

ESHB 1336 - S AMD TO ENET COMM AMD (S-2328.2/21) 806
By Senator Wellman

ADOPTED 04/11/2021

1 On page 4, line 22, after "district" strike "is encouraged to
2 examine and" and insert "must"

3 On page 4, line 23, after "body" insert "and to the state
4 broadband office"

5 On page 4, line 30, after "unserved" strike "or underserved"

6 On page 4, at the beginning of line 35, strike "and"

7 On page 4, line 38, after "43.330.536" insert ";

8 (f) Sources of funding for the project that will supplement any
9 grant or loan awards; and

10 (g) A strategic plan to maintain long-term operation of the
11 infrastructure, and the expected installation charges and monthly
12 costs for end users"

13 On page 5, beginning on line 1, after "(2)" strike all material
14 through "upload." on line 4 and insert "The state broadband office
15 must post a review of the proposed project on their website.

16 (3) For the purposes of this section, "unserved" means an area of
17 Washington in which households and businesses lack access to
18 broadband service at a minimum 100 megabits per second download speed
19 and at a minimum 20 megabits per second upload speed."

20 On page 6, beginning on line 25, after "(2)" strike all material
21 through "RCW 80.04.010." on line 26 and insert "(a) Before providing
22 telecommunications services pursuant to subsection (1) of this
23 section, a town must examine and report to its governing body and to
24 the state broadband office the following about the area to be served
25 by the town:

26 (i) An assessment of the current availability of broadband
27 infrastructure and its adequacy to provide high-speed internet access
28 and other advanced telecommunications services to end users;

1 (ii) The location of where retail telecommunications services
2 will be provided;

3 (iii) Evidence relating to the unserved nature of the community
4 in which retail telecommunications services will be provided;

5 (iv) Expected costs of providing retail telecommunications
6 services to customers to be served by the town;

7 (v) Evidence that proposed telecommunications infrastructure will
8 be capable of scaling to greater download and upload speeds to meet
9 state broadband goals under RCW 43.330.536;

10 (vi) Sources of funding for the project that will supplement any
11 grant or loan awards; and

12 (vii) A strategic plan to maintain long-term operation of the
13 infrastructure, and the expected installation charges and monthly
14 costs for end users.

15 (b) The state broadband office must post a review of the proposed
16 project on its website.

17 (3) For purposes of this section:

18 (a) "Telecommunications" has the same meaning as defined in RCW
19 80.04.010.

20 (b) "Unserved" means an area of Washington in which households
21 and businesses lack access to broadband service at a minimum 100
22 megabits per second download speed and at a minimum 20 megabits per
23 second upload speed."

24 On page 6, beginning on line 37, after "(2)" strike all material
25 through "RCW 80.04.010." on line 38 and insert "(a) Before providing
26 telecommunications services pursuant to subsection (1) of this
27 section, a second-class city must examine and report to its governing
28 body and to the state broadband office the following about the area
29 to be served by the second-class city:

30 (i) An assessment of the current availability of broadband
31 infrastructure and its adequacy to provide high-speed internet access
32 and other advanced telecommunications services to end users;

33 (ii) The location of where retail telecommunications services
34 will be provided;

35 (iii) Evidence relating to the unserved nature of the community
36 in which retail telecommunications services will be provided;

37 (iv) Expected costs of providing retail telecommunications
38 services to customers to be served by the second-class city;

1 (v) Evidence that proposed telecommunications infrastructure will
2 be capable of scaling to greater download and upload speeds to meet
3 state broadband goals under RCW 43.330.536;

4 (vi) Sources of funding for the project that will supplement any
5 grant or loan awards; and

6 (vii) A strategic plan to maintain long-term operation of the
7 infrastructure, and the expected installation charges and monthly
8 costs for end users.

9 (b) The state broadband office must post a review of the proposed
10 project on its website.

11 (3) For purposes of this section:

12 (a) "Telecommunications" has the same meaning as defined in RCW
13 80.04.010.

14 (b) "Unserved" means an area of Washington in which households
15 and businesses lack access to broadband service at a minimum 100
16 megabits per second download speed and at a minimum 20 megabits per
17 second upload speed."

18 On page 7, beginning on line 10, after "(2)" strike all material
19 through "RCW 80.04.010." on line 11 and insert "(a) Before providing
20 telecommunications services pursuant to subsection (1) of this
21 section, a county must examine and report to its governing body and
22 to the state broadband office the following about the area to be
23 served by the county:

24 (i) An assessment of the current availability of broadband
25 infrastructure and its adequacy to provide high-speed internet access
26 and other advanced telecommunications services to end users;

27 (ii) The location of where retail telecommunications services
28 will be provided;

29 (iii) Evidence relating to the unserved nature of the community
30 in which retail telecommunications services will be provided;

31 (iv) Expected costs of providing retail telecommunications
32 services to customers to be served by the county;

33 (v) Evidence that proposed telecommunications infrastructure will
34 be capable of scaling to greater download and upload speeds to meet
35 state broadband goals under RCW 43.330.536;

36 (vi) Sources of funding for the project that will supplement any
37 grant or loan awards; and

1 (vii) A strategic plan to maintain long-term operation of the
2 infrastructure, and the expected installation charges and monthly
3 costs for end users.

4 (b) The state broadband office must post a review of the proposed
5 project on its website.

6 (3) For purposes of this section:

7 (a) "Telecommunications" has the same meaning as defined in RCW
8 80.04.010.

9 (b) "Unserved" means an area of Washington in which households
10 and businesses lack access to broadband service at a minimum 100
11 megabits per second download speed and at a minimum 20 megabits per
12 second upload speed."

13 On page 9, line 37, after "district" strike "is encouraged to
14 examine and" and insert "must"

15 On page 9, line 37, after "body" insert "and to the state
16 broadband office"

17 On page 10, line 6, after "unserved" strike "or underserved"

18 On page 10, line 10, after "district;" strike "and"

19 On page 10, line 13, after "43.330.536" insert ";"

20 (f) Sources of funding for the project that will supplement any
21 grant or loan awards; and

22 (g) A strategic plan to maintain long-term operation of the
23 infrastructure, and the expected installation charges and monthly
24 costs for end users"

25 On page 10, beginning on line 14, after "(2)" strike all material
26 through "upload." on line 17 and insert "The state broadband office
27 must post a review of the proposed project on their website.

28 (3) For the purposes of this section, "unserved" means an area of
29 Washington in which households and businesses lack access to
30 broadband service at a minimum 100 megabits per second download speed
31 and at a minimum 20 megabits per second upload speed."

EFFECT: (1) Requires, rather than encourages, a public utility
district and port district to make specified findings and report to
its governing body before providing retail telecommunications
services.

(2) Requires a public utility district and port district to also report specified findings to the Statewide Broadband Office.

(3) Adds report requirements regarding sources of funding for the project that will supplement any grant or loan program, and a strategic plan to maintain long-term operation of the infrastructure, and the expected installation charges and monthly costs for end users.

(4) Requires the Statewide Broadband Office to post a review of the proposed project on its website.

(5) Removes the report requirement regarding evidence relating to the underserved nature of the community in which retail telecommunications services will be provided.

(6) Adds the requirement for a town, second-class city, and county to make specified findings and report to its governing body and the Statewide Broadband Office before providing retail telecommunications services.

(7) Redefines "unserved" as an area of Washington in which households and businesses lack access to broadband service at a minimum 100 megabits per second download speed and at a minimum 20 megabits per second upload rather than a census block in which no provider has the capacity to deliver internet access service at speeds of a minimum of 25 megabits download and three megabits upload.

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