The Energy And Technology Committee

February 26, 2009

H.B. 6509: An Act Concerning Licensing Requirements Of Certain Telecommunications Providers

Testimony of

The Office of Consumer Counsel

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The Office of Consumer Counsel (OCC) has carefully reviewed and fully supports H.B. 6509 An Act Concerning Licensing Requirements Of Certain Telecommunications Providers, a bill that would add certified telecommunications providers to the list of entities exempted from certain licensing requirements.

The OCC was involved in a docket before the DPUC in which the issue to be permanently resolved by the legislature in this bill was first presented. There has been a Department-supported agreement in that docket regarding the licensing requirements for competitors, but in order to provide the market with stability for planning and financing requirements, the OCC would advise that the proposals in this bill be made part of the state's general statutes. By removing yet another barrier to entry, this bill is a vital element in strengthening the foundation for the evolution of a robust telecommunications market in this state.

I note that the company at the heart of the DPUC docket, Fibertech, is scheduled to also speak here today in support of this bill. As one of 10 voting members of the state's Broadband Internet Council and as someone directly involved in the state's effort to bring broadband services universally across Connecticut to all residents, I can say that this is the very type of competitor that this body envisioned in P.A. 94-83 when telecommunications was originally granted the opportunity to develop a competitive market. Fibertech has spent millions of dollars of its own capital in deploying hundreds of miles of fiber-optic broadband network cable across the state and they compete with all telecommunications players, including the incumbent telephone

companies, and others in various market service niches.

Having practiced before the DPUC since the transition from rate-of-return regulation to the alternative regulation that exists today, I can state that it has been a profound disappointment over all these years that various hindrances have been placed in the path toward that competitive market. Thus, I believe we need more companies like this in Connecticut and this bill will aid such competitors in making the choice to enter the Connecticut market, or not.

This bill amends existing statutes to put competing telecommunications providers on a level playing field with the incumbents who continue to wield very substantial market power, including owning the utility poles necessary for competitors to provide service to customers. By passage of this bill, competitors will have the same rights of exemption from licensing requirements that the incumbent phone companies, the electric companies, the cable companies, and all municipalities in the state already enjoy.

Accordingly, the OCC urges adoption of HB 6509 and is of course available to help the Committee in any way to further the progress of this bill through the General Assembly.

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