

AMENDED IN ASSEMBLY JULY 14, 1999

AMENDED IN SENATE MAY 10, 1999

AMENDED IN SENATE APRIL 5, 1999

**SENATE BILL**

**No. 1066**

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**Introduced by Senator Bowen**

February 26, 1999

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An act to add Article 5 (commencing with Section 2898) to Chapter 10 of Part 2 of Division 1 of the Public Utilities Code, relating to telecommunications.

LEGISLATIVE COUNSEL'S DIGEST

SB 1066, as amended, Bowen. Telecommunications: *line sharing*.

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 relating to telecommunications~~ require the Public Utilities Commission to open a proceeding to determine how to implement line sharing if the Federal Communication Commission determines that line sharing is feasible and would prohibit the Public Utilities Commission from adopting regulations that are contrary to any determination by the Federal Communication Commission that line sharing is not feasible.

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

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

1 SECTION 1. The Legislature hereby finds and  
2 declares all of the following:

3 (a) Both California policy and federal policy have  
4 encouraged the rapid deployment of advanced  
5 telecommunications services and capabilities to all  
6 citizens, institutions, and businesses.

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

13 (c) California’s consumers, businesses, and institutions  
14 will benefit significantly from expanded competition and  
15 enhanced availability of high-speed services provided  
16 over communications networks.

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

22 (e) In March 1999, the Federal Communications  
23 Commission (FCC) tentatively concluded that line  
24 sharing is technically feasible. The FCC further  
25 tentatively concluded that nothing prevents California  
26 from requiring line sharing. While operational issues have  
27 yet to be resolved, the FCC appears to be supportive of  
28 line sharing.

29 ~~(f) Therefore, if the FCC~~

30 *SEC. 2. Article 5 (commencing with Section 2898) is*  
31 *added to Chapter 10 of Part 2 of Division 1 of the Public*  
32 *Utilities Code, to read:*  
33



Article 5. Line Sharing

1  
2  
3 2898. *If the Federal Communications Commission*  
4 *resolves the technical and policy issues related to line*  
5 *sharing and determines that ~~line sharing is feasible, it is~~*  
6 *~~the intent of the Legislature that the California Public~~*  
7 *~~Utilities Commission open a line sharing is feasible, the~~*  
8 *commission shall open a proceeding to determine how*  
9 *best to implement line sharing. If the ~~FCC~~ Federal*  
10 *Communications Commission determines that line*  
11 *sharing is not ~~feasible, then it is the intent of the~~*  
12 *~~Legislature that the state feasible, the commission shall~~*  
13 *not adopt regulations that are contrary to that*  
14 *determination.*

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