

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 327 Session of 2007

INTRODUCED BY STURLA, COHEN, FABRIZIO, BEYER, BOYD, CALTAGIRONE, DePASQUALE, FREEMAN, GERGELY, GIBBONS, JAMES, JOSEPHS, KOTIK, McILHATTAN, MICOZZIE, M. O'BRIEN, PARKER, SANTONI, SCAVELLO, SONNEY, WALKO, YOUNGBLOOD, DALEY, GEIST, LEACH, MYERS, WHEATLEY AND SIPTROTH, FEBRUARY 9, 2007

REFERRED TO COMMITTEE ON CONSUMER AFFAIRS, FEBRUARY 9, 2007

AN ACT

1 Amending Title 66 (Public Utilities) of the Pennsylvania
2 Consolidated Statutes, further providing for network
3 modernization plans.

4 The General Assembly of the Commonwealth of Pennsylvania
5 hereby enacts as follows:

6 Section 1. Section 3014(h) of Title 66 of the Pennsylvania
7 Consolidated Statutes is amended to read:

8 § 3014. Network modernization plans.

9 * * *

10 (h) [Prohibition against political] Political subdivision
11 advanced and broadband services deployment.--

12 [(1) Except as otherwise provided for under paragraph

13 (2), a political subdivision or any entity established by a
14 political subdivision may not provide to the public for

15 compensation any telecommunications services, including

16 advanced and broadband services, within the service territory

17 of a local exchange telecommunications company operating

1 under a network modernization plan.

2 (2) A political subdivision may offer advanced or
3 broadband services if the political subdivision has submitted
4 a written request for the deployment of such service to the
5 local exchange telecommunications company serving the area
6 and, within two months of receipt of the request, the local
7 exchange telecommunications company or one of its affiliates
8 has not agreed to provide the data speeds requested. If the
9 local exchange telecommunications company or one of its
10 affiliates agrees to provide the data speeds requested, then
11 it must do so within 14 months of receipt of the request.

12 (3) The prohibition in paragraph (1) shall not be
13 construed to preclude the continued provision or offering of
14 telecommunications services by a political subdivision of the
15 same type and scope as were being provided on the effective
16 date of this section.]

17 (4) Notwithstanding any other provision of this title, a
18 political subdivision or any entity established by a
19 political subdivision may provide to the public for
20 compensation any telecommunications services, including
21 advanced and broadband services, within the service territory
22 of a local exchange telecommunications company operating
23 under a network modernization plan, on and after the
24 effective date of this paragraph.

25 (5) Nothing in paragraph (4) shall be construed to
26 preclude the continued provision or offering of
27 telecommunications services by a political subdivision of the
28 same type and scope as were being provided on the effective
29 date of this paragraph.

30 * * *

1 Section 2. This act shall take effect in 60 days.