

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE RESOLUTION

No. 47

Session of 2019

INTRODUCED BY PHILLIPS-HILL, YAW, GORDNER, HUTCHINSON, COSTA, BAKER, AUMENT, STEFANO, WHITE, BROWNE, HAYWOOD AND BARTOLOTTA, APRIL 29, 2019

SENATOR PHILLIPS-HILL, COMMUNICATIONS AND TECHNOLOGY, AS AMENDED, JUNE 12, 2019

A RESOLUTION

1 Establishing a legislative task force on the delivery of high-
2 speed broadband services and directing the Joint State
3 Government Commission to establish an advisory committee to
4 conduct a study on the delivery of high-speed broadband
5 services in unserved areas and underserved areas of this
6 Commonwealth and to report its findings and recommendations
7 to the Senate.

8 WHEREAS, Effective economic development today requires
9 unprecedented levels of collaboration and communication among
10 State and local government, business, education, health care,
11 tourism and community leaders; and

12 WHEREAS, High-speed Internet access has become an essential
13 element of economic vitality; and

14 WHEREAS, High-speed broadband availability increases
15 individual worker productivity, breaks down the traditional
16 geographic barriers to jobs and careers in high-paying fields
17 and connects Pennsylvania businesses to international markets
18 around the world; and

19 WHEREAS, Small towns and rural communities across this

1 Commonwealth are the cradle of the best of American ingenuity,
2 potential and values; and

3 WHEREAS, Without sufficient access to broadband and a high
4 level of use of available technology, these small towns and
5 rural communities and their residents will remain
6 technologically and economically isolated and competitively
7 disadvantaged; and

8 WHEREAS, The availability of high-speed broadband in
9 Pennsylvania is continuing to increase across multiple
10 technological platforms, but certain locations and communities
11 are either underserved, having insufficient broadband speeds to
12 fully leverage the benefits of the technology, or are unserved
13 altogether; and

14 WHEREAS, TECHNOLOGICAL DEVELOPMENTS HAVE ENABLED NUMEROUS <--
15 COMPETITIVE PROVIDERS TO ENTER THE VOICE AND BROADBAND
16 MARKETPLACE USING MULTIPLE TECHNOLOGIES, AND MOST CONSUMERS HAVE
17 THE ABILITY TO CHOOSE AND PURCHASE SERVICES FROM REGULATED AND
18 UNREGULATED PROVIDERS; AND

19 WHEREAS, TODAY, TRADITIONAL LANDLINE VOICE PROVIDERS HAVE
20 LESS THAN 12% OF THE TOTAL VOICE SUBSCRIPTIONS IN THIS
21 COMMONWEALTH BUT ARE STILL REQUIRED TO MAINTAIN A NETWORK THAT
22 CAN PROVIDE VOICE SERVICE TO EVERY CUSTOMER IN THE PROVIDER'S
23 SERVICE TERRITORY; AND

24 WHEREAS, WHILE REGULATION OF TRADITIONAL LANDLINE VOICE
25 SERVICES HAS REMAINED RELATIVELY UNCHANGED IN THIS COMMONWEALTH
26 DESPITE THESE DRAMATIC CHANGES IN THE INDUSTRY, THE TECHNOLOGIES
27 THAT CONSUMERS USE TO COMMUNICATE HAVE FUNDAMENTALLY ALTERED THE
28 MARKETPLACE AND CONTINUE TO DO SO; AND

29 WHEREAS, MODERNIZATION OF REGULATIONS AND STATUTES HAS
30 ALREADY BEEN UNDERTAKEN IN MANY STATES AS CONSUMERS HAVE

1 TRANSITIONED FROM LANDLINE VOICE SERVICES TO PRODUCTS OFFERED BY
2 UNREGULATED OR LIGHTLY REGULATED ENTITIES; AND

3 WHEREAS, THE PROVISION OF BROADBAND SERVICE ACROSS THIS
4 COMMONWEALTH MUST RECOGNIZE THAT BECAUSE OF TECHNOLOGICAL AND
5 COMPETITIVE DEVELOPMENTS, THE APPROPRIATE METHOD TO SUPPORT AND
6 INCENTIVIZE FURTHER EXPANSION OF BROADBAND SHOULD BE TECHNOLOGY
7 AND POLICY NEUTRAL; AND

8 WHEREAS, Eliminating unserved areas and underserved areas in
9 this Commonwealth will provide educational, economic, health,
10 governance and public safety benefits to all residents; and

11 WHEREAS, The basic requirements for successfully expanding
12 the benefits of high-speed broadband to all residents of this
13 Commonwealth are:

14 (1) access to computers, whether privately owned or
15 leased or provided at public locations as a public benefit;

16 (2) access to reliable broadband services at affordable
17 prices and at speeds required for current and future
18 applications; and

19 (3) knowledge to effectively use those computers and the
20 Internet;

21 and

22 WHEREAS, High-speed broadband infrastructure:

23 (1) allows communities to engage the world with their
24 goods and services;

25 (2) allows industries which are reliant upon traditional
26 manufacturing to use the Internet to expand their markets and
27 make their operations even more efficient;

28 (3) promotes the use of agricultural technology to help
29 farmers:

30 (i) maintain online field, mapping, water

1 management, livestock and accounting records; and
2 (ii) develop machinery that can operate virtually on
3 its own; and

4 (4) allows professionals in rural communities to work or
5 run businesses from their homes;

6 and

7 WHEREAS, High-speed broadband brings educational
8 opportunities, improved health care, more effective government
9 services and a better quality of life to all residents of this
10 Commonwealth; and

11 WHEREAS, Companies selling technology-intensive products and
12 services, or companies with technologically advanced operations,
13 generally provide faster growth in employment and income than
14 companies without such capabilities; and

15 WHEREAS, Studies show that as much as 85% of the growth in
16 per capita income over the past 150 years has resulted from
17 technological change; and

18 WHEREAS, Technology-intensive private sector jobs on average
19 pay wages which are 85% to 95% higher than wages paid for
20 private sector jobs that are not technology-intensive; and

21 WHEREAS, The President and Congress, in the effort to make
22 broadband or high-speed access to the Internet available to all
23 Americans, based on the belief that every American needs to have
24 access to broadband to have the doors of economic and social
25 opportunity open to them, required the Federal Communications
26 Commission to:

27 (1) develop a forward-looking national broadband plan to
28 ensure that all Americans have access to broadband
29 capability;

30 (2) contribute to efforts of the United States

1 Department of Commerce and the United States Department of
2 Agriculture to award \$7.2 billion in grants, loans and loan
3 guarantees to hasten the introduction of the facilities
4 needed to provide broadband and educate consumers to use this
5 infrastructure; and

6 (3) collect and report far more detailed and
7 comprehensive information on the status of broadband
8 deployment, adoption and use, including how broadband service
9 in the United States compares to broadband service in other
10 countries;

11 and

12 WHEREAS, The Commonwealth's efforts to secure the
13 availability of high-speed broadband throughout urban, suburban
14 and rural areas of this Commonwealth has been fragmented,
15 resulting in a lack of coordination among multiple State
16 agencies and commissions overseeing various broadband-related
17 programs, projects and Federal and State funding; therefore be
18 it

19 RESOLVED, That the Senate establish a legislative task force
20 on the delivery of high-speed broadband services; and be it
21 further

22 RESOLVED, That the task force be comprised of the chairperson
23 and minority chairperson of the Communications and Technology
24 Committee of the Senate or a designee of the chairperson or
25 minority chairperson; and be it further

26 RESOLVED, That the Senate direct the Joint State Government
27 Commission to assist the task force and conduct a study on the
28 delivery of high-speed broadband services in unserved areas and
29 underserved areas of this Commonwealth; and be it further

30 RESOLVED, That the Joint State Government Commission, as part

1 of its study, establish an advisory committee consisting of
2 approximately 25 members from across this Commonwealth,
3 including:

4 (1) the Secretary of Agriculture or a designee;

5 (2) the Secretary of Community and Economic Development
6 or a designee;

7 (3) the Deputy Secretary for Technology and Innovation
8 in the Department of Community and Economic Development or a
9 designee;

10 (4) the Secretary of Education or a designee;

11 (5) the Secretary of Health or a designee;

12 (6) the Secretary of Labor and Industry or a designee;

13 (7) the Secretary of Policy and Planning or a designee;

14 (8) the executive director of the Pennsylvania Office of
15 Broadband Initiatives or a designee;

16 (9) the executive director of the Governor's Center for
17 Local Government Services of the Pennsylvania Municipal
18 League or a designee;

19 (10) the chairperson of the Pennsylvania Public Utility
20 Commission or a designee;

21 (11) the vice chairperson of the Pennsylvania Public
22 Utility Commission or a designee;

23 (12) the Small Business Advocate or a designee;

24 (13) the Consumer Advocate or a designee;

25 (14) the director of the Center for Rural Pennsylvania
26 or a designee;

27 (15) representatives of broadband service providers and
28 any related cable, wireless or other technology industries or
29 associations within this Commonwealth; and

30 (16) representatives of other departments, agencies,

1 boards, commissions or entities that the Joint State
2 Government Commission deems appropriate in conducting the
3 study under this resolution;

4 and be it further

5 RESOLVED, That the Joint State Government Commission develop
6 reports in collaboration with the advisory committee which, at a
7 minimum, include the following:

8 (1) background information which addresses the matters
9 set forth in this resolution;

10 (2) recommendations ~~to~~: <--

11 (i) TO improve the delivery of high-speed broadband <--
12 services to unserved areas and underserved areas of this
13 Commonwealth; ~~and~~ <--

14 (ii) TO extend the benefits of advanced high-speed <--
15 broadband technology to every community in this
16 Commonwealth through collaborative partnerships with <--
17 governmental and private sector stakeholders; ~~and~~

18 COMMONWEALTH THROUGH: <--

19 (A) COLLABORATIVE PARTNERSHIPS WITH
20 GOVERNMENTAL AND PRIVATE SECTOR STAKEHOLDERS; AND

21 (B) OTHER MEANS OF EXTENDING THE BENEFITS OF
22 ADVANCED HIGH-SPEED BROADBAND TECHNOLOGY IN THIS
23 COMMONWEALTH; AND

24 (III) FOR MECHANISMS AND POSSIBLE PROGRAMS FOR
25 FUNDING THE EXPANSION OF BROADBAND AVAILABILITY,
26 INCLUDING HARMONIZATION OF FUNDING OPTIONS WITH ANY
27 EXISTING FEDERAL OR OTHER STATE PROGRAMS; AND

28 (3) proposed legislation which relates to the proposed
29 recommendations and specifically addresses the delivery of
30 high-speed broadband services to rural high-cost areas of

1 this Commonwealth, INCLUDING:

<--

2 (I) MODERNIZING TELECOMMUNICATIONS POLICIES,
3 REGULATIONS AND STATUTES REGARDLESS OF TECHNOLOGY AND THE
4 ELIMINATION OF OUTDATED AND UNNECESSARY REGULATIONS; AND

5 (II) ELIMINATING BARRIERS TO THE EXPANSION OF
6 BROADBAND AVAILABILITY;

7 and be it further

8 RESOLVED, That the Joint State Government Commission may, as
9 it deems necessary, hold informational meetings to receive
10 testimony from professionals or consumers with expertise or
11 knowledge in the matters described in this resolution; and be it
12 further

13 RESOLVED, That the Joint State Government Commission issue an
14 initial report of its findings and recommendations to the Senate
15 no later than one year after the adoption of this resolution;
16 and be it further

17 RESOLVED, That the Joint State Government Commission issue
18 four additional annual reports of its findings and
19 recommendations to the Senate, each of which shall be issued no
20 later than one year after the issuance of the immediately prior
21 report.