Providing for emergency lifeline broadband benefit during a disaster emergency.

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

Section 1. Short title.

This act shall be known and may be cited as the Emergency Lifeline Broadband Benefit Act.

Section 2. Definitions.

The following words and phrases when used in this act shall have the meanings given to them in this section unless the context clearly indicates otherwise:

"Broadband Internet access service." As defined in 47 CFR 8.1(b) (relating to transparency) or any successor regulation.


"Eligible household." A household that meets the requirements under section 3(b)(1).

"Disaster emergency." A declaration by the Governor of
disaster emergency under 35 Pa.C.S. § 7301(c) (relating to
general authority of Governor).

"Tier I service." Broadband Internet access service that, at
a minimum, provides a download speed of 100 megabits per second,
an upload speed of 10 megabits per second and latency that is
sufficiently low to allow real-time, interactive applications
with no data caps or additional fees.

"Tier II service." Broadband Internet access service that,
at a minimum, provides a download speed of 25 megabits per
second, an upload speed of 25 megabits per second and latency
that is sufficiently low to allow real-time, interactive
applications with no data caps or additional fees.

Section 3. Emergency lifeline broadband benefit during disaster
emergency.

(a) Promulgation of regulations.--No later than seven days
after the effective date of this section, the commission shall
promulgate regulations for the provision of an emergency
lifeline broadband benefit during a disaster emergency as
provided under this section.

(b) Requirements.--The regulations promulgated under
subsection (a) shall establish, at a minimum, that:

(1) A household shall be eligible for the provision of
Tier I service or Tier II service, supported by the emergency
lifeline broadband benefit, during a disaster emergency if
the household income is at or below 200% of the poverty line
established by the Federal Office of Management and Budget.

(2) A provider of broadband Internet access service
shall apply to the commission for the reimbursement as
provided under subsection (c) for each eligible household
that requests the emergency lifeline broadband benefit and
receives Tier I service or Tier II service from the provider.

(3) The commission shall, within 24 hours of receiving notice of the extension of a disaster emergency, post the notice on the commission's publicly accessible Internet website.

(c) Reimbursement amount.--Consistent with the regulations promulgated under subsection (a), the commission shall reimburse providers of broadband Internet access service in the following amounts:

(1) The provider of broadband Internet access service shall receive up to $50 per month for each eligible household that requests the emergency lifeline broadband benefit and receives Tier I service.

(2) The provider of broadband Internet access service shall receive up to $30 per month for each eligible household that requests the emergency lifeline broadband benefit and receives Tier II service.

(d) Certification.--To receive a reimbursement under subsection (c), a provider of broadband Internet access service shall certify to the commission the following:

(1) The number of eligible households that requested the emergency lifeline broadband benefit and received Tier I service:

   (i) monthly for the duration of the disaster emergency; or

   (ii) for each month of the disaster emergency collectively after the disaster emergency is terminated.

(2) The number of eligible households that requested the emergency lifeline broadband benefit and received Tier II service:
(i) monthly for the duration of the disaster emergency; or
(ii) for each month of the disaster emergency collectively after the disaster emergency is terminated.
(3) That the reimbursement sought for providing Tier I service or Tier II service to an eligible household did not exceed the provider's rate for that offering, or similar offerings, for households that are not eligible households subscribing to the same or substantially similar service.
(4) That eligible households were not charged for the Tier I service or Tier II service and were not disqualified from receiving service based on past or present arrearages.

Section 4. Effective date.
This act shall take effect in 60 days.