

Approved: April 1, 2004
Date

Carl Dean Holmes

MINUTES OF THE HOUSE COMMITTEE ON UTILITIES.

The meeting was called to order by Chairman Carl D. Holmes at 9:11 a.m. on March 23, 2004 in Room 231-N of the Capitol.

All members were present except: Representative Eric Carter
Representative Jim Ward

Committee staff present: Mary Galligan, Legislative Research
Mary Torrence, Revisor of Statutes
Jo Cook, Administrative Assistant

Conferees appearing before the committee: none

Others attending: See Attached List

HR 6026 - Resolution requesting State Corporation Commission to take certain actions regarding high speed Internet service

Chairman Holmes opened the debate on **HR 6026**. Representative Sloan, chairman of the sub-committee, distributed and explained a balloon showing the changes agreed upon by the sub-committee (Attachment 1). The changes also include striking page 2, lines 1 through 9. Representative Sloan moved to adopt the balloon. Representative Reitz seconded the motion. The motion carried. Representative Sloan moved to recommend the adoption of HR 6026, as a substitute resolution, favorable for passage. Representative Reitz seconded the motion. The motion carried. Representative Sloan will carry the resolution.

Representative Kuether moved to approve the minutes of the February 23, February 24, March 4, March 5, March 9, March 10, March 11, March 12, and March 16 meetings. Representative Dillmore seconded the motion. The motion carried.

Discussion followed on the committee's work over the past two years, specifically the broadband issue and subsequent deployment following last year's debate. The Chairman announced that the committee may meet one more time.

The meeting adjourned at 9:29 a.m.

HOUSE UTILITIES COMMITTEE GUEST LIST

DATE: March 23, 2004

NAME	REPRESENTING
Tom Day	KCC
Ludy Shaw	Worldnet HC
Mike Reecht	AT&T
Jim Garbner	SBC
Coleen Mullen	Cox Communications
Kathy Damm	PIXIUS
SCOTT SCHNEIDER	GTBA
Megan Thompson	Shadow of Eric Carter
Judy Allen	SITA
Anne Spiess	KTIA
Mark Schweitzer	Westar

HOUSE RESOLUTION No. 6026

By Committee on Utilities

2-19

House
Committee on
Utilities
3-23-04
Attachment 1

9 A RESOLUTION requesting the State Corporation Commission to take
10 certain actions and make certain determinations regarding deployment
11 of high speed Internet service in the state of Kansas.
12

13 *Be it resolved by the House of Representatives of the State of Kan-*
14 *sas:* That the State Corporation Commission ("KCC"): (a) Is requested
15 to require each incumbent local exchange carrier ("ILEC") and any sub-
16 sidiaries to provide the KCC with accurate maps and such other infor-
17 mation required by the KCC to determine those areas of the state where
18 ILEC's and their subsidiaries provide, or will provide by January 1, 2006,
19 Internet service with both upstream transmission, from customer to pro-
20 vider, and downstream transmission, from provider to customer, of at
21 least 512 kilobits per second ("high speed Internet service"); (b) is re-
22 quested to require that such information include the technology or tech-
23 nologies (i.e., DSL, cable, wireless) used to provide high speed Internet
24 service; and (c) may maintain the confidentiality of such maps and infor-
25 mation at the request of the ILEC or subsidiary, except to the extent
26 necessary for the KCC to respond to the requests made in this resolution;
27 and

28 *Be it further resolved:* That the KCC is requested to determine by
29 September 1, 2004, those areas of the state, other than those determined
30 by the KCC under (a) above, where high speed Internet service is pro-
31 vided, or will be provided by January 1, 2006, by providers other than
32 ILEC's and their subsidiaries; and

33 *Be it further resolved:* That the KCC is requested to develop and
34 issue, not later than October 10, 2004, a request for information to iden-
35 tify responsible high speed Internet service providers willing to provide
36 access to such service for consumers in the areas of the state other than
37 those areas where the KCC determines there will be service by January
38 1, 2006 and, not later than December 1, 2004: (a) Identify the least ex-
39 pensive technological option offered by a responsible provider for each
40 unserved part of the state, as determined by the KCC; and (b) determine
41 what, if any, subsidy from the Kansas Universal Service Fund ("KUSF")
42 would be necessary for deployment of high speed Internet service in such
43 unserved areas, and

That the State Corporation Commission ("KCC") is requested to: (a) Request each provider of service for the transmission of two-way video or data messages (including any incumbent local exchange carrier, telecommunications carrier, cable provider, wireless provider or other carrier or provider) to provide the KCC with maps depicting those areas of the state where such provider provides, or will provide by January 1, 2006, Internet service with both upstream transmission, from customer to provider, and downstream transmission, from provider to customer, of at least 200 kilobits per second ("high speed Internet service"). Any such provider which provided maps to the Special Committee on Utilities in the 2003 interim shall be requested to provide only updates to such maps if available; (b) request that the providers provide information regarding the technology or technologies (i.e., DSL, cable modems, wireless technologies) used to provide high speed Internet service; (c) encourage each provider to submit information regarding those areas of the state where the provider provides, or will provide by January 1, 2006, Internet service with both upstream and downstream transmission of more than 200 kilobits per second; and (d) maintain the confidentiality of such maps and information at the request of the provider. To the extent necessary for the KCC to respond to the requests made in this resolution, the KCC may provide maps and information that identify only areas being provided with high speed Internet service, but not the identity of the provider; and