

# HOUSE BILL 987

C5  
HB 1069/07 – ECM

8lr0875

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By: **Delegates Taylor, Ali, Frick, Heller, Hucker, Montgomery, Reznik, and Vaughn**

Introduced and read first time: February 7, 2008

Assigned to: Economic Matters

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## A BILL ENTITLED

1 AN ACT concerning

2 **Public Service Commission – Broadband Internet Service**

3 FOR the purpose of requiring the Public Service Commission to adopt regulations  
4 requiring certain broadband providers to submit certain reports periodically to  
5 the Commission on the deployment of certain broadband Internet service to the  
6 public; specifying the required contents of the reports; requiring the  
7 Commission to publish the reports on the Commission’s website; defining  
8 certain terms; and generally relating to broadband Internet service in  
9 Maryland.

10 BY adding to  
11 Article – Public Utility Companies  
12 Section 5–107  
13 Annotated Code of Maryland  
14 (1998 Volume and 2007 Supplement)

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

17 **Article – Public Utility Companies**

18 **5–107.**

19 (A) (1) IN THIS SECTION THE FOLLOWING TERMS HAVE THE  
20 MEANINGS INDICATED.

21 (2) “**BROADBAND PROVIDER**” MEANS A PERSON WHO SELLS OR  
22 OTHERWISE PROVIDES BROADBAND SERVICE TO CUSTOMERS.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1           (3) (I) **“BROADBAND SERVICE” MEANS AN INTERNET SERVICE**  
2 **WHERE DATA TRANSMISSION SPEEDS EXCEED 768 KILOBITS PER SECOND**  
3 **(KBPS) IN AT LEAST ONE DIRECTION.**

4                   (II) **“BROADBAND SERVICE” INCLUDES:**

- 5                           1. **DIGITAL SUBSCRIBER LINE (DSL);**
- 6                           2. **CABLE MODEM;**
- 7                           3. **WIRELESS BROADBAND; AND**
- 8                           4. **BROADBAND OVER POWER LINES (BPL).**

9           (B) **THE COMMISSION SHALL ADOPT REGULATIONS THAT REQUIRE**  
10 **EACH BROADBAND PROVIDER TO SUBMIT A REPORT QUARTERLY TO THE**  
11 **COMMISSION ON THE DEPLOYMENT OF BROADBAND SERVICE TO THE PUBLIC**  
12 **THAT EXCEEDS 768 KBPS.**

13           (C) **THE REPORT SHALL:**

14                   (1) **IDENTIFY WHERE THE BROADBAND PROVIDER PROVIDES**  
15 **BROADBAND SERVICE TO CUSTOMERS IN THE BROADBAND PROVIDER’S SERVICE**  
16 **TERRITORY, BROKEN DOWN BY ZIP CODE PLUS 4;**

17                   (2) **STATE THE PERCENTAGE OF HOUSEHOLDS IN BROADBAND**  
18 **PROVIDER’S SERVICE TERRITORY, BROKEN DOWN BY ZIP CODE PLUS 4, THAT**  
19 **ARE OFFERED BROADBAND SERVICE BY THE PROVIDER AND THE PERCENTAGE**  
20 **OF HOUSEHOLDS THAT SUBSCRIBE TO THE PROVIDER’S BROADBAND SERVICE;**

21                   (3) **STATE THE UPLOAD AND DOWNLOAD DATA TRANSMISSION**  
22 **SPEEDS THAT ARE AVAILABLE TO CUSTOMERS IN THE BROADBAND PROVIDER’S**  
23 **SERVICE TERRITORY, BROKEN DOWN BY ZIP CODE PLUS 4;**

24                   (4) **STATE THE AVERAGE PRICE PER MEGABYTE OF DOWNLOAD**  
25 **AND UPLOAD DATA TRANSMISSION SPEEDS IN THE BROADBAND PROVIDER’S**  
26 **SERVICE TERRITORY, BROKEN DOWN BY ZIP CODE PLUS 4; AND**

27                   (5) **REPORT NEW SERVICES AND UPGRADES TO EXISTING**  
28 **BROADBAND SERVICES IN THE BROADBAND PROVIDER’S SERVICE TERRITORY,**  
29 **BROKEN DOWN BY ZIP CODE PLUS 4.**

30           (D) **THE COMMISSION SHALL PUBLISH EACH REPORT ON THE**  
31 **COMMISSION’S WEBSITE.**

1           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
2   October 1, 2008.