

# SENATE BILL REPORT

## SB 5670

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As of February 15, 2016

**Title:** An act relating to clarifying expenditures under the state universal communications services program.

**Brief Description:** Clarifying expenditures under the state universal communications services program.

**Sponsors:** Senators Braun, Chase, Kohl-Welles, Sheldon, Hatfield, Rivers, Bailey, Dansel, Ericksen, Becker and Hewitt.

**Brief History:**

**Committee Activity:** Energy, Environment & Telecommunications: 2/10/15.

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### SENATE COMMITTEE ON ENERGY, ENVIRONMENT & TELECOMMUNICATIONS

**Staff:** Jan Odano (786-7486)

**Background:** State Universal Service Program. In 2011 the Federal Communication Commission (FCC) approved a process to end the complex system of fees, surcharges, and subsidies that support rural telephone companies, and transitioned federal monies toward expanding broadband internet capability in underserved areas. To assist rural companies in this transition period, the Legislature established a temporary universal service program operated by the Washington Utilities and Transportation Commission (UTC). The program expires in July 2019.

The Universal Service Program is funded by legislative appropriations to the Universal Communications Services Account (Universal Services Account). The maximum amount appropriated each year cannot exceed \$5 million. A telephone company is eligible to receive distributions from the account if:

- the company has fewer than 40,000 access lines in the state;
- the company's customers are at risk of rate instability or service interruptions absent distributions to the company; and
- the company meets any other criteria established by the UTC.

Distributions from the Universal Services Account are made according to a formula developed by the UTC. The first round of distributions occurred in fiscal year 2015 and

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totaled \$3.3 million. Future distributions will increase annually. By the fourth year, the amount projected to be distributed will exceed the \$5 million annual cap.

**Summary of Bill:** The bill as referred to committee not considered.

**Summary of Bill (Proposed First Substitute):** Allowing Unspent Funds in the Universal Services Account to be Carried Over to Subsequent Years. If less than \$5 million is spent from the Universal Services Account in any fiscal year, the unspent portion must be carried over to subsequent fiscal years. Any money carried over is in addition to the \$5 million allotted for any subsequent year.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Committee/Commission/Task Force Created:** No.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Staff Summary of Public Testimony:** PRO: The state universal service program was a complex deal to help small, rural telephone companies. The annual \$5 million appropriations are not fully being distributed, so this bill makes sure the companies get the full appropriated amount. The universal service distributions are needed to offset the deficits created by declining federal assistance. The money is not used for planning but to meet direct, immediate needs.

**Persons Testifying:** PRO: Senator Braun, prime sponsor; Dale Merten, ToledoTel.