

AMENDED IN SENATE APRIL 5, 1999

SENATE BILL

No. 1066

Introduced by Senator Bowen

February 26, 1999

~~An act to add Chapter 9.5 (commencing with Section 2860) to Part 2 of Division 1 of the Public Utilities Code, relating to the Internet. An act relating to telecommunications.~~

LEGISLATIVE COUNSEL'S DIGEST

SB 1066, as amended, Bowen. ~~The Internet Telecommunications.~~

Under existing law, the Public Utilities Commission is vested with regulatory authority over the public utilities, including telephone corporations. Existing law sets forth legislative findings and declarations regarding telecommunications policies for California.

This bill would make legislative findings and declarations ~~regarding the use of the Internet, as defined~~ relating to telecommunications.

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

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

- 1 ~~SECTION 1. Chapter 9.5 (commencing with Section~~
- 2 *SECTION 1. The Legislature hereby finds and*
- 3 *declares all of the following:*
- 4 *(a) Both California policy and federal policy have*
- 5 *encouraged the rapid deployment of advanced*

1 telecommunications services and capabilities to all
2 citizens, institutions, and businesses.

3 (b) High-speed connections between the
4 telecommunications network and end users are critical
5 for consumer acceptance of important new
6 telecommunications services, including electronic
7 commerce, telemedicine, distance learning,
8 telecommuting, video telephony, and television.

9 (c) California's consumers, businesses, and institutions
10 will benefit significantly from expanded competition and
11 enhanced availability of high-speed services provided
12 over communications networks.

13 (d) Competition in providing high-speed services can
14 be expanded, thereby lowering prices and increasing
15 availability, if existing telephone service providers are
16 required to permit competitors to share in the use of
17 existing telephone lines, known as line sharing

18 (e) In March 1999, the Federal Communications
19 Commission (FCC) tentatively concluded that line
20 sharing is technically feasible. The FCC further
21 tentatively concluded that nothing prevents California
22 from requiring line sharing. The FCC cited an example
23 where Pacific Bell is today sharing the use of its telephone
24 lines. While operational issues have yet to be resolved, the
25 FCC appears to be supportive of line sharing.

26 (f) Therefore, pending the FCC's resolution of the
27 technical and operational issues, it is the intent of the
28 Legislature that the California Public Utilities
29 Commission open a proceeding to determine how best to
30 implement line sharing.

31 ~~2860) is added to Part 2 of Division 1 of the Public Utilities
32 Code, to read:~~

33

34

CHAPTER 9.5. THE INTERNET

35

36 ~~2860. (a) For the purpose of this chapter, "the
37 Internet" means the global information system that is
38 logically linked together by a globally unique address
39 space based on the Internet Protocol (IP), or its
40 subsequent extensions; and is able to support~~



1 ~~communications using the Transmission Control~~
2 ~~Protocol/Internet Protocol (TCP/IP) suite, or its~~
3 ~~subsequent extensions, or other IP-compatible protocols;~~
4 ~~and provides, uses, or makes accessible, either publicly or~~
5 ~~privately, high-level services layered on the~~
6 ~~communications and related infrastructure described in~~
7 ~~this subdivision.~~

8 ~~(b) The Legislature finds and declares all of the~~
9 ~~following:~~

10 ~~(1) The Internet is a new form of communication that~~
11 ~~provides greatly expanded opportunities for interaction,~~
12 ~~education, commerce, and networking.~~

13 ~~(2) While the use of the Internet is growing rapidly,~~
14 ~~growth will be constrained by limitations on the speed~~
15 ~~with which the Internet can transmit information, the~~
16 ~~availability of appropriate computer equipment to~~
17 ~~businesses, individuals, and institutions, knowledge of the~~
18 ~~hardware and software necessary to use the Internet, and~~
19 ~~an awareness of the benefits of the Internet.~~

20 ~~(3) Given the benefits of the Internet, it is appropriate~~
21 ~~for the state to encourage the use of the Internet by the~~
22 ~~people, businesses, and institutions of the state.~~

