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Resolve, Directing the Public Utilities Commission To Study Existing Barriers to Digital Telephone Service Access in Rural Areas of the State

Preamble. **Whereas,** many rural communities are currently unable to access emerging technological advancements such as digital telephone service; and

Whereas, constricting the entry of new technologies into rural communities has had an adverse impact on local businesses as well as on individual users; and

Whereas, it is imperative that existing barriers to digital telephone service in rural areas of the State be examined and that solutions be proposed to remedy this problem; now, therefore, be it

Sec. 1 Review by Public Utilities Commission. Resolved: That the Public Utilities Commission shall examine the issues associated with access in rural communities to digital telephone services. In reviewing this issue, the commission shall:

1. Examine the federal laws relevant to access to digital telephone services, including, but not limited to, laws governing interconnection and rural exemptions imposed under 47 United States Code, Section 251 and section 252;
2. Identify existing barriers to access in rural communities to digital telephone services;
3. Determine the extent to which such barriers stem from federal law, state law or state rules; and
4. Develop a proposal to facilitate the provision of access to digital telephone service in rural areas of the State; and be it further

Sec. 2 Report. Resolved: That the Public Utilities Commission shall submit a report with respect to the study under section 1, including recommendations and any necessary implementing legislation, no later than January 15, 2009 to the joint standing committee of the Legislature having jurisdiction over utilities matters. After receipt and review of the report, the joint standing committee may submit legislation to the First Regular Session of the 124th Legislature.

SUMMARY

This resolve directs the Public Utilities Commission to examine the issues associated with access in rural communities to digital telephone services, to identify existing barriers to such access and to develop a proposal to facilitate the provision of access to digital telephone service in rural areas of the State. The Public Utilities Commission is directed to submit its report, together with its recommendations and any necessary implementing legislation, no later than January 15, 2009 to the joint standing committee of the Legislature having jurisdiction over utilities matters.