

ONE HUNDRED SECOND LEGISLATURE - SECOND SESSION - 2012
COMMITTEE STATEMENT
LB715

Hearing Date: Monday February 13, 2012
Committee On: Transportation and Telecommunications
Introducer: Fischer
One Liner: Change regulation of boundaries for telecommunications services

Roll Call Vote - Final Committee Action:
Advanced to General File with amendment(s)

Vote Results:

Aye:	7	Senators Campbell, Dubas, Fischer, Hadley, Janssen, Lautenbaugh, Price
Nay:		
Absent:	1	Senator Louden
Present Not Voting:		

Proponents:	Representing:
Dusty Vaughan	Introducer- Senator Fischer
Jerry Vap	NE PSC
Eric Carstenson	NE Telecommunications Association

Opponents:	Representing:
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Neutral:	Representing:
Beth Canuteson	AT&T Wireless

Summary of purpose and/or changes:

LB 715 authorizes boundary changes between local exchange areas for broadband service when a person applies and cannot receive broadband from his or her current provider.

Section 3 provides a new definition of "advanced telecommunications capability service" to specify broadband service.

Section 4 amends sec. 86-135 to change the focused area of service for a boundary change from telecommunications service (landline phone) to broadband service.

Section 5 amends sec. 86-136 to authorize the Public Service Commission to grant a boundary change application if the applicant cannot, and will not within a reasonable time period, receive broadband service where the person resides.

The section strikes obsolete language that refers to telephone service considerations.

The section also allows the current provider to waive the applicant's requirement to reimburse the company for undepreciated investment. The company can also negotiate the reimbursement with the applicant.

Sections 6 and 7 provide harmonizing language.

Explanation of amendments:

The committee amendment, AM 2000, makes clarifying language changes to the bill. First, the definition of "advanced telecommunications capability service" is altered to make it clear that it only pertains to service provided by a local exchange carrier.

Second, the amendment provides a new subsection (3) in Section 4 to require the Commission to take into account the affect on the telecommunications company and consider each applicant separately when more than one customer is requested a boundary change.

Finally, the amendment adds language to Section 5 to ensure that the evidence of a technological and engineering burden on the affected telecommunications company will be taken into account when the Commission is deciding to grant an application.

Deb Fischer, Chairperson