AN ACT CONCERNING EQUITABLE ACCESS TO BROADBAND.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. (NEW) (Effective July 1, 2021) As used in this section:

1. "Broadband Internet access service" means a mass-market retail service by wire or radio that provides the capability to transmit data to and receive data from all or substantially all Internet endpoints, including any capabilities that are incidental to and enable the operation of the communications service, but excluding dial-up Internet access service;

2. "Broadband Internet access service provider" means any person or entity that provides broadband Internet access service through facilities occupying public highways or streets authorized by the Public Utilities Regulatory Authority, including through a certificate of public convenience and necessity, a certificate of video franchise authority, a certificate of cable franchise authority, or as a certified service provider.
telecommunications provider;

(3) "Content, applications and services" means all traffic transmitted to or from end users of a broadband Internet access service; and

(4) "End user" means any person or entity that uses a broadband Internet access service.

Sec. 2. (NEW) (Effective July 1, 2021) In carrying out the provisions of this act, the state agencies shall consider the extent to which their programs or policies provide for affordable, high-speed broadband Internet access service that is vital to the welfare and development of our society; will promote economic development in the state; will expand educational and employment opportunities for residents of the state; will improve access to telehealth services, as that term is defined in section 19a-906 of the general statutes; and will enhance the delivery of services by public, private and not-for-profit institutions and entities. Such programs and policies shall (1) ensure the universal availability and accessibility of high-speed broadband Internet access service to all residents and businesses in the state, (2) establish an advanced standard for broadband Internet access service that increases with consumer demand and technological developments, (3) ensure that broadband Internet access service is available and affordable on a nondiscriminatory basis for all segments of the state's population, regardless of income, race, ethnicity and religion, (4) study and create structures that allow partners and providers to successfully build and sustain broadband Internet access service infrastructure in all corners of the state, (5) ensure that state, municipal and private educational institutions have continual access to broadband Internet access service at all times for educational and learning purposes, (6) encourage existing and new broadband Internet access service providers to pilot and offer affordable services for residents, businesses and state and municipal governments, (7) create a regulatory environment that protects consumers and incentivizes innovation, competition and robust services from broadband Internet access service providers, and (8) invest in the development of a diverse broadband Internet access service
technology workforce by encouraging strong ties to the state's educational community to grow the talent pipeline.

Sec. 3. (NEW) (Effective July 1, 2021) (a) The Office of Policy and Management shall, in accordance with sections 4d-90 and 4-67p of the general statutes and in consultation with the Department of Energy and Environmental Protection, the Office of State Broadband, the Department of Economic and Community Development and other state agencies deemed appropriate by the Office of Policy and Management, develop a plan and reporting requirements to produce up-to-date maps of broadband availability and upload and download speeds in the state. Broadband Internet access service providers shall be consulted in the development of the plan and reporting requirements for producing and maintaining detailed and accurate broadband maps for the state. The Office of Policy and Management may employ outside consultants in the development of such maps.

(b) The Commissioner of Economic and Community Development shall make recommendations to the Office of Policy and Management, for inclusion in the joint report pursuant to subsection (c) of this section, concerning the needs of the business community and economic development.

(c) On or before January 31, 2022, the Office of Policy and Management, the Office of State Broadband and the Department of Energy and Environmental Protection shall jointly report to the Governor concerning the status of the plan described in subsection (a) of this section.

(d) The Commission for Educational Technology shall, in consultation with the Department of Education, the Office of State Broadband, the Office of Policy Management, the Connecticut State Colleges and Universities, the Office of Higher Education and the Department of Economic and Community Development, conduct an analysis on the availability of broadband Internet access service and learning devices for students in prekindergarten to grade twelve,
inclusive, and post-secondary education, including vocational and technical opportunities, in concert with and informed by state broadband mapping activities.

(e) On or before July 1, 2023, the Commission for Educational Technology shall submit a report to the Governor and the General Assembly. Such report shall provide the status of the analysis required pursuant to this section.

Sec. 4. (NEW) (Effective July 1, 2021) (a) On or before January 31, 2022, the Department of Energy and Environmental Protection shall, in consultation with the Office of State Broadband, the Department of Economic and Community Development, the Commission for Educational Technology and the Office of Policy and Management, establish a broadband Internet speed classification metric of (1) well served, (2) adequately served, and (3) underserved communities in the state to inform state policy, investment strategy and consumer awareness. Such Internet speed classification metrics shall include both upload and download speed metrics and other applicable standards, as determined by the Department of Energy and Environmental Protection, and shall be adjusted annually, as provided in subsection (c) of this section, as of the following October first and each subsequent October first.

(b) On or before January 31, 2022, and annually thereafter, the Department of Energy and Environmental Protection, in consultation with the Office of State Broadband, the Office of Policy and Management and the Department of Economic and Community Development, shall report on the broadband Internet speed classification metrics, described in subsection (a) of this section, and additional data sharing requirements developed in subsection (a) of section 3 of this act, to the Governor and the joint standing committee of the General Assembly having cognizance of matters relating to energy.

(c) On or before January 31, 2022, and annually thereafter, the Department of Energy and Environmental Protection, in consultation
with the Office of State Broadband, the Office of Policy and Management and the Department of Economic and Community Development shall report on the status and progress made towards a state-wide goal of attaining, on or before January 1, 2027, universal access to (1) broadband Internet download speeds averaging one gigabit per second, and (2) broadband Internet upload speeds averaging two hundred megabits per second to the Governor and the joint standing committee of the General Assembly having cognizance of matters relating to energy, until such time as said goal is met.

Sec. 5. (NEW) (Effective July 1, 2021) (a) Each broadband Internet access service provider shall maintain and make available to an Internet service account holder and to the owner of the serviced property, free of charge, records of the property's available broadband Internet upload and download speeds for the preceding twelve months of occupation.

(b) For any property, the property owner shall, at the time the property is publicly listed for sale or rent, disclose, upon request, the broadband Internet upload and download speeds for the preceding twelve months of occupation.

Sec. 6. Section 16-233 of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2021):

Each town, city, borough, or fire district and the Department of Transportation shall have the right to occupy and use for any purpose, including, but not limited to, the provision of broadband Internet access service by any town, city or borough to the public in such town, city or borough, either directly or through commercial arrangements with third-party entities, without payment therefor, one gain upon each public utility pole or in each underground communications duct system installed by a public service company within the limits of any such town, city, borough or district, provided, if a town, city or borough sells its right to occupy and use said gain to a private third-party company, such company shall pay any public utility pole administration or attachment fees applicable, notwithstanding the provisions of this
section. The location or relocation of any such gain shall be prescribed by the Public Utilities Regulatory Authority. Any such gain shall be reserved for use by the town, city, borough, or fire district and the Department of Transportation.

Sec. 7. Subdivision (4) of subsection (a) of section 7-536 of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2021):

(4) "Local capital improvement project" means a municipal capital expenditure project for any of the following purposes: (A) Road construction, renovation, repair or resurfacing, (B) sidewalk and pavement improvements, (C) construction, renovation, enlargement or repair of sewage treatment plants and sanitary or storm, water or sewer lines, including separation of lines, (D) public building construction other than schools, including renovation, repair, code compliance, energy conservation and fire safety projects, (E) construction, renovation, enlargement or repair of dams, bridges and flood control projects, (F) construction, renovation, enlargement or repair of water treatment or filtration plants and water mains, (G) construction, renovation or enlargement of solid waste facilities, (H) improvements to public parks, (I) the preparation and revision of local capital improvement plans projected for a period of not less than five years and so prepared as to show the general description, need and estimated cost of each individual capital improvement, (J) improvements to emergency communications systems and building security systems, including for schools, (K) public housing projects, including renovations and improvements and energy conservation and the development of additional housing, (L) renovations to or construction of veterans' memorial monuments, (M) thermal imaging systems, (N) bulky waste and landfill projects, (O) the preparation and revision of municipal plans of conservation and development adopted pursuant to section 8-23, provided such plans are endorsed by the legislative body of the municipality not more than one hundred eighty days after adoption by the commission, (P) acquisition of automatic external defibrillators, (Q) floodplain management and hazard mitigation activities, (R) on-board
oil refining systems consisting of a filtration canister and evaporation

canister that remove solid and liquid contaminants from lubricating oil,
(S) activities related to the planning and construction of a municipal
broadband network, provided the broadband Internet download speed
of the network shall be not less than [three hundred eighty-four
thousand bits per second] one gigabit per second and the broadband
Internet upload speed of the network shall be not less than two hundred
megabits per second, (T) establishment of bikeways and greenways, (U)
land acquisition, including for open space, and costs involved in making
land available for public uses, (V) acquisition of technology related to
implementation of the Department's common core state
standards, (W) technology upgrades, including for improvements to
expand public access to government information through electronic
portals and kiosks, (X) for the fiscal years ending June 30, 2013, and June
30, 2014, acquisition of snow removal equipment, capital expenditures
made to improve public safety, and capital expenditures made to
facilitate regional cooperation, and (Y) for hazardous tree removal or
trimming for nonutility-related hazardous branches, limbs and trees on
municipal property or within a municipal right-of-way. "Local capital
improvement project" means only capital expenditures and includes
repairs incident to reconstruction and renovation but does not include
ordinary repairs and maintenance of an ongoing nature. As used in this
subdivision, "floodplain management" and "hazard mitigation" have the
same meanings as provided in section 25-68j;

Sec. 8. Section 16-11 of the general statutes is repealed and the
following is substituted in lieu thereof (Effective July 1, 2021):

The Public Utilities Regulatory Authority shall, so far as is
practicable, keep fully informed as to the condition of the plant,
equipment and manner of operation of all public service companies and
broadband Internet access service providers in respect to their adequacy
and suitability to accomplish the duties imposed upon such companies
by law and in respect to their relation to the safety of the public and of
the employees of such companies. The authority may order such
reasonable improvements, repairs or alterations in such plant or
equipment, or such changes in the manner of operation, as may be reasonably necessary in the public interest. The general purposes of this section and sections 16-19, 16-25, 16-43 and 16-47, as amended by this act, are to assure to the state of Connecticut its full powers to regulate its public service companies and broadband Internet access service providers, to increase the powers of the Public Utilities Regulatory Authority and to promote local control of the public service companies and broadband Internet access service providers of this state, and said sections shall be so construed as to effectuate these purposes.

Sec. 9. Section 16-12 of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2021):

Any person or any town, city or borough may make complaint, in writing, to the Public Utilities Regulatory Authority, of any defects in any portion of the plant or equipment of any public service company, broadband Internet access service provider or electric supplier, or of the manner of operating such plant, by reason of which the public safety or the health or safety of employees is endangered; and, if he or it so requests, the name of the complainant shall not be divulged unless in the opinion of the authority the complaint is such that publicity is demanded.

Sec. 10. Section 16-16 of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2021):

Each public service company, broadband Internet access service provider and electric supplier subject to regulation by the Public Utilities Regulatory Authority shall, in the event of any accident attended with personal injury or involving public safety, which was or may have been connected with or due to the operation of its or his property, or caused by contact with the wires of any public service company, broadband Internet access service provider or electric supplier, notify the authority thereof, by telephone or otherwise, as soon as may be reasonably possible after the occurrence of such accident, unless such accident is a minor accident, as defined by regulations of the
authority. Each such person, company, broadband Internet access service provider or electric supplier shall report such minor accidents to the authority in writing, in summary form, once each month. If notice of such accident, other than a minor accident, is given otherwise than in writing, it shall be confirmed in writing within five days after the occurrence of such accident. Any person, company, broadband Internet access service provider or electric supplier failing to comply with the provisions of this section shall be fined not more than five [hundred thousand] dollars for each offense.

Sec. 11. Section 16-47 of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2021):

(a) As used in this section and section 16-47a, (1) "holding company" means any corporation, association, partnership, trust or similar organization, or person which, either alone or in conjunction and pursuant to an arrangement or understanding with one or more other corporations, associations, partnerships, trusts or similar organizations, or persons, directly or indirectly, controls a gas, electric distribution, water, telephone or community antenna television company, certified telecommunications provider, certified competitive video service provider, certified video franchise authority provider or broadband Internet access service provider, and (2) "control" means the possession of the power to direct or cause the direction of the management and policies of a gas, electric distribution, water, telephone or community antenna television company, certified telecommunications provider, certified competitive video service provider, certified video franchise authority provider, broadband Internet access service provider or a holding company, whether through the ownership of its voting securities, the ability to effect a change in the composition of its board of directors or otherwise, provided, control shall not be deemed to arise solely from a revocable proxy or consent given to a person in response to a public proxy or consent solicitation made pursuant to and in accordance with the applicable rules and regulations of the Securities Exchange Act of 1934 unless a participant in said solicitation has announced an intention to effect a merger or consolidation with,
reorganization, or other business combination or extraordinary
transaction involving the gas, electric distribution, water, telephone or
community antenna television company, certified telecommunications
provider, certified competitive video service provider, certified video
franchise authority provider, broadband Internet access service
provider or the holding company. Control shall be presumed to exist if
a person directly or indirectly owns ten per cent or more of the voting
securities of a gas, electric distribution, water, telephone or community
antenna television company, certified telecommunications provider,
certified competitive video service provider, certified video franchise
authority provider, broadband Internet access service provider or a
holding company, provided the authority may determine, after
conducting a hearing, that said presumption of control has been
rebutted by a showing that such ownership does not in fact confer
control.

(b) No gas, electric distribution, water, telephone or community
antenna television company, certified telecommunications provider,
certified competitive video service provider, certified video franchise
authority provider, broadband Internet access service provider, or a
holding company, or any official, board or commission purporting to
act under any governmental authority other than that of this state or of
its divisions, municipal corporations or courts, shall interfere or attempt
to interfere with or, directly or indirectly, exercise or attempt to exercise
authority or control over any gas, electric distribution, water, telephone
or community antenna television company, certified telecommunications provider, certified competitive video service provider, certified video franchise authority provider or broadband
Internet access service provider engaged in the business of supplying
service within this state, or with or over any holding company doing the
principal part of its business within this state, without first making
written application to and obtaining the approval of the Public Utilities
Regulatory Authority, except as the United States may properly regulate
actual transactions in interstate commerce.

(c) No corporation, association, partnership, trust or similar
organization, or person shall take any action that causes it to become a holding company with control over a gas, electric distribution, water, telephone or community antenna television company, certified telecommunications provider, certified competitive video service provider, certified video franchise authority provider or broadband Internet access service provider engaged in the business of supplying service within this state, or acquire, directly or indirectly, control over such a holding company, or take any action that would if successful cause it to become or to acquire control over such a holding company, without first making written application to and obtaining the approval of the authority. Any such corporation, association, partnership, trust or similar organization, or person applying to the authority for such approval shall pay the reasonable expenses incurred by the authority in carrying out its duties under this subsection, and accordingly, shall deposit with the authority a bond, executed by a surety company authorized to do business in this state, in the amount of fifty thousand dollars, conditioned to indemnify the authority for such expenses.

(d) The Public Utilities Regulatory Authority shall investigate and hold a public hearing on the question of granting its approval with respect to any application made under subsection (b) or (c) of this section and thereafter may approve or disapprove any such application in whole or in part and upon such terms and conditions as it deems necessary or appropriate. In connection with its investigation, the authority may request the views of the gas, electric distribution, water, telephone or community antenna television company, certified telecommunications provider, certified competitive video service provider, certified video franchise authority provider, broadband Internet access service provider or holding company which is the subject of the application with respect to the proposed acquisition. After the filing of an application satisfying the requirements of such regulations as the authority may adopt in accordance with the provisions of chapter 54, but not later than thirty business days after the filing of such application, the authority shall give prompt notice of the public hearing to the person required to file the application and to the subject company
or holding company. Such hearing shall be commenced as promptly as practicable after the filing of the application, but not later than sixty business days after the filing, and the authority shall make its determination as soon as practicable, but not later than two hundred days after the filing of the application, provided it may, before the end of such period and upon notifying all parties and intervenors to the proceedings, extend the period by thirty days, provided that community antenna television companies, holders of a certificate of cable franchise authority and holders of a certificate of video franchise authority shall be determined by the authority within one hundred twenty days, or unless the person required to file the application agrees to an extension of time. The authority may, in its discretion, grant the subject company or holding company the opportunity to participate in the hearing by presenting evidence and oral and written argument. If the authority fails to give notice of its determination to hold a hearing, commence the hearing, or render its determination after the hearing within the time limits specified in this subdivision, the proposed acquisition shall be deemed approved. In each proceeding on a written application submitted under said subsection (b) or (c), the authority shall, in a manner which treats all parties to the proceeding on an equal basis, take into consideration (1) the financial, technological and managerial suitability and responsibility of the applicant, (2) the ability of the gas, electric distribution, water, telephone or community antenna television company, certified telecommunications provider, certified competitive video service provider, certified video franchise authority provider, broadband Internet access service provider or holding company which is the subject of the application to provide safe, adequate and reliable service to the public through the company's plant, equipment and manner of operation if the application were to be approved, and (3) for an application concerning a telephone company, the effect of approval on the location and accessibility of management and operations and on the proportion and number of state resident employees. The authority shall only grant its approval of an application filed on or after January 1, 2021, made under subsection (c) of this section, if the holding company effects a change in the composition of...
the board of directors to include a proportional percentage of Connecticut-based directors equivalent to the percentage that Connecticut service areas represent of the total service areas covered by the holding company.

(e) During any proceeding under subsection (b) or (c) of this section, the authority may order any party to such proceeding and the officers, directors, employees and agents of such party to refrain for a specific time period from communicating, directly or indirectly, with the record and beneficial owners of securities of the gas, electric distribution, water, telephone or community antenna television company, certified telecommunications provider, certified competitive video service provider, certified video franchise authority provider, broadband Internet access service provider or holding company which is the subject of such proceedings, in regard to the matters submitted to the authority for its approval under said subsection (b) or (c). If the authority issues such an order, it shall also order all other parties to the proceeding and the officers, directors, employees and agents of such parties to refrain for the same time period from communicating, directly or indirectly, with such record and beneficial owners of such securities, in regard to such matters. No order issued pursuant to this subsection shall prohibit any party from complying with disclosure and reporting obligations under any other provision of the general statutes or under federal law.

(f) Each holding company shall, not later than three months after the close of its fiscal year, annually, file with the authority a copy of its annual report to stockholders for such fiscal year. If the holding company does not print such an annual report, it shall file instead, not later than the same date, a comprehensive audit and report of its accounts and operations prepared by an independent public accounting firm approved by the authority. The provisions of this subsection shall not apply to any holding company in the form of a person.

(g) Any action contrary to the provisions of subsections (b) or (c) of this section shall be voidable on order of the authority.
(h) Whenever any corporation, association, partnership, trust or similar organization, or person takes or engages in any action which may or would violate subsection (b) or (c) of this section or any order adopted pursuant to said subsection (b) or (c), the Superior Court, upon application of the authority or any holding company or gas, electric distribution, water, telephone or community antenna television company, certified telecommunications provider, certified competitive video service provider, certified video franchise authority provider or broadband Internet access service provider affected by such action, may enjoin any such corporation, association, partnership, trust or similar organization, or person from continuing or doing any act in violation of said subsection (b) or (c) or may otherwise enforce compliance with said subsection (b) or (c), including but not limited to, the reinstatement of authority or control over the holding company or gas, electric distribution, water, telephone or community antenna television company, certified telecommunications provider, certified competitive video service provider, certified video franchise authority provider, broadband Internet access service provider or holding company to those persons who exercised authority or control over such company before such action.

(i) The provisions of this section shall not be construed to require any person to make written application to or obtain the approval of the authority with respect to any telephone company or holding company of a telephone company over which such person exercises authority or control or operates as a holding company on June 30, 1987.

Sec. 12. Section 16-49 of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2021):

(a) As used in this section:

(1) "Company" means (A) any public service company other than a telephone company, that had more than one hundred thousand dollars of gross revenues in the state in the calendar year preceding the assessment year under this section, except any such company not
providing service to retail customers in the state, (B) any telephone company that had more than one hundred thousand dollars of gross revenues in the state from telecommunications services in the calendar year preceding the assessment year under this section, except any such company not providing service to retail customers in the state, (C) any certified telecommunications provider that had more than one hundred thousand dollars of gross revenues in the state from telecommunications services in the calendar year preceding the assessment year under this section, except any such certified telecommunications provider not providing service to retail customers in the state, (D) any electric supplier that had more than one hundred thousand dollars of gross revenues in the state in the calendar year preceding the assessment year under this section, except any such supplier not providing electric generation services to retail customers in the state, [or] (E) any certified competitive video service provider issued a certificate of video franchise authority by the Public Utilities Regulatory Authority in accordance with section 16-331e that had more than one hundred thousand dollars of gross revenues in the state in the calendar year preceding the assessment year under this section, except any such certified competitive video service provider not providing service to retail customers in the state, or (F) any broadband Internet access service provider that had more than one hundred thousand dollars of gross revenues in the state from broadband Internet access services in the calendar year preceding the assessment year under this section;

(2) "Telecommunications services" means (A) in the case of telecommunications services provided by a telephone company, any service provided pursuant to a tariff approved by the authority other than wholesale services and resold access and interconnections services, and (B) in the case of telecommunications services provided by a certified telecommunications provider other than a telephone company, any service provided pursuant to a tariff approved by the authority and pursuant to a certificate of public convenience and necessity; and

(3) "Fiscal year" means the period beginning July first and ending
June thirtieth.

(b) On or before July 15, 1999, and on or before May first, annually thereafter, each company shall report its intrastate gross revenues of the preceding calendar year to the Public Utilities Regulatory Authority, which amount shall be subject to audit by the authority. For each fiscal year, each company shall pay the authority the company's share of all expenses of the department's Bureau of Energy and Technology, the Office of Consumer Counsel, the Office of Policy and Management's expenses related to the duties under sections 3 and 4 of this act, and the operations of the Public Utilities Regulatory Authority for such fiscal year. On or before September first, annually, the authority shall give to each company a statement which shall include: (1) The amount appropriated to the department's Bureau of Energy and Technology, the Office of Consumer Counsel, the Office of Policy and Management's expenses related to the duties under sections 3 and 4 of this act, and the operations of the Public Utilities Regulatory Authority for the fiscal year beginning July first of the same year; (2) the total gross revenues of all companies; and (3) the proposed assessment against the company for the fiscal year beginning on July first of the same year, adjusted to reflect the estimated payment required under subdivision (1) of subsection (c) of this section. Such proposed assessment shall be calculated by multiplying the company's percentage share of the total gross revenues as specified in subdivision (2) of this subsection by the total revenue appropriated to the department's Bureau of Energy and Technology, the Office of Consumer Counsel, the Office of Policy and Management's expenses related to the duties under sections 3 and 4 of this act, and the operations of the Public Utility Regulatory Authority, as specified in subdivision (1) of this subsection.

(c) Each company shall pay the authority: (1) On or before June thirtieth, annually, an estimated payment for the expenses of the following year equal to twenty-five per cent of its assessment for the fiscal year ending on such June thirtieth, (2) on or before September thirtieth, annually, twenty-five per cent of its proposed assessment, adjusted to reflect any credit or amount due under the recalculated
assessment for the preceding fiscal year, as determined by the authority under subsection (d) of this section, provided if the company files an objection in accordance with subsection (e) of this section, it may withhold the amount stated in its objection, and (3) on or before the following December thirty-first and March thirty-first, annually, the remaining fifty per cent of its proposed assessment in two equal installments.

(d) Immediately following the close of each fiscal year, the authority shall recalculate the proposed assessment of each company, based on the expenses, as determined by the Comptroller, of the department's Bureau of Energy and Technology, the Office of Consumer Counsel, the Office of Policy and Management's expenses related to the duties under sections 3 and 4 of this act, and the operations of the Public Utilities Regulatory Authority for such fiscal year. On or before September first, annually, the authority shall give to each company a statement showing the difference between its recalculated assessment and the amount previously paid by the company.

(e) Any company may object to a proposed or recalculated assessment by filing with the authority, not later than September fifteenth of the year of said assessment, a petition stating the amount of the proposed or recalculated assessment to which it objects and the grounds upon which it claims such assessment is excessive, erroneous, unlawful or invalid. After a company has filed a petition, the authority shall hold a hearing. After reviewing the company's petition and testimony, if any, the authority shall issue an order in accordance with its findings. The company shall pay the authority the amount indicated in the order not later than thirty days after the date of the order.

(f) The authority shall remit all payments received under this section to the State Treasurer for deposit in the Consumer Counsel and Public Utility Control Fund established under section 16-48a. Such funds shall be accounted for as expenses recovered from public service companies, broadband Internet access service providers and certified telecommunications providers. All payments made under this section
shall be in addition to any taxes payable to the state under chapters 211, 212, 212a and 219.

(g) Any assessment unpaid on the due date or any portion of an assessment withheld after the due date under subsection (c) of this section shall be subject to interest at the rate of one and one-fourth percent per month or fraction thereof, or fifty dollars, whichever is greater.

(h) Any company that fails to report in accordance with this section shall be subject to civil penalties in accordance with section 16-41.

Sec. 13. (NEW) (Effective July 1, 2021) (a) The Public Utilities Regulatory Authority shall receive, process and record consumer and business complaints for each broadband Internet access service provider.

(b) A broadband Internet access service provider shall implement a process for handling inquiries from the authority and customer inquiries, billing issues, service issues and other complaints. In the event an issue is not resolved through such process, a customer may request of the authority a confidential, nonbinding mediation with the broadband Internet access service provider, and a designated member of the authority staff shall serve as the mediator. If the mediation is unsuccessful, the customer may file a formal complaint with the authority. If the provider is found to be in noncompliance with any provision of this section, the authority shall order such provider to remedy such noncompliance within a reasonable period of time. Failure to comply may subject the provider to civil penalties under section 16-41 of the general statutes and injunctive relief under section 16-10 of the general statutes.

Sec. 14. (NEW) (Effective July 1, 2021) No broadband Internet access service provider shall (1) block, restrict or interfere with an end user's use of nonharmful devices, (2) interfere with an end user's ability to select a broadband Internet access service provider, or (3) deny a potential customer broadband Internet access service based on discriminatory financial terms, credit scores or arrearage on charges for
other services offered by the broadband Internet access service provider.

Sec. 15. (NEW) (Effective July 1, 2021) (a) Broadband Internet access service providers shall restore broadband Internet access service to such provider's customers within twenty-four hours after the restoration of electrical service following an electrical outage, unless the Public Utilities Regulatory Authority provides an extension of time due to the severity of a weather, or other catastrophic, event.

(b) Notwithstanding any other provision of the general statutes, each broadband Internet access service provider shall provide to any affected customer a credit or refund, on the balance of such customer's account, for any outage, continuous or intermittent, of broadband Internet access service that occurs for such customer for more than twenty-four consecutive hours, unless the outage was caused by such customer.

(c) Any broadband Internet access service provider with a service outage of more than twenty-four consecutive hours, not caused by the affected customer, shall file a report with the authority and the Office of State Broadband within fifteen days of such service outage.

(d) On or before December 31, 2021, the authority shall initiate a proceeding to investigate the resiliency of service and infrastructure provided by wireline cable, telecommunications and broadband Internet access service providers to ensure proper planning for the timely restoration of broadband Internet access services following electrical or other outages.

Sec. 16. (NEW) (Effective July 1, 2021) (a) At the time of initial activation of broadband Internet access service, and annually thereafter or upon request, each broadband Internet access service provider shall provide customers with a notice (1) listing all available options for broadband Internet access service, including upload and download speeds, (2) charges for each option of broadband Internet access service, (3) credit policies, including any finance charges or late payment charges, and (4) a description of network management practices related to an end user's usage of broadband Internet access service.
(b) Not less than thirty days prior to implementing any changes to (1) charges for broadband Internet access service or equipment use, (2) upload or download speeds, and (3) network management practices related to an end user's usage of broadband Internet access service, each broadband Internet access service provider shall inform the Public Utilities Regulatory Authority, the Department of Energy and Environmental Protection, the chairpersons of the joint standing committee of the General Assembly having cognizance of matters relating to energy, the Office of State Broadband and each customer within the affected service area.

Sec. 17. (NEW) (Effective July 1, 2021) On or before March 1, 2022, and annually thereafter, each broadband Internet access service provider shall file a report with the Public Utilities Regulatory Authority, the Department of Energy and Environmental Protection, the chairpersons of the joint standing committee of the General Assembly having cognizance of matters relating to energy, the Office of State Broadband and the Department of Economic and Community Development concerning its operations within the state, including availability of broadband Internet access service areas, broadband Internet upload and download speeds in each service area, service outages and other requirements as determined by the authority. The annual report shall be provided in a form designated by the authority, in consultation with the Department of Energy and Environmental Protection, the Department of Economic and Community Development and the Office of State Broadband.

Sec. 18. Section 16-331f of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2021):

[(a) The Public Utilities Regulatory Authority shall not require a certified competitive video service provider to comply with any facility build-out requirements or provide video service to any customer using any specific technology. The Public Utilities Regulatory Authority shall initiate a contested case proceeding, in accordance with the provisions of chapter 54, three years after the issuance of the certificate of video]
franchise authority to such provider to investigate the availability of the
certified competitive video service provider's video services and report
its findings to the joint standing committee of the General Assembly
having cognizance of matters relating to energy and technology.]

(a) On or before September 30, 2022, each certified competitive video
service provider shall submit an affidavit to the Public Utilities
Regulatory Authority, the Department of Energy and Environmental
Protection, the chairpersons of the joint standing committee of the
General Assembly having cognizance of matters relating to energy, the
Office of State Broadband and the Department of Economic and
Community Development certifying that the provider has facilities in
the public highways, streets or other public rights-of-way, in its service
areas, capable of providing video service, and all other services that the
provider offers, to each residential, governmental and commercial
address. Any such provider may consider the use of existing state
broadband assets to comply with this section.

(b) The authority shall not impose any provision regulating rates
charged by certified competitive video service providers for video
service, or impose any other requirements or conditions for video
service, except as set forth in sections 16-331e to 16-331o, inclusive.

[(c) The rights and responsibilities under section 16-333a regarding
service and wiring to multiunit residential buildings shall apply to a
certified competitive video service provider.]

(c) No certified competitive video service provider may assess a
contribution in aid of construction or any other charge to any potential
customer for the build out of any facilities in the public highways, streets
or other public rights-of-way.

(d) Upon failure to comply with subsection (a) or (c) of this section,
the authority may impose civil penalties pursuant to sections 16-41 and
16-331o and undertake a proceeding to revoke the certificate of video
franchise authority for substantial noncompliance pursuant to section
16-331o.
Sec. 19. Section 16-331q of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2021):

[(a) The Public Utilities Regulatory Authority shall not require a company issued a certificate of cable franchise authority to comply with any facility build-out requirements or provide community antenna television service or video service to any customer using any specific technology.]

(a) On or before September 30, 2022, each holder of a certificate of cable franchise authority shall submit an affidavit to the Public Utilities Regulatory Authority, the Department of Energy and Environmental Protection, the chairpersons of the joint standing committee of the General Assembly having cognizance of matters relating to energy, the Office of State Broadband and the Department of Economic and Community Development certifying that the provider has facilities in the public highways, streets or other public rights-of-way, in its service areas, capable of providing video service, and all other services that the provider offers, to each residential, governmental and commercial address. Any such provider may consider the use of existing state broadband assets to comply with this section.

(b) No holder of a certificate of cable franchise authority may assess a contribution in aid of construction or any other charge to any potential customer for the build out of any facilities in the public highways, streets or other public rights-of-way.

(c) Upon failure to comply with subsection (a) or (b) of this section, the authority may impose civil penalties pursuant to sections 16-41 and 16-331aa and undertake a proceeding to revoke the certificate of cable franchise authority for substantial noncompliance pursuant to section 16-331aa.

[(b)] (d) The Public Utilities Regulatory Authority shall not impose any provision regulating rates charged by a community antenna television company holding a certificate of cable franchise authority, except as set forth in federal law.
Sec. 20. (NEW) (Effective July 1, 2021) (a) As used in this section:

(1) "Make-ready" means the modification or replacement of a public utility pole, or of the lines or equipment on the public utility pole, to accommodate additional facilities on the pole; and

(2) "One-touch make-ready" means make-ready in which the person attaching new equipment to a public utility pole performs all of the make-ready work.

(b) On or before January 31, 2022, the Public Utilities Regulatory Authority shall develop a process in an uncontested proceeding for the construction of facilities in the public highways, streets or other public rights-of-way to ensure timely and nondiscriminatory procedures that accomplish public utility pole attachments and conduit excavations for telecommunications service providers and broadband Internet access service providers.

(c) On or before January 31, 2022, the authority shall develop a one-touch make-ready process in an uncontested proceeding for attachments of telecommunications service and broadband Internet access service facilities on public utility poles to be implemented by the owners of such public utility poles.

(d) On or before January 1, 2022, the authority shall submit a report to the joint standing committee of the General Assembly having cognizance of matters relating to energy, the Office of State Broadband, the Department of Energy and Environmental Protection, the Department of Economic and Community Development and the Department of Transportation. Such report shall include the authority's fully developed one-touch make-ready process.

(e) Upon application by the Internet access service providers for the construction of underground facilities that will contain conduit for telecommunications service providers or broadband Internet access service providers, the authority shall condition any approval of such application on the following conditions:
(1) The size of such conduit must be consistent with industry best practices and sufficient to accommodate potential demand;

(2) Any handholes and manholes for fiber optic cable access and pulling with respect to each such practice are placed at intervals consistent with industry best practices;

(3) Such conduit shall be installed with a pull tape and capabilities of supporting additional fiber optic cable;

(4) The applicant shall notify telecommunications service providers and broadband Internet access service providers of the proposed excavation to reduce the potential for future street excavations in the same location;

(5) Any requesting telecommunications service provider or broadband Internet access service provider shall be able to access such conduit on a competitively neutral and nondiscriminatory basis and for a charge not to exceed a cost-based rate; and

(6) The applicant shall report to the authority upon completion of any approved construction verifying that it has complied with the provisions of this subsection.

(f) For excavations in the state highway rights-of-way, the applicant shall comply with the Department of Transportation's encroachment permit process, including the payment of any applicable fees. Any application for construction in the public highways, streets or other public rights-of-way shall require the applicant to install a conduit for the benefit of the Department of Transportation, as required by section 16-233 of the general statutes, as amended by this act.

(g) The Commissioner of Transportation is authorized to lease space, or enter into any other contract or agreement to permit access to such space, in any conduit installed by the Department of Transportation in the public highways, streets or other public rights-of-way on such terms and conditions, and for any purpose, deemed to be in the public interest.
by said commissioner.

(h) Nothing herein shall be construed to limit the use of conduit by the Department of Transportation on public highways, streets or other public rights-of-way as otherwise permitted by law.

(i) Any applicant for a public utility pole attachment license made to the owner or custodian of a public utility pole shall be granted a temporary license within thirty days of submitting a complete license application and a permanent license within ninety days of submitting a complete license application.

(j) The authority shall establish an expedited dispute resolution process to address any issues that may arise between an individual attaching telecommunications service or broadband Internet access service facilities on a public utility pole and the owner or custodian of such pole.

(k) All public service companies, as defined by section 16-1 of the general statutes, and other persons that are authorized by the authority to install facilities in, under or over the public highways, streets or other public rights-of-way shall obey, observe and comply with this section and each applicable order made by the authority with respect to pole attachments and underground conduit. Failure to comply with this section or applicable orders of the authority may result in a fine up to one hundred thousand dollars for a wilful violation or up to fifty thousand dollars for any other violations. The authority shall impose any such civil penalty in accordance with the procedure established in section 16-41 of the general statutes. Any such fines are not recoverable costs in any rate proceeding conducted by the authority.

Sec. 21. (NEW) (Effective July 1, 2021) Each broadband Internet access service provider shall have the same right of access to an occupied building, as defined in section 16-247l of the general statutes, as afforded to certified telecommunications service providers under section 16-247l of the general statutes.
Sec. 22. Section 16-247r of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2021):

No telephone company or certified telecommunications provider, as defined in section 16-1, or broadband Internet access service provider shall refuse to provide telecommunications services or broadband Internet access services to, or refuse to negotiate to provide such services to any customer because of age, race, creed, color, national origin, ancestry, sex, gender identity or expression, marital status, sexual orientation, lawful source of income, economic status, disability or familial status. No telephone company, [or] certified telecommunications provider or broadband Internet access service provider shall decline to provide telecommunications services or broadband Internet access services to a customer for the sole reason that the customer is located in an economically distressed geographic area or the customer qualifies for hardship status under section 16-262c, as amended by this act, or any other provision of federal or state law. No telephone company, [or] certified telecommunications provider or broadband Internet access service provider shall terminate or refuse to reinstate telecommunications services or broadband Internet access services except in accordance with the provisions of this title. An affected person may seek enforcement of this requirement by filing a complaint with the Public Utilities Regulatory Authority. A municipality within which the potential broadband Internet access service customer resides, or the Office of State Broadband, may be considered an affected person for purposes of this section.

Sec. 23. Subsection (a) of section 16-262c of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2021):

(a) Notwithstanding any other provision of the general statutes no electric distribution, gas, telephone or water company, no electric supplier or certified telecommunications provider, no broadband Internet access service provider and no municipal utility furnishing electric, gas, telephone or water service shall cause cessation of any such
service by reason of delinquency in payment for such service (1) on any Friday, Saturday, Sunday, legal holiday or day before any legal holiday, provided such a company, electric supplier, certified telecommunications provider, no broadband Internet access service provider or municipal utility may cause cessation of such service to a nonresidential account on a Friday which is not a legal holiday or the day before a legal holiday when the business offices of the company, electric supplier, certified telecommunications provider, no broadband Internet access service provider or municipal utility are open to the public the succeeding Saturday, (2) at any time during which the business offices of said company, electric supplier, certified telecommunications provider, no broadband Internet access service provider or municipal utility are not open to the public, or (3) within one hour before the closing of the business offices of said company, electric supplier or municipal utility.

Sec. 24. (NEW) (Effective July 1, 2021) The State Building Inspector and the Codes and Standards Committee shall, in accordance with section 29-252b of the general statutes, revise the State Building Code to include provisions requiring buildings that qualify as a new construction or a major alteration of a commercial or multifamily building to include a minimum infrastructure requirement to support broadband Internet access service. The State Building Inspector and the Codes and Standards Committee shall define such minimum infrastructure requirements in such revisions.

This act shall take effect as follows and shall amend the following sections:

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**Statement of Purpose:**
To implement the Governor's budget recommendations.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]