
HOUSE BILL 2958

State of Washington

55th Legislature

1998 Regular Session

By Representatives B. Thomas, Morris, Kessler, Wensman, Dunn,
D. Schmidt and Lisk

Read first time 01/23/98. Referred to Committee on Energy & Utilities.

1 AN ACT Relating to digital broadband internet access and transport
2 services; and amending RCW 80.36.370.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 80.36.370 and 1990 c 118 s 1 are each amended to read
5 as follows:

6 The commission shall not regulate the following:

7 (1) One-way or two-way broadcast or cable television transmission
8 of television or radio signals;

9 (2) Private telecommunications systems;

10 (3) Telegraph services;

11 (4) Any sale, lease, or use of customer premises equipment except
12 such equipment as is regulated on July 28, 1985;

13 (5) Private shared telecommunications services, unless the
14 commission finds, upon notice and investigation, that customers of such
15 services have no alternative access to local exchange
16 telecommunications companies. If the commission makes such a finding,
17 it may require the private shared telecommunications services provider
18 to make alternative facilities or conduit space available on reasonable
19 terms and conditions at reasonable prices;

1 (6) Radio communications services provided by a regulated
2 telecommunications company, except that when those services are the
3 only voice grade, local exchange telecommunications service available
4 to a customer of the company the commission may regulate the radio
5 communication service of that company; or

6 (7) Notwithstanding any other provision of this title, internet
7 services and digital broadband technologies.

8 For the purposes of this subsection (7):

9 (a) "Internet services" includes any and all services provisioned
10 through technologies that support the internet including, but not
11 limited to, packet/cell switched based technologies, transmission
12 control protocol/internet protocol (TCP/IP) based technologies, digital
13 subscriber loop (DSL), frame relay, asynchronous transfer mode (ATM),
14 and any other packet based or digital broadband technology. Internet
15 services also include access to the internet or offload and transport.

16 (b) "Digital broadband technologies" include, but are not limited
17 to, packet/cell switched based technologies, transmission control
18 protocol/internet protocol (TCP/IP) based technologies, digital
19 subscriber loop (DSL), frame relay, asynchronous transfer mode (ATM),
20 and any other packet based or digital broadband technology.

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