

HOUSE BILL 2474

By Calfee

AN ACT to amend Tennessee Code Annotated, Title 4; Title 7; Title 9; Title 65 and Title 67, relative to telecommunications.

WHEREAS, the General Assembly finds that access to high-speed broadband is a necessity and essential to participation in the economy, education, and civic life in this State; and

WHEREAS, closing gaps in broadband availability is a matter of deployment, affordability, and ensuring networks are resilient, are of high quality, and facilitate public safety; and

WHEREAS, because VoIP has replaced traditional voice telephone service for a large segment of the population, ensuring its reliability is in the public interest and consistent with public safety goals; and

WHEREAS, State regulators require unambiguous authority and a clear mandate to establish and enforce appropriate oversight and regulation of broadband and VoIP in order to meet the State's goals of universal, high-quality, and affordable access; now, therefore,

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. This act is known and may be cited as the "Broadband Resiliency, Public Safety, and Quality Act."

SECTION 2. Tennessee Code Annotated, Title 65, Chapter 1, Part 1, is amended by adding the following as a new section:

(a) As used in this section:

(1) "Broadband service" means a mass-market retail service that provides the capability to transmit data to and receive data from all or

substantially all internet endpoints, including capabilities that are incidental to, and enable the operation of, the communications service, but does not include dial-up service;

(2) "Internet service provider" means a person, business, or organization qualified to do business in this state that provides individuals, corporations, or other entities with the ability to connect to the internet with a broadband service; and

(3) "Voice over internet protocol" or "VoIP" means an interconnected service that:

(A) Enables real-time, two-way voice communications;

(B) Requires a broadband connection from the user's location;

(C) Requires internet protocol-compatible customer premises equipment (CPE); and

(D) Permits users generally to receive calls that originate on the public switched telephone network and to terminate calls to the public switched telephone network.

(b) The commission may exercise oversight in regards to broadband and VoIP service.

(c) The commission shall promulgate rules necessary to implement effective oversight of broadband and VoIP service in this state, including, but not limited to, rules that:

(1) Ensure the resiliency and reliability of broadband infrastructure and require internet service providers to submit information related to network reliability, including outage reporting;

(2) Ensure the public safety and adequacy of networks by exercising oversight of internet service providers' emergency preparedness and plans for post-emergency network restoration, including establishing minimum power back-up requirements and requiring all internet service providers to maintain networks sufficiently to ensure reliable and safe communications services; and

(3) Require internet service providers to report data on the deployment, availability, pricing, and adoption of VoIP and broadband service.

(d) The commission shall conduct evaluations and audits of facilities and infrastructure used to provide high-speed internet service and evaluate facilities and infrastructure in regards to areas of public safety, resiliency, broadband, and other items the commission deems relevant to achieving goals of resiliency, quality, and public safety in broadband service as well as the overall goals of universal access and affordability of broadband service.

(e) The commission shall annually report by January 1 to the members of the general assembly on progress towards achieving goals of resiliency, public safety, and quality of broadband and VoIP service.

SECTION 3. This act takes effect upon becoming a law, the public welfare requiring it.