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## **OLR Bill Analysis**

### **sHB 6401**

#### ***AN ACT CONCERNING INTERCONNECTED VOICE OVER INTERNET PROTOCOL SERVICE AND INTERNET PROTOCOL-ENABLED SERVICE.***

#### **SUMMARY:**

This bill generally bars state agencies and political subdivisions from enacting, adopting, or enforcing any law or other provision having the force of law that regulates, or has the effect of regulating, the entry, rates, terms, or conditions of voice over Internet protocol (VOIP) and related services. VOIP service providers include companies such as Skype and Vonage. In addition, AT&T provides its U-Verse service using VOIP.

This prohibition does not apply to the exercise of existing agency authority in several areas, such as collecting fees for enhanced 9-1-1 service, telecommunications relay service (TRS) for the hearing impaired, and lifeline service (which subsidizes service for low-income customers). Nor does it affect the rights and duties of parties in the wholesale telecommunications market.

EFFECTIVE DATE: July 1, 2013

#### **AFFECTED SERVICES**

The bill covers two types of service. The first, "interconnected VOIP service," is one that:

1. enables real-time, two-way voice communications that originate or terminate from the user's location using Internet protocol or a successor protocol;
2. uses a broadband connection from the user's location; and
3. permits users generally to (a) receive calls that originate on the

public-switched telephone network and (b) terminate calls to the network.

The second, "Internet protocol-enabled service" is any service, capability, functionality, or application provided using Internet protocol or a successor protocol, other than interconnected VOIP service, that enables an end user to send or receive a communication in Internet protocol format or a successor format, regardless of whether the communication is voice, data, or video.

### **EXCEPTIONS**

The prohibition does not:

1. affect the attorney general's authority to enforce the Connecticut Unfair Trade Practices Act and other consumer protection laws of general applicability or
2. affect, mandate, or prohibit the (a) assessment of enhanced 9-1-1 fees, TRS fees, or lifeline service fees on VOIP services or (b) the Public Utility Regulatory Authority's (PURA) ability to establish a lifeline, TRS, emergency response plans, or universal service program.

The prohibition also does not modify or affect:

1. any entity's rights, duties, obligations, or authority under (a) federal telecommunications law, (b) any applicable tariff, or (c) any state law or order related to wholesale rights, duties, and obligations, including the rights, duties, and obligations of local exchange carriers to interconnect and exchange voice traffic;
2. PURA's enforcement and other power with regard to the above;
3. PURA's power to implement, carry out, and enforce these provisions, tariff, rights, duties, or obligations through arbitration or other available mechanisms and procedures; or
4. any duty or obligation concerning the provision of video or cable service by any entity under any applicable law or

regulation.

The prohibition does not affect the payment of switched network access rates or other intercarrier compensation rates, as applicable (e.g., the rates that one telecommunications company charges another for using its facilities).

**COMMITTEE ACTION**

Energy and Technology Committee

Joint Favorable Substitute

Yea 21 Nay 2 (03/07/2013)