

HOUSE BILL 1221

C5

7lr3173

By: **Delegates Gutierrez, Angel, Barron, Carr, Hill, C. Howard, Kelly, Kramer, McKay, A. Miller, Moon, Morales, Pena-Melnyk, Pendergrass, Robinson, Sanchez, Tarlau, M. Washington, Wilkins, and K. Young**

Introduced and read first time: February 10, 2017

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Public Utilities – Residential Copper Landline Replacement – Moratorium and**
3 **Study**

4 FOR the purpose of prohibiting a telephone company that provides certain service from
5 replacing certain copper landline service with certain other service, subject to an
6 exception; requiring the Public Service Commission to report to certain committees
7 of the General Assembly on or before a certain date; specifying the scope of a certain
8 provision of law; providing for the termination of this Act; and generally relating to
9 telephone service.

10 BY adding to

11 Article – Public Utilities

12 Section 8–207

13 Annotated Code of Maryland

14 (2010 Replacement Volume and 2016 Supplement)

15 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
16 That the Laws of Maryland read as follows:

17 **Article – Public Utilities**

18 **8–207.**

19 **(A) THIS SECTION APPLIES TO SERVICE THAT A TELEPHONE COMPANY**
20 **PROVIDES TO A RESIDENTIAL CUSTOMER.**

21 **(B) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, A**
22 **TELEPHONE COMPANY THAT PROVIDES LOCAL EXCHANGE ACCESS SERVICE USING**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 ITS OWN PLANT MAY NOT REPLACE A COPPER LANDLINE WITH OPTICAL FIBER
2 CABLE OR VOICE OVER INTERNET PROTOCOL.

3 (2) A TELEPHONE COMPANY MAY REPLACE A COPPER LANDLINE
4 WITH AN OPTICAL FIBER CABLE OR VOICE OVER INTERNET PROTOCOL IF A
5 CUSTOMER OR A GROUP OF CUSTOMERS SUBMITS WRITTEN APPROVAL OF THE
6 REPLACEMENT.

7 SECTION 2. AND BE IT FURTHER ENACTED, That, on or before December 1,
8 2021, the Public Service Commission shall report to the Senate Finance Committee and the
9 House Economic Matters Committee, in accordance with § 2-1246 of the State Government
10 Article, on its findings and recommendations regarding:

11 (1) a comparison of landline telephone service provided on copper line,
12 optical fiber cable, and Voice over Internet Protocol in terms of:

13 (i) network reliability;

14 (ii) regulatory oversight; and

15 (iii) customer health and safety considerations; and

16 (2) methods for ensuring that future removal and replacement of copper
17 landline occurs on a uniform basis across all geographic regions of the State.

18 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
19 October 1, 2017. It shall remain effective for a period of 5 years and, at the end of September
20 30, 2022, with no further action required by the General Assembly, this Act shall be
21 abrogated and of no further force and effect.