Placed on Senate Legislative Calendar under General Orders. Calendar No. 446

## **AB 1758 (Stone) The Internet For All Act of 2016:**

This is the bill to re-authorize the CASF broadband infrastructure grant program, The CASF program is at the end of it's 7-year cycle and needs re-authorization to continue. which will end without re-authorization (and is in great jeopardy). This is the 2nd attempt to get re-authorization, as AB348 earlier was withdrawn due to industry opposition.

Current status: 4/21/16 Failed, 100% progression; This bill faced strong industry opposition from incumbent providers who do not like the CASF program. Broadband advocates disagree and feel this state program is an important part of the solution to close the Digital Divide

BAMC support: Very strong support (see letter of support to senate and legislative leaders)

History:

2-2-16 Introduced in Assembly

The bill stalled in Assembly and Senate committees. More letters of support were needed.

4-18-16 Assemblymember Mark Stone made a decision to withdraw AB 2758 and not have it heard in the Assembly Utilities and Commerce committee, effectively killing the bill.

## **HR 4160 (Huffman) Rural Broadband Infrastructure Investment Act** (if searching legiscan, use HB 4160)

Jared Huffman is proposing legislation to modernize the 1936 Rural Electrification Act expanding the law's provisions to include telecommunication and broadband services. The new legislation would broaden federal investment in telecommunications infrastructure into rural areas that previously would not qualify for funds. Broadband funding through the Rural Utility Service, administered by the U.S. Department of Agriculture would be doubled from \$25 million to \$50 million a year beginning this year. Congressman Huffman's staff is determining whether funding under this program would be available in the NBNCBC region.

Current status: 12-18-15 Referred to the Subcommittee on Commodity Exchanges, Energy, and Credit; 25% progressed;

BAMC support: Yes

History:

12-2-15 Introduced in House

Referred to various committees after introduction

### **HR 3805 (Eshoo) The Broadband Conduit Deployment Act of 2015**

Commonly referred to as the "dig once" legislation. The legislation would mandate the inclusion of broadband conduit during the construction of new roads receiving federal funding if there is a demonstrated need for broadband in the area within the next 15 years. The law would also apply the construction of additional lanes or paved shoulder for an existing highway.

Current status: 25% progressed; Referred to Referred to the Subcommittee on Highways and Transit on 10/23/15

BAMC support: Yes

History:

10-22-15 Introduced in House

10-23-15 Referred to the sub-committee on Highways and Transit

### **AB 1549 (Wood) "Broadband Map Act" (Department of Transportation: state highway rights-of-way: fiber optic cables)**

Originally this is a bill which would require Cal-Trans to keep a centralized database of where conduits available for fiber-optic cables are laid throughout the state. Currently, data regarding the location of fiber lines is scattered among dozens of companies and agencies. The development of a central database would drastically reduce the cost and time it takes to further expand California's broadband network. It would also require notification of broadband providers when the roads were "open" so that fiber could be laid at that time. AB 1549 is a step towards a "dig-once" policy that is a best practice among local and state governments.

Current status: 9-23-16 Passed

BAMC support: Yes

[AB1549 Press Release](#)

History:

9-11-15 Introduced in Assembly

8-01-16 Hearing in front of the Senate appropriations committee and went into suspense file. Assemblymember Wood stated at that time: "Caltrans isn't following an executive order by then governor Arnold Schwarzenegger directing it to cooperate with

broadband development efforts, and was lackadaisical about the one open trench pilot program that it ran..." He is referring to an order back in 2006 that required such efforts. He ended with, "Frankly, I'm tired of waiting and the excuses. My district can't wait any longer." RCRC was also at the hearing in support of the bill.

8-11-16 Passed the Senate Appropriations Committee; Assemblymember Wood said at that time, "This is a huge step in the right direction for the North Coast we are now two steps away from a paramount shift in broadband infrastructure. Reliable connectivity is too important of an issue to settle for the status quo." Moves to Senate floor next.

Senate Amendments weakened the bill, but text of final bill:

- 1 Requires the California Department of Transportation (Caltrans), after January 1, 2017, to take certain steps to facilitate broadband deployment.
- 2 Requires Caltrans, under certain conditions, to notify companies or organizations, as defined, of anticipated construction projects for the purpose of encouraging collaborative broadband installations.
- 3 Authorizes companies or organizations to collaborate with the department to install broadband conduit as part of a project.
- 4 Requires Caltrans, by January 1, 2018, to develop guidelines to facilitate the installation of broadband conduit on state highway rights of way.

8-30-16 Enrolled (passed both houses of legislature)

9-2-16 presented to the Governor for Signature

### **H.R. 2566 (also HB2566) (Rep. David Young, R-IA) Improving Rural Call Quality and Reliability Act**

This bill would require least-cost routers to register with the FCC and abide by minimum standards for call completion, and to ensure originating providers use registered least-cost routers.

Current status: Active; 25% progression

History:

5-21-15 Introduced in House and referred to House Committee on Energy and Commerce

5-22-/16 Referred to sub-committee on Communications and Technology

9-13-16 Forwarded by Subcommittee to Full Committee by Voice Vote

**AB 238 (Stone) California Advanced Services Fund**

This bill proposed several regulations supporting broadband projects including standardizing higher bandwidths aligning CPUC speed thresholds to that of the FCC (25/3), fostering public and private project funding and providing additional funding for deployment projects to unserved and underserved households through CASF funding. This bill had significant industry opposition.

Current status: 2/1/16 Failed

BAMC support: Yes

History:

2-5-15 Introduced in Assembly

1-6-16 Bill was withdrawn due to strong opposition from the cable industry

2-1-16 Bill considered "failed"

**AB 57 (Quirk) Wireless Telecommunication Facilities**

This bill streamlines permitting for wireless telecommunications facilities. The new law provides that new tower siting projects and collocation projects are automatically approved if the local agency (city or county) fails to act in a reasonable amount of time.

Current status: passed 10/9/15

History:

12-02-14 Introduced in Assembly

Long history in Assembly and Senate

10-09-15 Legislation signed by Governor