



General Assembly

Amendment

January Session, 2009

LCO No. 7938

HB0642607938SD0

Offered by:
SEN. FONFARA, 1st Dist.

To: Subst. House Bill No. 6426 File No. 960 Cal. No. 653

"AN ACT IMPROVING BROADBAND ACCESS."

1 Strike everything after the enacting clause and substitute the
2 following in lieu thereof:

3 "Section 1. (NEW) (*Effective July 1, 2009*) (a) A certified
4 telecommunications provider, as defined in section 16-1 of the general
5 statutes, or any company, except commercial mobile radio service
6 providers, using telephone numbers from the North American
7 Number Planning Administration shall arrange for the publication of
8 such provider's or company's subscriber list information in a local
9 telephone directory. Such provider or company shall not publish such
10 subscriber list information for any subscriber who has specifically
11 requested such information not be published.

12 (b) Such provider or subscriber shall furnish its subscriber list
13 information (1) on a nondiscriminatory basis to any requesting
14 directory publisher at a price not to exceed levels established by the
15 Federal Communications Commission, (2) as base file extracts and files

16 of listing updates, and (3) no less frequently than once a month.

17 Sec. 2. Section 16-32 of the general statutes is repealed and the
18 following is substituted in lieu thereof (*Effective October 1, 2009*):

19 Each public service company, except telegraph companies and
20 express companies subject to the jurisdiction of the Interstate
21 Commerce Commission or its successor agency and companies owned,
22 directly or indirectly, by a parent company, the accounts and
23 operations of which are required to be audited annually in accordance
24 with federal law, shall have an annual comprehensive audit and report
25 made of its accounts and operations by independent public
26 accountants satisfactory to the Department of Public Utility Control. A
27 copy of such annual audit report shall be filed with the department,
28 together with the company's annual report. In the absence of such an
29 audit report, or if the department, after notice and opportunity for a
30 hearing, determines that such audit report is insufficient or
31 unsatisfactory, the department shall cause such an audit to be made at
32 the expense of the company either by independent public accountants
33 satisfactory to the department or by any staff of the department
34 engaged in the activities contemplated by subsection (b) of section 16-
35 8. The department may waive the compliance with the provisions of
36 this section by any public service company whose annual gross income
37 is less than one hundred thousand dollars.

38 Sec. 3. (NEW) (*Effective July 1, 2009*) (a) As used in this section,
39 "broadband" means a high-speed Internet service whose minimum
40 speed is the speed as defined by the Federal Communications
41 Commission, and "priority areas" means those parts of the state the
42 Department of Public Utility Control determines to be unserved in
43 terms of access to broadband.

44 (b) The Department of Public Utility Control shall, in consultation
45 with the Governor's Broadband Working Group, the Office of
46 Consumer Counsel and the Broadband Internet Coordinating Council,
47 established pursuant to section 4d-100 of the general statutes, develop

48 a state-wide technology initiative program with funds received by the
49 state from the American Recovery and Reinvestment Act of 2009 for
50 the purpose of expanding broadband services. Nothing in this section
51 shall give the Department of Public Utility Control or any other entity
52 any additional authority, regulatory or otherwise, over providers of
53 telecommunications and information technology. The initiative
54 program established pursuant to this act shall include, but not be
55 limited to, the following components:

56 (1) Expanding and deploying broadband infrastructure in priority
57 areas and increasing broadband adoption. The initiative program shall
58 include a detailed financial incentives component to award incentives
59 first to private providers and then to public-private partnerships that
60 deploy additional broadband infrastructure to such priority areas. No
61 such incentive shall be available to support any deployment in areas
62 where broadband, via wireline or wireless technologies but not
63 satellite technology, is already available.

64 (2) In partnership with the private sector, establishing a digital
65 technology access and education program to provide information,
66 computers and other technology to access broadband and
67 communications technology to local communities in priority areas.
68 Such program may include, but not be limited to, education and skill-
69 building opportunities, hardware and software, Internet connectivity
70 and development of locally relevant content and delivery of vital
71 services through technology.

72 (3) Providing organizational and capacity building support to
73 groups throughout the state, including, but not limited to,
74 municipalities, the community-technical colleges, school districts,
75 libraries and senior centers, and identifying and facilitating the
76 availability of other public and private funding sources to enhance the
77 purposes of the state-wide technology initiative established pursuant
78 to this subsection.

79 (4) Establishing a competitive grant program to provide grants to

80 private sector providers or public-private partnerships. Grants shall be
81 used to provide training and skill-building opportunities; provide
82 access to hardware and software; provide Internet connectivity; adopt
83 information and communication technologies in priority areas and
84 develop locally relevant content and delivery of vital services through
85 technology. The department shall develop criteria for awarding grants
86 pursuant to this subdivision, which may include, but not be limited to,
87 eligibility requirements and funding sources.

88 (c) The department, in consultation with telecommunications and
89 Internet service providers, shall contract with a third-party
90 organization to create and regularly update a detailed, geographic
91 information system (GIS) map, at the census tract level, displaying
92 levels of broadband service by connection speed and type of
93 technology used and integrating the maps with demographic
94 information to produce a comprehensive state-wide inventory and
95 mapping of existing broadband service and capability. The resulting
96 maps shall clearly convey the following information:

97 (1) Areas unserved by any broadband provider;

98 (2) Areas served by a single broadband provider;

99 (3) The location of towers used to transmit and receive broadband
100 signals;

101 (4) Average upstream and downstream transmission speeds at the
102 census tract group level of detail;

103 (5) Areas served by multiple broadband providers; and

104 (6) The types of technology used to provide broadband service.

105 (d) The data used to produce the maps shall be capable of being
106 integrated with demographic data from other sources, including, but
107 not limited to, population density and household income to allow for
108 the production of maps that measure, down to the census tract level of
109 detail, various characteristics of residents in areas receiving different

110 levels of broadband services and using different technologies.

111 (e) Any broadband provider supplying data to the department for
 112 the purposes of developing the state-wide technology initiative
 113 program and the geographic information system map pursuant to this
 114 section may request, before supplying such data, that the department
 115 treat such data as trade secrets or proprietary commercial or financial
 116 information pursuant to subparagraphs (A) and (B) of subdivision (5)
 117 of subsection (b) of section 1-210 of the general statutes. If the
 118 department determines that such data does not constitute a trade
 119 secret or proprietary commercial or financial information pursuant to
 120 subparagraphs (A) and (B) of subdivision (5) of subsection (b) of
 121 section 1-210 of the general statutes, nothing in this subsection shall be
 122 construed to require such provider to supply such data to the
 123 department.

124 (f) On or before January 1, 2010, and annually thereafter for five
 125 years, the department shall submit a report, in accordance with the
 126 provisions of section 11-4a of the general statutes, on the development
 127 of the state-wide technology initiative program and the geographic
 128 information system map prepared pursuant to this section to the joint
 129 standing committee of the General Assembly having cognizance of
 130 matters relating to energy."

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2009</i>	New section
Sec. 2	<i>October 1, 2009</i>	16-32
Sec. 3	<i>July 1, 2009</i>	New section