

AMENDMENTS TO SENATE BILL NO. 85

Sponsor: SENATOR PHILLIPS-HILL

Printer's No. 34

1 Amend Bill, page 1, line 3, by inserting after "for"
2 network modernization plans and for

3 Amend Bill, page 1, lines 7 through 9, by striking out all of
4 said lines and inserting

5 Section 1. Section 3014(b) of Title 66 of the Pennsylvania
6 Consolidated Statutes is amended by adding paragraphs to read:
7 § 3014. Network modernization plans.

8 * * *

9 (b) Options for amendment of network modernization plan.--
10 Local exchange telecommunications companies shall have the
11 following options:

12 * * *

13 (9) Effective January 1, 2024, the network modernization
14 plans of all local exchange telecommunications companies
15 shall be deemed amended to provide that the local exchange
16 telecommunications company is not required to make broadband
17 available under this chapter to any customer or location to
18 which broadband is available from any other provider
19 utilizing any technology.

20 (10) Effective January 1, 2025, the network
21 modernization plans of all local exchange telecommunications
22 companies shall be deemed amended to provide that the local
23 exchange telecommunications company is not required to make
24 broadband available under this chapter to any customer or
25 location.

26 (11) Effective January 1, 2025, notwithstanding any
27 other provisions of this title or any other law, the network
28 modernization plans of all local exchange telecommunications
29 companies shall be deemed amended to provide as follows:

30 (i) telecommunications services offered by the local
31 exchange telecommunications company may be supplied using
32 any technology, provided that the use of an alternative
33 technology shall not be construed to grant any additional
34 jurisdiction or authority to the commission over the
35 service or technology; and

36 (ii) the local exchange telecommunications company
37 shall not have the duty to extend, expand or continue in

1 place its facilities to furnish telecommunications
2 services when the customer has service available from one
3 or more alternative providers of wireline or wireless
4 communications services.

5 * * *

6 Section 2. Section 3019(c) of Title 66 is amended and the
7 section is amended by adding a subsection to read:

8 Amend Bill, page 2, lines 18 through 21, by striking out all
9 of lines 18 through 20 and "(iv)" in line 21 and inserting

10 (iii)

11 Amend Bill, page 3, line 5, by inserting after "regulations"
12 , orders, requirements and policy statements

13 Amend Bill, page 3, line 6, by inserting after "regulations"
14 , orders, requirements and policy statements

15 Amend Bill, page 3, line 8, by inserting after "regulation"
16 or requirement

17 Amend Bill, page 3, line 9, by inserting after "regulation"
18 or requirement

19 Amend Bill, page 3, by inserting between lines 16 and 17

20 (6) Notwithstanding any other provision of law, a
21 telecommunications carrier may not be required to obtain,
22 amend or abandon a certificate of public convenience related
23 to Chapters 11 (relating to certificates of public
24 convenience) and 19 (relating to securities and obligations),
25 and a telecommunications carrier may not be required to
26 obtain commission approval of a transaction if the
27 telecommunications carrier or an affiliate thereof files a
28 related application with the Federal Communications
29 Commission and if the telecommunications carrier provides
30 written notice to the commission of its filing with the
31 Federal Communications Commission. Commission approval shall
32 be deemed to be had and obtained by operation of law 30
33 calendar days after the filing of written notice with the
34 commission.

35 (7) Notwithstanding any other provision of this title,
36 the commission shall have no jurisdiction over and shall not
37 regulate any voice-over-Internet protocol service or Internet
38 protocol-enabled service, as those terms are defined in
39 section 3 of the act of July 4, 2008 (P.L.627, No.52), known
40 as the Voice-Over-Internet Protocol Freedom Act, or any other
41 broadband or Internet access service, including the
42 facilities used to provide the services.

1 Amend Bill, page 4, line 11, by striking out "2" and
2 inserting
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