

MINUTES OF THE HOUSE COMMITTEE ON UTILITIES.

The meeting was called to order by Chairman Carl D. Holmes at 9:04 a.m. on January 22, 2003 in Room 526-S of the Capitol.

All members were present except: Representative Peggy Long

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

Conferees appearing before the committee: Randy Tomlin, SBC-Kansas
Bob Jayroe, SBC-Kansas
Ray Dixon, Highlands Livestock Service

Others attending: See Attached List

Chairman Holmes asked for bill introductions. Representative Sloan moved to introduce a committee bill amending the No-Call Act clarifying who can purchase the do-not-call list. Representative Dreher seconded the motion. The motion carried.

HB 2019 - State Corporation Commission prohibited from regulating high speed Internet access/broadband service

Chairman Holmes opened the hearing on **HB 2019**.

Randy Tomlin, President of SBC-Kansas, appeared in support of **HB 2019 (Attachment 1)**. Mr. Tomlin explained that this proposed legislation would spur investment, help the economy, and would not cost the state any money. He stated that this change was needed to provide equal and fair treatment to all providers of broadband service, allowing the marketplace to shape the future. Mr. Tomlin said the bill would not be harmful to competitors and that other states have passed similar legislation with no harm to competitors. He also stated the bill would do nothing to change how the state regulates local voice service.

Bob Jayroe, consultant for SBC-Kansas, spoke in favor of **HB 2019 (Attachment 2)**. Mr. Jayroe provided a diagram detailing the SBC Direct Service Line (DSL) Broadband architecture used by the company. He also explained the options available to Certified Local Exchange Carriers (CLEC) wanting to compete in the broadband arena.

Roy Dixon, owner of Highlands Livestock Services, addressed the committee in support of **HB 2019 (Attachment 3)**. Mr. Dixon stated that consumers and businesses needed the entitlement to choose who can best serve them and that competition is the key to providing broadband service to rural Kansas. He told the committee that companies that provide broadband should all be regulated the same.

Chairman Holmes asked that the changes requested in the bill be explained to the committee. Mr. Tomlin outlined those changes.

Mr. Tomlin, Mr. Jayroe, and Mr. Dixon responded to questions from the committee.

The meeting adjourned at 10:55 a.m.

The next meeting will be Thursday, January 23, 2003 at 9:00 a.m.