

Introduced by Senator Escutia

February 22, 2005

An act to add Section 13984 to the Government Code, and to add Sections 871.9 and 883.5 to the Public Utilities Code, relating to telecommunications.

LEGISLATIVE COUNSEL'S DIGEST

SB 850, as introduced, Escutia. Broadband telecommunications service.

(1) Under existing law, there is in state government the Business, Transportation and Housing Agency, under the supervision of the Secretary of Business, Transportation and Housing. Existing law requires the secretary to advise the Governor on, and assist the Governor in establishing, major policy and program matters affecting each department, office, or other unit within the agency.

This bill would require the secretary to develop a strategy for making broadband telecommunications service accessible to all areas of the state, as prescribed, and would require the secretary to prepare and submit to the Legislature a report on the strategy developed before January 1, 2007.

(2) Under existing law, the Public Utilities Commission has regulatory authority over public utilities, including telephone corporations. Existing law imposes various duties on the commission with regard to the provision of universal telephone and telecommunications service.

This bill would require the commission to determine which geographic areas of the state are lacking broadband telecommunications service availability and which areas are lacking competition in the provision of broadband telecommunications service. The bill would require the commission to prepare and submit

a report on its findings to the Legislature and the secretary on or before July 1, 2006.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 13984 is added to the Government
2 Code, to read:

3 13984. (a) The secretary shall develop a strategy for making
4 broadband telecommunications service accessible to all areas of
5 the state. In developing that strategy, the secretary shall consider
6 all of the following

7 (1) How to encourage the deployment of privately financed
8 broadband infrastructure.

9 (2) Where privately financed infrastructure will not be
10 deployed in a timely manner, how to encourage
11 publicly-financed infrastructure.

12 (3) How public or private partnerships and cooperatives can be
13 utilized.

14 (b) The secretary shall consult with the state's Chief
15 Information Officer on whether any state-owned or
16 state-controlled facilities can be used in furtherance of the state's
17 universal service policy.

18 (c) The secretary shall prepare and submit to the Legislature a
19 report on the strategy developed pursuant to this section before
20 January 1, 2007.

21 SEC. 2. Section 871.9 is added to the Public Utilities Code, to
22 read:

23 871.9. (a) The Legislature finds and declares all of the
24 following:

25 (1) California has long had a policy of universal telephone
26 service that resulted in programs that helped individuals obtain
27 affordable access to basic telephone service.

28 (2) Broadband telecommunications service, whether provided
29 by cable, fiber optic line, or wirelessly, provides much greater
30 capability than basic telephone service.

31 (3) Broadband telecommunications service has been rapidly
32 adopted, with about 30,000,000 broadband customers
33 nationwide.

1 (4) However, broadband service is not offered in many areas
2 of this state. About 25 percent of cities in this state do not have
3 any broadband access.

4 (5) Broadband service is the foundation for our nation's
5 continued technological and economic leadership.

6 (6) The absence of broadband is a barrier to economic
7 development.

8 (7) The President of the United States has declared that the
9 country should have universal, affordable broadband access by
10 2007.

11 (b) The Legislature further finds and declares that this state's
12 universal service policy should include the concept of universal
13 availability of broadband to all areas of the state.

14 SEC. 3. Section 883.5 is added to the Public Utilities Code, to
15 read:

16 883.5. The commission shall determine which geographic
17 areas of the state are lacking broadband telecommunications
18 service availability and which areas are lacking competition in
19 the provision of broadband telecommunications service. The
20 commission shall prepare and submit a report on its findings to
21 the Legislature and to the Secretary of Business, Transportation
22 and Housing on or before July 1, 2006.