

TESTIMONY-TECH 2-AMORY PROCTOR.pdf

Uploaded by: Amory Proctor

Position: FAV

Amory Proctor-CWA

As a Maryland-based cable splicing technician and Local Union officer for nearly forty years, representing hundreds of technicians, I have witnessed a significant shift in how the telecommunications industry responds to major service disruptions. When hurricane-strength derechos struck Maryland in past years, technicians from across the state were mobilized immediately to restore service. At that time, regulated telecommunications providers were required to meet specific service restoration standards. Unfortunately, those obligations do not apply in the same way to broadband-based services today.

During the devastating 2017 and 2019 California wildfires, sparked by power lines and responsible for widespread destruction and loss of life, CWA technicians reported widespread wireless system failures. Power outages, fire damage, and network congestion disrupted communications overnight while many residents were asleep. Traditional copper landline customers often continued receiving alerts due to centralized backup power, while many VoIP and wireless customers lost service. In many areas, internet access was unavailable when it was needed most.

Competition has not solved these problems or closed the digital divide. Decades of state and federal deregulation have left policymakers and the public with limited tools to hold broadband and wireless providers accountable for outages, unreliable service, and poorly maintained infrastructure. When internet or phone service fails, does not deliver advertised speeds, or otherwise falls short, consumers have little meaningful recourse.

For these reasons, the legislature should establish Public Service Commission oversight of broadband providers to restore accountability and ensure a watchdog over network resiliency, public safety, and consumer protection.

PSC oversight is essential to guarantee reliable communications during emergencies, including access to 911 and public safety answering points, as well as state and local emergency information websites. The Commission should also establish clear backup power requirements for VoIP and wireless networks. Fiber, coaxial, and wireless systems all depend on consistent power; without adequate backup power in the network and at customer premises, these services will fail.

Like water and electricity, broadband has become essential to daily life. It is time to restore meaningful oversight and ensure Maryland residents receive the reliable communications services they deserve.

Thank you.

SB0605 – Public Service Commission – Broadband and

Uploaded by: Cecilia Plante

Position: FAV



TESTIMONY

SB0605 – Broadband and Voice Over Internet Protocol Service – Oversight (Broadband Accountability and Affordability Act)

Bill Sponsor: Senator M. Washington

Committee: Senate Finance

Organization Submitting: Maryland Legislative Coalition

Person Submitting: Aileen Alex, CoChair

Position: **FAVORABLE**

I am submitting this testimony in support of **SB0605** on behalf of the Maryland Legislative Coalition. We are an association of unpaid citizen advocates—individuals and grassroots groups in every district across the state—representing and supporting more than 30,000 Marylanders.

For me, broadband is no longer a luxury—it is a necessity. And families rely on it for education, healthcare, employment, and civic participation. Yet too many Marylanders, particularly in rural and underserved communities, continue to experience unreliable service, opaque pricing, or inadequate consumer protections. SB0605 brings broadband oversight in line with other essential utilities by ensuring that providers are held accountable for the quality and reliability of the services they deliver.

Specifically, SB0605 authorizes the Public Service Commission (PSC) to exercise oversight of broadband and voice over Internet protocol (VoIP) service, assess the adequacy of service plans offered by Internet service providers, and conduct evaluations or audits when needed. The PSC may also require remedial action if providers fail to meet standards or obligations.

SB0605 aligns with the mission of the Maryland Legislative Coalition. Our work centers on transparency, accountability, and equality. Ensuring that broadband providers meet clear standards—and that consumers have recourse when they do not—is consistent with those values and essential to building a more equitable digital future. For these reasons, we respectfully urge a **FAVORABLE** report on SB0605.

SB605_FAV.pdf

Uploaded by: Donna Edwards

Position: FAV



MARYLAND STATE & D.C. AFL-CIO

Affiliated with the National AFL-CIO

Donna S. Edwards
President

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SB 605 - Public Service Commission - Broadband and Voice Over Internet Protocol Service - Oversight (Broadband Accountability and Affordability Act)

Senate Finance Committee

February 26, 2026

SUPPORT

Donna S. Edwards

Maryland State and DC AFL-CIO

Madame Chair and members of the Committee, thank you for the opportunity to submit testimony in support of SB 605. On behalf of 700 affiliated unions, I offer the following comments.

SB 605 authorizes the Maryland Public Service Commission (PSC) to exercise oversight of broadband and Voice Over Internet Protocol (VoIP) service quality, require outage reporting, evaluate emergency preparedness plans, and mandate remedial actions if the PSC determines that the practices of an internet service provider are unjust, unreasonable, unsafe, improper, or inadequate.

Deregulation at the state and federal levels has eroded public oversight of telecommunications providers. Consumers have few meaningful protections, and internet service providers operate with limited accountability to the people who rely on them. Broadband is an essential infrastructure that connects people with work, education, healthcare, public safety, and more. Everyone uses the internet, and everyone depends on it to function reliably.

An important provision of the bill is the PSC's authority to establish backup power requirements for broadband, VoIP, and wireless networks. Communication services using fiber, coaxial cable, and wireless systems will fail without adequate backup power. Today, many wireless customers are left vulnerable during outages because providers are not required to maintain sufficient capacity. This oversight and reliability is especially needed during emergencies. When storms, floods, or other disasters hit, the public must have access to communications to stay informed and connected. However, Marylanders experience long outages with limited transparency and no recourse. SB 605 ensures that the PSC can assess whether providers are maintaining their networks, planning for



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emergencies, and restoring service quickly after disruptions. This is about public safety and consumer protection.

SB 605 brings accountability to this industry where it is much needed and ensures that residents, businesses, and first responders can rely on the communication systems they depend on every day.

For these reasons, we urge a favorable vote on SB 605.



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Testimony of Hooman Hedayati.pdf

Uploaded by: Hooman Hedayati

Position: FAV

February 24, 2026

Testimony of Hooman Hedayati

Senior Strategic Research Associate for Telecommunications Policy, Communications Workers of America, In Support of SB0605

Dear Chair Beidle and Members of the Committee:

On behalf of the Communications Workers of America (CWA), I respectfully urge a favorable report on SB0605. CWA is the nation's largest labor union representing telecommunications workers, including many here in Maryland.

Over the past several decades, deregulation at both the state and federal levels has significantly reduced oversight of telecommunications providers. As a result, consumers often lack meaningful protections, and internet service providers face limited accountability to their subscribers and the communities they serve. The effort to regulate broadband at the federal level has hit a wall, as the 6th Circuit Court of Appeals overturned the Biden FCC's reclassification of broadband as a common-carrier telecommunications service, and the Trump FCC refused to defend the rules and has since deleted them.

Broadband is a mature, dominant communications service. Voice over Internet Protocol (VoIP) has largely replaced traditional copper-based plain old telephone service. According to the most recent Federal Communications Commission data, only 15 percent of Maryland's wireline voice subscribers remain connected through Public Service Commission (PSC)-regulated switched access lines. That represents 114,000 regulated lines, compared to 643,000 unregulated interconnected VoIP connections. In addition, approximately 7.3 million mobile voice subscriptions in Maryland fall outside PSC jurisdiction.

As telecommunications providers accelerate the retirement of legacy copper networks,

Maryland faces a growing regulatory oversight gap. While we hope the federal government will reassert its oversight role, the current landscape leaves significant responsibilities unaddressed. In this environment, it is especially important for Maryland to establish clear regulatory authority over broadband and VoIP services to ensure reliability, consumer protection, and accountability.

Because the FCC has chosen to relinquish its authority over broadband, states cannot be preempted from establishing their own authority. Even if the federal government reasserts common carrier authority over broadband and VoIP, which we hope it does, states still have the authority to enforce their own telecom laws, as long as they do not conflict with federal rules. The Communications Act preserves the states' ability to impose "requirements necessary to preserve and advance universal service, protect the public safety and welfare, ensure the continued quality of telecommunications services, and safeguard the rights of consumers."

Sincerely,

Hooman Hedayati
Senior Strategic Research Associate for Telecommunications Policy
Communications Workers of America
501 3rd St NW
Washington, DC 20001
(202)434-1198

TESTIMONY-TECH 1-JEFF JENKINS.pdf

Uploaded by: Jeff Jenkins

Position: FAV

Jeff Jenkins-CWA

We are here to talk about broadband, which connects every one of us. I started as a service technician, then a cable splicer for Verizon, and retired with 25 years of service. Previously, I worked for MetroVision. I have performed installation and maintenance of coax, copper, and fiber networks.

I have three kinds of cables with me. This is a traditional copper wire used in regulated copper lines, coax used by cable providers, and fiber. When used for voice service, they all perform the same final function: connecting two people at the end of the line. But they do this via different technologies.

This is important because the copper wire is subject to state PSC oversight. If you face repeated outages and the provider is not responding to your concerns, you can file a complaint with the PSC to investigate. But if your voice service is via VoIP, the PSC does not have any authority to investigate the complaint and order corrective action.

During my career, I frequently heard from supervisors that we needed to respond to outage cases or tickets because the company needed to comply with PSC's service quality standards. Similarly, repairs to tickets were prioritized when the customer had filed a complaint with the PSC. This was not the case when responding to fiber tickets.

CWA members are the most highly-trained and experienced workforce in the broadband industry, with deep knowledge of deployment, maintenance, and customer support. We know the importance of a statewide agency with the authority to establish service quality standards, investigate broadband providers, respond to complaints, and ensure they have resilient infrastructure that will withstand disasters.

I support Maryland's legislative effort to promote public oversight of our communications networks in the digital age. We must ensure that networks are resilient and the voices of workers and consumers are heard.

SB605 Broadband Accountability and Affordability A

Uploaded by: Marceline White

Position: FAV



**SB605 Public Service Commission - Broadband and Voice Over Internet Protocol Service -
Oversight (Broadband Accountability and Affordability Act)
Position: FAV**

February 26, 2026

The Honorable Pam Beidle, Chair
Senate Finance Committee
3 East, Miller Senate Office Building
Annapolis, Maryland 21401
cc: Members, Senate Finance

Chair Beidle and Members of the Committee,

Economic Action Maryland Fund writes in strong support of SB605 which will place broadband and voice over internet protocol (VOIP) service under the jurisdiction of the Public Service Commission (PSC).

In 2023, Economic Action Maryland Fund released our report [Digital Equity and Justice in Maryland: Opportunities and Challenges](#) which included stakeholder interviews and focus groups in Central and rural Maryland. Several challenges to digital equity were identified including affordability, reliability, and digital literacy. These were seen as challenges in both urban and rural areas.

Older adults, children and adults with disabilities were identified as particularly vulnerable to digital inequities and specific resolutions to their unique challenges must be part of any solutions to address the digital divide.

In particular, residents of both Kent County and Baltimore City faced challenges related to broadband reliability. Today, access to broadband is critical in order to engage in public life, shop, connect with government and friends and loved ones. It is a necessity, not a luxury.

SB605 gives the PSC oversight of broadband and VOIP service and enables the PSC to write regulations related to affordability, reliability, as well as to require new reports from providers including emergency management. Enabling PSC oversight of providers and requiring new reporting increases transparency, provides clear authority, and establishes proceedings which the public can participate in.

For all these reasons, we support SB605 and urge a favorable report.

Best,

Marceline White
Executive Director

Economic Action (formerly the Maryland Consumer Rights Coalition) champions economic rights and housing justice through advocacy, research, consumer education, and direct service. Our 12,500 supporters include consumer advocates, practitioners, and low-income and working families throughout Maryland.

2209 Maryland Ave · Baltimore, MD 21218 | www.econaction.org
Marceline White · Marceline@EconAction.org | Jennifer Bevan-Dangel · Jennifer@EconAction.org

SB605_FinalReprint

Uploaded by: Senator Mary Washington

Position: FWA

SENATE BILL 605

C5, S1

6lr2445
CF 6lr1904

By: **Senator M. Washington**

Introduced and read first time: February 5, 2026

Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **Public Service Commission – Broadband and Voice Over Internet Protocol**
3 **Service – Oversight**
4 **(Broadband Accountability and Affordability Act)**

5 FOR the purpose of authorizing the Public Service Commission to exercise certain oversight
6 of broadband service and voice over Internet protocol service; altering the definition of
7 “public service company” to include certain Internet service providers and entities that
8 provide voice over Internet protocol services for certain provisions of law regarding the
9 costs and expenses of the Commission, the Strategic Energy Planning Office, and the
10 Office of People’s Counsel; requiring the
11 Commission to assess the adequacy of certain plans for each Internet service
12 provider; authorizing the Commission to conduct certain evaluations or audits and
13 require certain remedial action under certain circumstances; and generally relating
14 to broadband service and voice over Internet protocol service.

BY repealing and reenacting, with amendments,

Article – Public Utilities
Section 2–110 and 8–602
Annotated Code of Maryland
(2025 Replacement Volume and 2025 Supplement)

11 BY adding to
12 Article – Public Utilities
13 Section 5–107
14 Annotated Code of Maryland
15 (2025 Replacement Volume and 2025 Supplement)

16 BY repealing and reenacting, without amendments,
17 Article – Public Utilities
18 Section 8–601
19 Annotated Code of Maryland
20 (2025 Replacement Volume and 2025 Supplement)

21 ~~BY repealing and reenacting, with amendments,~~
22 ~~Article – Public Utilities~~
23 ~~Section 8–602~~
24 ~~Annotated Code of Maryland~~
25 ~~(2025 Replacement Volume and 2025 Supplement)~~

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

1 Article – Public Utilities

2-110.(a) In this section, “public service company” includes:(1) an electricity supplier and a gas supplier as those terms are defined in § 1-101 of this article;(2) AN INTERNET SERVICE PROVIDER, AS DEFINED IN § 5-107 OF THIS ARTICLE; AND(3) AN ENTITY THAT PROVIDES VOICE OVER INTERNET PROTOCOL SERVICES, AS DEFINED IN § 8-601 OF THIS ARTICLE.(b) (1) The costs and expenses of the Commission, the Strategic Energy Planning Office, and the Office of People’s Counsel shall be borne by the public service companies that are subject to the Commission’s jurisdiction.(2) The costs and expenses shall be assessed as provided in this section.(3) The Commission shall pay the money that it collects for the assessment under this section into the Public Utility Regulation Fund in the State Treasury established under § 2-110.1 of this subtitle to reimburse the State for the expenses of the Commission, the Strategic Energy Planning Office, and the Office of People’s Counsel.(c) (1) (i) Before each State fiscal year, the Chairman of the Commission shall estimate the Commission’s total costs and expenses, including:1. the compensation and expenses of the Commission, its officers, agents, and personnel;2. the cost of retirement contributions, Social Security, health insurance, and other benefits required to be paid by the State for the personnel of the Commission;3. all other maintenance and operation expenses of the Commission; and4. all other direct and indirect costs of the Commission.(ii) The estimate shall exclude the expenses associated with services performed by the Commission for which the Commission is reimbursed under this division.(iii) The estimate shall include, as provided by the Strategic Energy Planning Office:1. the compensation and expenses of the Strategic Energy Planning Office, its officers, agents, and personnel;2. the cost of retirement contributions, Social Security, health insurance, and other benefits required to be paid by the State for the personnel of the Strategic Energy Planning Office;3. all other maintenance and operation expenses of the Strategic Energy Planning Office; and4. all other direct and indirect costs of the Strategic Energy Planning Office.(iv) The estimate shall include, as provided by the Office of

People's Counsel:

1. the compensation and expenses of the Office of People's Counsel, its officers, agents, and personnel;

2. the cost of retirement contributions, Social Security, health insurance, and other benefits required to be paid by the State for the personnel of the Office of People's Counsel;

3. all other maintenance and operation expenses of the Office of People's Counsel; and

4. all other direct and indirect costs of the Office of People's Counsel.

(2) Based on the estimate, the Chairman shall determine the amount to be paid by each public service company.

(3) The Commission shall send a bill to each public service company on or before May 1 of each year.

(4) (i) The bill shall equal the product of:

1. the estimated total costs and expenses of the Commission, the Strategic Energy Planning Office, and the Office of People's Counsel during the next fiscal year; multiplied by

2. the ratio of the gross operating revenues for the public service company derived from intrastate utility and electricity supplier operations in the preceding calendar year, or other 12-month period as the Chairman determines, to the total of the gross operating revenues derived from intrastate utility and electricity supplier operations for all public service companies that are billed under this section over that period.

(ii) To the extent that the Commission requires an electric company to report the gross operating revenue derived from intrastate utility and electricity supplier operation in order to calculate the bill under subparagraph (i) of this paragraph, a small rural electric cooperative described in § 7-502(a) of this article may satisfy the requirement by submitting to the Commission an estimate made in accordance with a formula approved by the Commission from information that the small rural electric cooperative submits to the rural utilities service.

(5) The minimum bill for a public service company shall be \$10.

(6) The public service company:

(i) shall pay the bill on or before the next July 15; or

(ii) may elect to make partial payments on the 15th days of July, October, January, and April.

(7) A partial payment shall equal 25% of the bill and may not be less than \$10.

(8) During any State fiscal year, the Chairman may change the estimate of costs and expenses of the Commission, the estimate of costs and expenses of the Strategic Energy Planning Office, as changed by the Strategic Energy Planning Office, and the estimate of costs and expenses of the Office of People's Counsel, as changed by the People's Counsel.

(9) (i) If the estimate is changed, the Commission shall send a revised bill to each public service company that has elected to make partial payments.

(ii) The change shall be apportioned equally against the remaining payments for the fiscal year.

(10) (i) On or before September 15 of each year, the Chairman shall compute:

1. the actual costs and expenses of the Commission;
2. the actual costs and expenses of the Strategic Energy Planning Office, as provided by the Strategic Energy Planning Office for the preceding fiscal year; and
3. the actual costs and expenses of the Office of People's Counsel, as provided by the People's Counsel for the preceding fiscal year.

(ii) If the amounts collected are less than the actual costs and expenses of the Commission, the Strategic Energy Planning Office, and the Office of the People's Counsel, after deducting the amounts recovered under §§ 2-111(a) and 2-123 of this subtitle, on or before October 15, the Chairman shall send to any public service company that is affected a statement that shows the amount due.

(iii) If the amounts collected exceed the actual costs and expenses of the Commission, the Strategic Energy Planning Office, and the Office of the People's Counsel for the preceding fiscal year, the Commission shall deduct any excess retained funds from the appropriation for the next fiscal year before the Commission determines the amount to be paid by each public service company for the next fiscal year under paragraph (2) of this subsection.

(11) A public service company shall pay an amount due within 30 days after the statement is received.

(12) The total amount that may be charged to a public service company under this section for a State fiscal year may not exceed:

(i) 0.50% of the public service company's gross operating revenues derived from intrastate utility and electricity supplier operations in the preceding calendar year, or other 12-month period that the Chairman determines, for the costs and expenses of the Commission other than that of the Strategic Energy Planning Office and the Office of People's Counsel; plus

(ii) 0.074% of those revenues for the costs and expenses of the Strategic Energy Planning Office; plus

(iii) 0.074% of those revenues for the costs and expenses of the Office of People's Counsel.

(d) (1) Within 30 days after the Commission issues a bill under subsection (c) of this section, the party billed may request a hearing as to the amount of the bill.

(2) Any amount of a bill that is not paid within 30 days after the date of determination on a hearing or, if a hearing is not requested, on the date when payment is due, shall bear annual interest at a rate, not less than 6%, that the Commission sets by regulation.

2 **5-107.**

3 **(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS**
4 **INDICATED.**

5 **(2) (I) "BROADBAND SERVICE" MEANS A MASS-MARKET RETAIL**
6 **SERVICE THAT PROVIDES THE CAPABILITY TO TRANSMIT DATA TO AND RECEIVE**
7 **DATA FROM ALL OR SUBSTANTIALLY ALL INTERNET ENDPOINTS, INCLUDING ANY**
8 **CAPABILITIES THAT ARE INCIDENTAL TO AND ENABLE THE OPERATION OF**
9 **COMMUNICATIONS SERVICES PROVIDED BY A WIRELINE, FIXED WIRELESS, MOBILE**
10 **WIRELESS BROADBAND, OR SATELLITE SERVICE PROVIDER.**

11 **(II) "BROADBAND SERVICE" DOES NOT INCLUDE DIAL-UP**
12 **INTERNET SERVICE.**

13 **(3) "INTERNET SERVICE PROVIDER" MEANS AN ENTITY THAT**
14 **PROVIDES BROADBAND SERVICE TO A CUSTOMER IN THE STATE.**

15 **(4) “VOICE OVER INTERNET PROTOCOL SERVICE” OR “VOIP**
16 **SERVICE” HAS THE MEANING STATED IN § 8-601 OF THIS ARTICLE.**

17 **(B) THE COMMISSION MAY EXERCISE OVERSIGHT OF BROADBAND SERVICE**
18 **AND VOIP SERVICE.**

19 **(C) THE COMMISSION SHALL ADOPT REGULATIONS TO IMPLEMENT**
20 **EFFECTIVE OVERSIGHT OF THE QUALITY, RELIABILITY, AND RESILIENCE OF**
21 **BROADBAND SERVICE AND VOIP SERVICE, INCLUDING:**

22 **(1) ESTABLISHING STANDARDS TO ENSURE THE RESILIENCE AND**
23 **RELIABILITY OF BROADBAND INFRASTRUCTURE;**

24 **(2) REQUIRING EACH INTERNET SERVICE PROVIDER TO:**

25 **(i) SUBMIT INFORMATION RELATING TO NETWORK**
26 **RELIABILITY, INCLUDING REPORTING OUTAGES;**

27 **(ii) MAINTAIN NETWORKS SUFFICIENTLY IN ORDER TO ENSURE**
28 **RELIABLE, SAFE, AND ADEQUATE SERVICES;**

29 **(iii) REPORT DATA ON THE AVAILABILITY, DEPLOYMENT,**
30 **PRICING, AND ADOPTION OF BROADBAND SERVICES AND VOIP SERVICES; AND**

3 REPRINT OF SENATE BILL 605 as amended by SB0605/523026/1 02/26/26 at 9:52 AM

1 (IV) SUBMIT TO THE COMMISSION THE PROVIDER'S PLANS FOR
2 EMERGENCY PREPAREDNESS AND POSTEMERGENCY NETWORK RESTORATION;

3 (3) ESTABLISHING A SYSTEM FOR ASSESSING THE ADEQUACY OF
4 INTERNET SERVICE PROVIDERS' PLANS FOR EMERGENCY PREPAREDNESS AND
5 POSTEMERGENCY NETWORK RESTORATION; AND

6 (4) ESTABLISHING MINIMUM REQUIREMENTS FOR BACKUP POWER
7 GENERATION.

8 (D) THE COMMISSION SHALL ASSESS THE ADEQUACY OF EACH INTERNET
9 SERVICE PROVIDER'S PLAN FOR EMERGENCY PREPAREDNESS AND
10 POSTEMERGENCY NETWORK RESTORATION IN ACCORDANCE WITH REGULATIONS
11 ADOPTED UNDER THIS SECTION.

12 (E) (1) ON RECEIPT OF A COMPLAINT FROM A CUSTOMER OR BASED ON
13 DATA COLLECTED FROM PROVIDERS, THE COMMISSION MAY CONDUCT AN
14 EVALUATION OR AUDIT OF AN INTERNET SERVICE PROVIDER'S FACILITIES AND
15 INFRASTRUCTURE TO ASSESS SERVICE QUALITY, PUBLIC SAFETY CONCERNS, OR
16 NETWORK RESILIENCE.

17 (2) THE COMMISSION MAY HOLD A HEARING AS PART OF THE
18 EVALUATION OR AUDIT AUTHORIZED UNDER PARAGRAPH (1) OF THIS SUBSECTION.

19 (3) IF THE COMMISSION DETERMINES THAT THE PRACTICES,
20 FACILITIES, OR SERVICES OF AN INTERNET SERVICE PROVIDER ARE UNJUST,
21 UNREASONABLE, UNSAFE, IMPROPER, OR INADEQUATE TO ENSURE NETWORK
22 RELIABILITY, RESILIENCE, AND PUBLIC SAFETY IN ACCORDANCE WITH THE
23 STANDARDS ESTABLISHED UNDER SUBSECTION (C) OF THIS SECTION, THE
24 COMMISSION MAY REQUIRE THE PROVIDER TO UNDERTAKE REMEDIAL ACTIONS.

25 (F) ON OR BEFORE JANUARY 1, 2028, AND EACH JANUARY 1 THEREAFTER,
26 THE COMMISSION SHALL REPORT TO THE GENERAL ASSEMBLY, IN ACCORDANCE
27 WITH § 2-1257 OF THE STATE GOVERNMENT ARTICLE, ON PROGRESS MADE
28 TOWARD IMPROVING SERVICE QUALITY, PUBLIC SAFETY, AND NETWORK
29 RESILIENCE.

30 (G) (1) NOTHING IN THIS SECTION MAY BE CONSTRUED TO LIMIT ANY
31 RIGHT OR AUTHORITY GRANTED TO THE OFFICE OF STATEWIDE BROADBAND
32 UNDER TITLE 6.5 OF THE HOUSING AND COMMUNITY DEVELOPMENT ARTICLE.

4 REPRINT OF SENATE BILL 605 as amended by SB0605/523026/1 02/26/26 at 9:52 AM

1 (2) THE COMMISSION MAY COORDINATE WITH THE OFFICE OF
2 STATEWIDE BROADBAND WHEN COLLECTING DATA TO CARRY OUT THE PROVISIONS
3 OF THIS SECTION.

4 8-601.

5 In this subtitle:

6 (1) "voice over Internet protocol service" or "VoIP service" means any
7 service that:

8 (i) enables real-time two-way voice communications that originate
9 from or terminate to the subscriber end user's location requiring Internet protocol or any
10 successor protocol to Internet protocol; and

11 (ii) requires a broadband connection from the user's location; and

12 (2) "voice over Internet protocol service" or "VoIP service" includes any
13 such service that permits users generally to receive calls that originate on the public
14 switched telephone network and to terminate calls to the public switched telephone
15 network.

16 8-602.

17 (a) [The] EXCEPT AS PROVIDED IN § 5-107 OF THIS ARTICLE, THE
18 Commission does not have jurisdiction over the regulation of VoIP service, including the
19 imposition of regulatory fees, certification requirements, and the filing or approval of
20 tariffs.

21 (b) Nothing in this subtitle may be construed to:

22 (1) require or prohibit the assessment of 9-1-1 fees in accordance with §
23 1-310 of the Public Safety Article on VoIP;

24 (2) require or prohibit the assessment of fees for telecommunications relay
25 service under Title 3, Subtitle 8 of the State Finance and Procurement Article;

26 (3) require or prohibit the payment of any switched network access rates
27 or other intercarrier compensation rates that may be determined to apply;

28 (4) relieve a company that is otherwise subject to § 8-201 of this title of its
29 obligation to provide telephone lifeline service over local exchange access lines that are
30 subject to the Commission's jurisdiction;

31 (5) exempt VoIP service from generally applicable State and federal laws
32 relating to public safety, consumer protection, and unfair and deceptive trade practices, or

5 **REPRINT OF SENATE BILL 605 as amended by SB0605/523026/1 02/26/26 at 9:52 AM**

1 to exempt VoIP service from the authority of the Division of Consumer Protection in the
2 Office of the Attorney General; or

3 (6) remove the Commission's jurisdiction over circuit switched local
4 exchange access service.

5 (c) A company that moves a customer from a Commission-approved tariff service
6 to VoIP service shall notify the customer that the Commission does not have jurisdiction
7 over the regulation of VoIP service and that complaints about VoIP service may be filed
8 with the Division of Consumer Protection in the Office of the Attorney General.

9 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
10 October 1, 2026.

SB605_SponsorAmendment

Uploaded by: Senator Mary Washington

Position: FWA



SB0605/523026/1

AMENDMENTS
PREPARED
BY THE
DEPT. OF LEGISLATIVE
SERVICES

26 FEB 26
09:53:04

BY: Senator M. Washington
(To be offered in the Finance Committee)

AMENDMENTS TO SENATE BILL 605
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after “service;” insert “altering the definition of “public service company” to include certain Internet service providers and entities that provide voice over Internet protocol services for certain provisions of law regarding the costs and expenses of the Commission, the Strategic Energy Planning Office, and the Office of People’s Counsel;”; after line 10, insert:

“BY repealing and reenacting, with amendments,
Article – Public Utilities
Section 2–110 and 8–602
Annotated Code of Maryland
(2025 Replacement Volume and 2025 Supplement)”;

and strike in their entirety lines 21 through 25, inclusive.

AMENDMENT NO. 2

On page 2, after line 1, insert:

“2–110.

(a) In this section, “public service company” includes:

(1) an electricity supplier and a gas supplier as those terms are defined in § 1–101 of this article;

(2) AN INTERNET SERVICE PROVIDER, AS DEFINED IN § 5–107 OF THIS ARTICLE; AND

(3) AN ENTITY THAT PROVIDES VOICE OVER INTERNET PROTOCOL SERVICES, AS DEFINED IN § 8-601 OF THIS ARTICLE.

(b) (1) The costs and expenses of the Commission, the Strategic Energy Planning Office, and the Office of People's Counsel shall be borne by the public service companies that are subject to the Commission's jurisdiction.

(2) The costs and expenses shall be assessed as provided in this section.

(3) The Commission shall pay the money that it collects for the assessment under this section into the Public Utility Regulation Fund in the State Treasury established under § 2-110.1 of this subtitle to reimburse the State for the expenses of the Commission, the Strategic Energy Planning Office, and the Office of People's Counsel.

(c) (1) (i) Before each State fiscal year, the Chairman of the Commission shall estimate the Commission's total costs and expenses, including:

1. the compensation and expenses of the Commission, its officers, agents, and personnel;

2. the cost of retirement contributions, Social Security, health insurance, and other benefits required to be paid by the State for the personnel of the Commission;

3. all other maintenance and operation expenses of the Commission; and

4. all other direct and indirect costs of the Commission.

(ii) The estimate shall exclude the expenses associated with services performed by the Commission for which the Commission is reimbursed under this division.

(iii) The estimate shall include, as provided by the Strategic Energy Planning Office:

1. the compensation and expenses of the Strategic Energy Planning Office, its officers, agents, and personnel;

2. the cost of retirement contributions, Social Security, health insurance, and other benefits required to be paid by the State for the personnel of the Strategic Energy Planning Office;

3. all other maintenance and operation expenses of the Strategic Energy Planning Office; and

4. all other direct and indirect costs of the Strategic Energy Planning Office.

(iv) The estimate shall include, as provided by the Office of People's Counsel:

1. the compensation and expenses of the Office of People's Counsel, its officers, agents, and personnel;

2. the cost of retirement contributions, Social Security, health insurance, and other benefits required to be paid by the State for the personnel of the Office of People's Counsel;

3. all other maintenance and operation expenses of the Office of People's Counsel; and

4. all other direct and indirect costs of the Office of People's Counsel.

(2) Based on the estimate, the Chairman shall determine the amount to be paid by each public service company.

(3) The Commission shall send a bill to each public service company on or before May 1 of each year.

(4) (i) The bill shall equal the product of:

1. the estimated total costs and expenses of the Commission, the Strategic Energy Planning Office, and the Office of People’s Counsel during the next fiscal year; multiplied by

2. the ratio of the gross operating revenues for the public service company derived from intrastate utility and electricity supplier operations in the preceding calendar year, or other 12-month period as the Chairman determines, to the total of the gross operating revenues derived from intrastate utility and electricity supplier operations for all public service companies that are billed under this section over that period.

(ii) To the extent that the Commission requires an electric company to report the gross operating revenue derived from intrastate utility and electricity supplier operation in order to calculate the bill under subparagraph (i) of this paragraph, a small rural electric cooperative described in § 7-502(a) of this article may satisfy the requirement by submitting to the Commission an estimate made in accordance with a formula approved by the Commission from information that the small rural electric cooperative submits to the rural utilities service.

(5) The minimum bill for a public service company shall be \$10.

(6) The public service company:

(i) shall pay the bill on or before the next July 15; or

(ii) may elect to make partial payments on the 15th days of July, October, January, and April.

(7) A partial payment shall equal 25% of the bill and may not be less than \$10.

(8) During any State fiscal year, the Chairman may change the estimate of costs and expenses of the Commission, the estimate of costs and expenses of the Strategic Energy Planning Office, as changed by the Strategic Energy Planning Office, and the estimate of costs and expenses of the Office of People’s Counsel, as changed by the People’s Counsel.

(9) (i) If the estimate is changed, the Commission shall send a revised bill to each public service company that has elected to make partial payments.

(ii) The change shall be apportioned equally against the remaining payments for the fiscal year.

(10) (i) On or before September 15 of each year, the Chairman shall compute:

1. the actual costs and expenses of the Commission;
2. the actual costs and expenses of the Strategic Energy Planning Office, as provided by the Strategic Energy Planning Office for the preceding fiscal year; and

3. the actual costs and expenses of the Office of People's Counsel, as provided by the People's Counsel for the preceding fiscal year.

(ii) If the amounts collected are less than the actual costs and expenses of the Commission, the Strategic Energy Planning Office, and the Office of the People's Counsel, after deducting the amounts recovered under §§ 2-111(a) and 2-123 of this subtitle, on or before October 15, the Chairman shall send to any public service company that is affected a statement that shows the amount due.

(iii) If the amounts collected exceed the actual costs and expenses of the Commission, the Strategic Energy Planning Office, and the Office of the People's Counsel for the preceding fiscal year, the Commission shall deduct any excess retained funds from the appropriation for the next fiscal year before the Commission determines the amount to be paid by each public service company for the next fiscal year under paragraph (2) of this subsection.

(11) A public service company shall pay an amount due within 30 days after the statement is received.

(12) The total amount that may be charged to a public service company under this section for a State fiscal year may not exceed:

(i) 0.50% of the public service company's gross operating revenues derived from intrastate utility and electricity supplier operations in the preceding calendar year, or other 12-month period that the Chairman determines, for the costs and expenses of the Commission other than that of the Strategic Energy Planning Office and the Office of People's Counsel; plus

(ii) 0.074% of those revenues for the costs and expenses of the Strategic Energy Planning Office; plus

(iii) 0.074% of those revenues for the costs and expenses of the Office of People's Counsel.

(d) (1) Within 30 days after the Commission issues a bill under subsection (c) of this section, the party billed may request a hearing as to the amount of the bill.

(2) Any amount of a bill that is not paid within 30 days after the date of determination on a hearing or, if a hearing is not requested, on the date when payment is due, shall bear annual interest at a rate, not less than 6%, that the Commission sets by regulation."

SB605_USTelecom_UNF

Uploaded by: B. Lynn Hollansbee

Position: UNF

February 23, 2026

The Honorable Pam Beidle, Chair
Senate Finance Committee
Maryland Senate
3 East Miller Senate Office Building
Annapolis, Maryland 21401

RE: Opposing SB 605

Dear Chair Beidle and Members of the Committee:

On behalf of USTelecom – The Broadband Association (“USTelecom”) and its members—America’s innovative broadband providers—many of whom are actively investing in resilient and reliable internet service throughout Maryland—we respectfully urge you to oppose SB 605. The broadband industry has invested more than \$2.2 trillion¹ in network infrastructure throughout the country since 1996—with approximately \$89.6 billion invested in 2024 alone—and USTelecom members are among the country’s top investors. SB 605 disregards this impressive track record and creates duplicative and unnecessary regulatory burdens on the broadband providers that are making critical investments in modern broadband infrastructure across Maryland.

SB 605 introduces a new layer of state regulation by granting the Maryland Public Service Commission (PSC) authority to exercise “oversight” of broadband and VoIP and directs the Commission to adopt wide-ranging rules and compliance mandates, including reliability standards, outage reporting, restoration plans, backup power requirements, audits, and remedial actions. Creating these new regulations on broadband, which operates within a competitive marketplace, undermines the free-market principles that attract private investment. In a competitive environment, providers are driven to invest, innovate, and expand to meet consumer demand. Imposing the burdensome regulations outlined in SB 605 would have serious consequences: it would create uncertainty for providers, open the door to regulatory overreach, and chill private investment—the very investment Maryland is relying on to close the digital divide.

At a time when Maryland is poised to benefit from more than \$79 million in federal broadband funding, this bill threatens to disrupt that progress. In November 2025, NTIA Administrator Arielle Roth publicly affirmed that the agency would withhold BEAD funds from states that attempt to impose regulations on broadband providers.² Indeed last year a California low-income discount bill was pulled by its sponsor

¹ USTelecom, 2024 Broadband Capex Report, October 21, 2025; available at: www.ustelecom.org/research/2024-broadband-capex-report

² See *Frequently Asked Questions and Answers Broadband Equity Access and Deployment Program*, NTIA (V16) https://broadbandusa.ntia.gov/sites/default/files/2025-11/BEAD_FAQs_V16.pdf

over fears that it would jeopardize the state's BEAD allocation. Virginia also decided not to pursue this type of legislation over concerns with BEAD funding. Furthermore, the BEAD program is designed to do exactly what Maryland is seeking to achieve – provide all Marylanders with access to reliable and affordable broadband. However, risking that much needed funding by placing new mandates on broadband providers is contrary to that effort.

From a legal standpoint, the bill also introduces significant risk. Federal law governs broadband as an interstate information service, and courts have consistently found that states may not impose conflicting regulatory regimes that interfere with national broadband policy. The Dormant Commerce Clause also bars state burdens on interstate commerce that are excessive relative to local benefits. SB 605 would provide no local benefit as Congress and the FCC already have enacted comprehensive regulation of voice service providers. If enacted, this bill would violate the Dormant Commerce Clause as these requirements would inflict high compliance costs to providers while offering little consumer protection benefits to Marylanders.

For these reasons, USTelecom respectfully urges you to oppose SB 605 and instead pursue policies that foster broadband growth, encourage private investment, and deliver results to Maryland communities.

Sincerely,

/s/ B. Lynn Follansbee

B. Lynn Follansbee
Vice President
USTelecom – The Broadband Association

SB0605_UNF_MTC_PSC - Broadband & VOIP Service - Ov

Uploaded by: Drew Vetter

Position: UNF



MARYLAND TECH COUNCIL

ADVANCING LIFE SCIENCES AND TECHNOLOGY

Senate Finance Committee

February 26, 2026

Senate Bill 605 – *Public Service Commission – Broadband and Voice Over Internet Protocol Service – Oversight (Broadband Accountability and Affordability Act)*

POSITION: OPPOSE

The Maryland Tech Council (MTC), with over 800 members, is the State's largest association of technology companies. Our vision is to propel Maryland to be the country's number one innovation economy for life sciences and technology. MTC brings the State's life sciences and technology communities into a single, united organization that empowers members to achieve their goals through advocacy, networking, and education. On behalf of MTC, we submit this letter of **opposition** to Senate Bill 605.

This bill would expand the authority of the Maryland Public Service Commission (PSC) over broadband internet service and Voice over Internet Protocol (VoIP) telephone service. The bill requires the PSC to establish standards, collect data, and evaluate and enforce service quality and reliability for broadband and VoIP providers.

While the MTC supports affordability and efforts to improve broadband and VoIP accessibility for Maryland residents and businesses, we fear this bill will result in several unintended consequences. The proposed regulatory and compliance standards, including extensive reporting, audits, and remedial directives, threaten to impose substantial operational and administrative burdens on internet and VoIP services right on the heels of the negative economic impacts of the data and IT services sales and use tax expansion last Session. The bill injects regulatory uncertainty that could deter continued infrastructure investment in Maryland, complicate business planning, and thus slow broadband expansion at the expense of Maryland customers.

Marylanders currently have a choice of internet providers, including fiber, cable, fixed wireless, and satellite. This means that Maryland already has a competitive marketplace, incentivizing providers to maintain high service quality and network resilience to retain and attract customers. For this reason, we believe that the "service quality standards" in the bill are unnecessarily onerous and duplicative of current market-based incentives. Additionally, we know that providers operate across multiple states. Our experience is that infrastructure investment tends to favor states with stable and predictable regulatory environments. Granting the PSC broad authority to mandate "remedial actions" and conduct audits creates a less hospitable environment for the private capital necessary to expand fiber. Additionally, including state-mandated requirements for backup power and "resilience standards" may inadvertently steer providers to rely on older technologies, thus slowing the adoption of newer, more efficient innovations.

The MTC views all policy proposals through a lens of economic competitiveness. For the reasons stated above, we are concerned that this legislation risks making Maryland less competitive for providing reliable and affordable high-speed internet and VoIP services. We respectfully request an **unfavorable** report on Senate Bill 605.

For more information call:

Andrew G. Vetter

J. Steven Wise

Danna L. Kauffman

Christine K. Krone

410-244-7000

MDCC_SB 605_Unfavorable.pdf

Uploaded by: Grason Wiggins

Position: UNF



Senate Bill 605

Position: Unfavorable

Committee: Finance

Date: February 26, 2026

Founded in 1968, the Maryland Chamber of Commerce (“Maryland Chamber”) is a statewide coalition of more than 7,000 members working to develop and promote strong public policy that ensures sustained economic growth and opportunity for all Marylanders.

While the goal of expanding reliable and affordable broadband access is one we all share, SB 605 represents an unprecedented expansion of state utility-style regulation over broadband and VoIP services. No state has adopted this regulatory model. By placing broadband services under traditional Public Service Commission oversight, Maryland would become a national outlier—imposing heavy, utility-style regulation on services that have thrived under a light-touch federal framework designed to promote innovation and investment.

First, SB 605 raises serious federal preemption concerns. The Communications Act of 1934, as amended, grants the Federal Communications Commission exclusive authority over interstate and international communications by wire and radio, including satellite communications. State-level utility regulation of satellite broadband operations directly conflicts with long-established federal primacy in this area. Low Earth orbit (LEO) satellite systems operate across state and national borders simultaneously; a single satellite beam can serve customers in multiple states at the same time. A state-by-state regulatory patchwork governing orbital infrastructure is not only legally vulnerable—it is technically unworkable.

Second, the bill risks widening, rather than closing, Maryland’s digital divide. LEO satellite broadband is often the only economically viable solution for Maryland’s hardest-to-reach rural communities, where terrestrial deployment costs can exceed \$100,000 per address in extremely remote areas. Satellite broadband provides immediate statewide coverage, including areas where fiber or cable will never be built. Imposing burdensome regulation on these services will deter investment and deployment—harming the very rural Marylanders who most need reliable broadband. If providers choose to prioritize neighboring states with clearer regulatory frameworks, Maryland could find itself at a competitive disadvantage, with rural residents lacking access to services readily available in Virginia, Pennsylvania, Delaware, and West Virginia.

Third, several provisions of SB 605 are fundamentally incompatible with satellite broadband architecture. The bill appears to assume a terrestrial network model in which providers own and

control all infrastructure. LEO systems, however, rely on customer-owned terminals located in homes and businesses. Backup power mandates at customer premises are beyond the operational control of satellite providers. Likewise, granting the Public Service Commission authority to audit “facilities and infrastructure” raises jurisdictional concerns when applied to satellites in orbit, which are regulated exclusively at the federal level. Applying traditional “adequate service” standards designed for terrestrial utilities to dynamic satellite systems—where bandwidth is allocated across coverage areas based on user density—ignores critical architectural differences.

Finally, SB 605 creates substantial regulatory uncertainty and open-ended financial exposure. The Commission’s broad authority to impose “remedial actions” for services deemed “unjust, unreasonable, unsafe, improper, or inadequate” introduces subjective standards that could trigger investigations and mandated network changes based on individual complaints. The annual reporting requirement to the General Assembly further risks politicizing technical determinations and incentivizing findings of fault to demonstrate regulatory “progress.” As the first state to adopt this approach, Maryland would become a regulatory test case—creating a first-mover disadvantage that discourages innovation and delays next-generation broadband deployment.

In short, SB 605 risks deterring investment, creating legal conflict with federal authority, imposing unworkable compliance burdens, and deepening the digital divide in rural communities. Rather than becoming a regulatory outlier, Maryland should continue to support policies that encourage broadband deployment, foster innovation, and maintain alignment with federal frameworks. **For these reasons, the Maryland Chamber respectfully requests an unfavorable report on SB 605.**



2-26-26 CTIA Maryland SB 605 Opposition Testimony.

Uploaded by: Jeremy Crandall

Position: UNF



**Testimony of
JEREMY CRANDALL
CTIA**

**In Opposition to
Senate Bill 605**

**Before the
Senate Finance Committee**

February 26, 2026

Chair Beidle, Vice Chair Hayes and Members of the Committee –

On behalf of CTIA®, the trade association for the wireless communications industry, I am testifying in opposition to Senate Bill 605.

Maryland consumers and businesses have long benefited from intense wireless competition due to the current national regulatory framework that makes sense for an inherently mobile, competitive and interstate service like wireless. The result is that our member companies work aggressively to expand coverage and promote deployment and reliability to meet ever-growing demand. In 2024, the wireless industry invested \$29 billion in private funding to improve connectivity for consumers and has invested more than \$219 billion since 2018. This investment also fuels economic growth in Maryland, where the wireless industry supports more than 96,000 jobs and generates \$10.2 billion in GDP growth each year.¹

The current national regulatory framework for wireless services is also unleashing substantial consumer benefits. This includes:

- *Lower Prices:* In the past year, wireless prices are down 5%, and since 2010, the price of unlimited wireless plans has been cut almost 70%, adjusted for inflation, while the price per MB of mobile data has dropped 99%.²

¹ <https://www.ctia.org/the-wireless-industry/map/4g>

² U.S Bureau of Labor Statistics



- *Better Service:* While consumers pay less, wireless networks are carrying more data at faster speeds than ever before.³ Wireless speeds are up over 117 times since 2010.⁴
- *More Choice:* In 2025, 5G fixed wireless access added nearly 4 million new subscribers, representing 99% of new broadband subscriptions.
- *Record Demand:* Consumers used a record 132 trillion megabytes of mobile data last year, fueled by a 32 trillion MB single-year increase, the largest ever.

Despite all the evidence that the wireless industry is a huge consumer success story, Senate Bill 605 would undermine the uniform national regulatory regime that wireless providers operate under today by interjecting potentially onerous, state-specific utility-style regulations. The bill would charge the Maryland Public Service Commission to “adopt regulations to implement effective oversight of the quality, reliability, and resilience of broadband service,” including mobile wireless service. This is the same kind of mandate that the Public Service Commission has to regulate monopoly public utilities like water and power companies. However, unlike monopoly utilities, mobile wireless providers operate in an intensely competitive environment. Nearly all Americans can choose from three or more wireless providers, most wireless consumers are on month-to-month contracts, and federal law guarantees that wireless consumers can keep their numbers when they switch. Wireless consumers have significant mobility and choice – between 9 to 34 percent of consumers change providers every year.

Additionally, research shows that imposing utility-style regulations on wireless service will harm Maryland consumers. A January 2025 study from Northeastern University and Advanced Analytical Consulting Group observes that in Maryland between 2012 and 2022, electricity rates increased 13% and water rates increased 88% while wireless rates decreased 44%.⁵ The report concludes that imposing a regulatory framework on wireless like the regulatory framework that governs electric and water utilities “will likely deter investment, constrain wireless broadband innovation and lead to rising prices, ultimately harming consumers.”

Further, the Federal Communications Commission (FCC) has long recognized that the internet is an inherently interstate network. The bill’s assertion of state authority to regulate broadband

³ See Smarter and More Efficient at 3, 6-7.

⁴ CTIA, *The Wireless Industry: An American Success Story*, <https://www.ctia.org/the-wireless-industry/wireless-industry> (last visited Feb. 19, 2026).

⁵ Advanced Analytical Consulting Group and Northeastern University, *State Price Regulation of Wireless Services*, January 2025.



is inconsistent with the longstanding view that such service is appropriately governed by a single federal regime rather than a patchwork state laws of the sort that applies to traditional landline telephone service (let alone electricity or water service) – and this is true no matter what kind of network is used to provide the broadband internet service (wired or wireless).

With regard to wireless service in particular, federal law limits state regulation of mobile services. Section 332(c)(3)(A) of the Communications Act of 1934, as amended, provides that “no State or local government shall have any authority to regulate the entry of or the rates charged by any commercial mobile service or any private mobile service.”⁶ “Private mobile service” encompasses mobile broadband. Courts have held that state laws that directly regulate the construction or quality of wireless networks constitute regulation of “market entry” or “rates” and, therefore, are preempted by federal law.⁷

Marylanders have benefited enormously from wireless competition, which is based on a national regulatory framework for mobile broadband that Senate Bill 605 would reverse. Additionally, the bill’s aggressive regulatory approach is unnecessary because wireless providers are already bound by CTIA’s “Consumer Code for Wireless Service.” Originally developed in 2003, the Code is periodically reviewed to ensure it reflects the industry’s innovations and consumer needs and expectations. Signatories to the Code have committed to help consumers make informed choices when selecting their wireless service and fulfill key obligations contemplated by this bill. For example, wireless providers agree to “disclose to consumers at point of sale and on their web sites,” information regarding coverage areas, activation or initiation fees, monthly charges, the amount of voice, messaging and data provided under a plan and any material prohibitions or network management practices.

In closing, the national wireless regulatory framework has created a competitive market that provides faster, more robust wireless services at lower prices. Attempting to shoehorn state utility-style regulation onto wireless or adopting onerous policies that ignore the competitive, national market for wireless services would only constrain wireless broadband innovation, deter investment, and lead to rising prices – all poor outcomes for Maryland consumers. For these reasons, we respectfully oppose Senate Bill 605.

⁶ 47 U.S.C. § 332(c)(3)(A).

⁷ See, e.g., *Johnson v. American Towers, LLC*, 781 F.3d 693, 706 (4th Cir. 2015).

PDF_final_[SB] 605_broadband_TechNet.pdf

Uploaded by: margaret durkin

Position: UNF

February 24, 2026

The Honorable Pam Beidle
Chair
Senate Finance Committee
Maryland Senate
3 East Miller Senate Office Building
11 Bladen Street
Annapolis, MD 21401

RE: SB 605 (M. Washington) - Public Service Commission - Broadband and Voice Over Internet Protocol Service - Oversight (Broadband Accountability and Affordability Act) - Unfavorable

Dear Chair Beidle and Members of the Committee,

On behalf of TechNet, I'm writing to share comments on SB 605.

TechNet is the national, bipartisan network of technology CEOs and senior executives that promotes the growth of the innovation economy by advocating a targeted policy agenda at the federal and 50-state level. TechNet's diverse membership includes 103 dynamic American businesses ranging from startups to the most iconic companies on the planet and represents five million employees and countless customers in the fields of information technology, artificial intelligence, e-commerce, the sharing and gig economies, advanced energy, transportation, cybersecurity, venture capital, and finance.

SB 605 represents an unprecedented expansion of state utility commission oversight over broadband and VoIP services. This legislation would make Maryland an outlier by imposing traditional utility-style regulations on internet services that have thrived under a light-touch regulatory framework.

Interstate Nature of Broadband Services

The Federal Communications Commission (FCC) has exclusive regulatory authority over interstate broadband services under the Communications Act of 1934, as amended. The FCC maintains jurisdiction over "broadband access, fair competition, radio frequency use, media responsibility, public safety, and homeland security". Section 706 of the Telecommunications Act of 1996 grants the FCC broad authority to "encourage the deployment on a reasonable and timely basis of advanced telecommunications capability to all Americans". State regulation of broadband service quality, reliability, and network infrastructure directly conflicts with federal authority. Furthermore, satellite services, as included in the bill as a "broadband service," are subject to exclusive federal jurisdiction. The FCC has consistently

applied a light-touch regulatory framework to broadband services to promote deployment and innovation—Maryland's utility commission oversight model contradicts this federal policy.

Broadband service is inherently interstate and cannot be bifurcated for state regulation. Internet traffic routinely crosses state lines. A single broadband connection transmits data to and from "all or substantially all Internet endpoints" nationwide and globally. Maryland cannot regulate the "quality, reliability, and resilience" of inherently interstate services without impermissibly burdening interstate commerce.

Regulatory-Induced Digital Divide

Maryland's geographic position creates a unique vulnerability to regulatory overreach, like that proposed in SB 605. The state is surrounded by Virginia, Pennsylvania, Delaware, and West Virginia—jurisdictions that do not impose utility-style regulation on broadband providers. Broadband providers may be forced to deprioritize Maryland due to regulatory burden. The communities that need broadband most will be harmed by SB 605. Rural Marylanders will lack access to services available to residents of Virginia, Pennsylvania, Delaware, and West Virginia. This regulatory-induced digital divide will harm economic development, educational opportunities, and quality of life in rural Maryland.

Backup Power Requirements (Section 5-107(C)(4))

Section 5-107(C)(4) of SB 605 authorizes the Maryland Public Service Commission to establish "minimum requirements for backup power generation" for broadband providers. This seemingly technical requirement creates multiple layers of legal, technical, operational, and policy problems. In 2019, the FCC explicitly eliminated mandatory backup power requirements for telecommunications providers after extensive analysis. The FCC found that mandates are costly, ineffective, and inferior to market-based solutions. Furthermore, the backup power requirements are technically impossible for low Earth orbit (LEO) architecture. LEO systems rely on individual customer-owned terminals distributed across homes and businesses—providers cannot mandate or control backup power at customer premises. SB 605 assumes a terrestrial network model where providers own and control infrastructure—this assumption is fundamentally incompatible with satellite broadband architecture.

Evaluation and Audit Power (Section 5-107(E))

Regarding audit authority, SB 605 grants the Public Service Commission (PSC) authority to "conduct an evaluation or audit of an Internet service provider's facilities and infrastructure". Maryland cannot audit or mandate changes to satellites in orbit—these are federal assets regulated exclusively by the FCC. Moreover, the PSC lacks technical expertise to evaluate whether LEO network performance is "unjust, unreasonable, unsafe, improper, or inadequate" under satellite-specific operational constraints.

SB 605 also creates regulatory uncertainty and risk. The PSC may require "remedial actions" if services are found "unjust, unreasonable, unsafe, improper, or

inadequate"— all subjective terms. Every customer complaint could trigger PSC investigation, audit, and mandated network changes. Legal defense costs and potential remedial action expenses create open-ended financial exposure that prudent businesses will avoid.

SB 605 will put Maryland at a competitive disadvantage, compared to neighboring states who do not impose utility commission oversight on broadband services. For the reasons mentioned above, TechNet is opposed to SB 605. Thank you for your consideration of our concerns and please don't hesitate to reach out with any questions.

Sincerely,

Margaret Durkin

Margaret Durkin
TechNet Executive Director, Pennsylvania & the Mid-Atlantic

CCIA Comments on MD SB 605.pdf

Uploaded by: Megan Stokes

Position: UNF



February 26, 2026

Senate Finance Committee
Attn: Tammy Kraft
3 East Miller Senate Office Building
Annapolis, Maryland 21401

Re: SB 605 - "Broadband Accountability and Affordability Act" (Oppose Unless Amended)

Dear Chair Beidle, Vice Chair Hayes, and Members of the Senate Finance Committee:

On behalf of the Computer & Communications Industry Association (CCIA), I write to respectfully oppose unless amended SB 605, in advance of the Senate Finance Committee hearing on February 26, 2026.

CCIA is an international, not-for-profit trade association representing a broad cross-section of communications and technology firms.¹ Proposed regulations on the interstate provision of digital services therefore can have a significant impact on CCIA members. CCIA represents leading technology and communications companies that invest billions of dollars annually to expand broadband access, improve network performance, and deliver innovative services to consumers across the United States.

CCIA and its members strongly support efforts to expand affordable and reliable broadband access, particularly for low-income households. These comments are focused on the bill's inapt application to satellite-based broadband services, which are regulated at the federal level and often do not include the same features and functions of wireline-based broadband services.

1. Satellite services are under the jurisdiction and authority of the Federal Communications Commission (FCC) in a few ways. Satellite-based services are transmitted via spectrum over which the FCC has exclusive jurisdiction. 47 U.S.C. § 303. Included in this grant of authority is "exclusive jurisdiction to regulate the provision of direct-to-home satellite services." *Id.* § 303(v).² In addition, the Communications Satellite Act of 1962, codified at 47 U.S.C. § 701 *et seq.*, authorizes the FCC to regulate and protect "video programming which is transmitted via satellite." *Id.* § 705(d)(1). The attempt in SB 605 to regulate satellite-based broadband service is therefore outside the state's power. This fundamental flaw infects every other provision in the bill.

2. Low Earth Orbit (LEO) satellite broadband is often the only viable connectivity option for Maryland's hardest-to-reach rural areas, where fiber deployment can exceed \$100,000 per

¹ For more than 50 years, CCIA has promoted open markets, open systems, and open networks. CCIA members employ more than 1.6 million workers, invest more than \$100 billion in research and development, and contribute trillions of dollars in productivity to the global economy. A list of CCIA members is available at <https://www.ccianet.org/members>.

² "As used in this subsection, the term 'direct-to-home satellite services' means the distribution or broadcasting of programming or services by satellite directly to the subscriber's premises without the use of ground receiving or distribution equipment, except at the subscriber's premises or in the uplink process to the satellite." *Id.*



location. By imposing novel regulatory burdens and uncertainty, SB 605 could deter providers from prioritizing Maryland deployment. Neighboring states are not pursuing this regulatory experiment, raising the real possibility that rural Marylanders will have fewer options than residents just across state lines. The result could be a regulation-induced broadband gap that undermines economic opportunity, education, and quality of life.

3. The bill assumes a traditional, terrestrial network model that does not reflect how modern broadband systems operate. For example, backup power mandates are incompatible with satellite architectures that rely on customer terminals. Likewise, granting authority to audit “facilities and infrastructure” raises serious jurisdictional and practical concerns as Maryland cannot audit satellites in orbit, which are federally regulated assets. SB 605 also applies subjective standards such as “adequate” or “reasonable” service to dynamic, shared-capacity networks where performance naturally varies by user density. The Public Service Commission (PSC) is not positioned to adjudicate such satellite network design decisions that are governed by global engineering constraints.

Satellite broadband systems operate across state and national borders simultaneously. A single LEO satellite beam may serve customers in multiple states at once. State-by-state regulation of inherently interstate infrastructure is not only legally questionable, but technically unworkable.

CCIA supports policies that expand broadband access and improve connectivity for all Marylanders. However, SB 605 would create significant legal risk, technical incompatibilities, and investment disincentives that could slow deployment—especially in the rural communities that need broadband most.

* * * * *

For these reasons, CCIA respectfully urges the Committee to oppose SB 605. We remain committed to working with policymakers on solutions that expand broadband access while preserving competition, innovation, and lawful regulatory boundaries.

Sincerely,

Megan Stokes
State Policy Director
Computer & Communications Industry Association

SB605_Verizon_UNF

Uploaded by: Paul Plymouth

Position: UNF



12 West Street
Annapolis, MD 21401

Bill No: SB 605

Title: Public Service Commission - Broadband and Voice Over Internet Protocol Service - Oversight (Broadband Accountability and Affordability Act)

Committee: Senate Finance Committee

Hearing Date: February 26, 2026

Verizon Position: **UNFAVORABLE**

Greetings Chair Beidle and Members of the Senate Finance Committee,

Verizon appreciates the opportunity to provide testimony on Senate Bill 605, the Maryland Broadband Opportunity and Fairness Act that proposes to have the state's Public Service Commission (PSC) regulate Broadband and VOIP services. As an industry we believe imposing such state government oversight and burdensome regulations is unnecessary because ISPs like Verizon are already delivering the high-quality, reliable service that Marylanders expect and desire. Such attention to our customers' needs and wants is stimulated by the competitive market in which our industry operates as distinguished from more monopolistic industries that the PSC regulates.

Thus, respectfully urge an unfavorable report on SB 605 based on the following key reasons:

1. Network Investment, Reliability and Customer Care

Like other companies, we invest in our networks and customer experience to provide a great product and reliable service. We also work hard to win awards, which helps us distinguish ourselves from our competitors. For instance, our Verizon FiOS service is consistently recognized for superior network performance, having won JD Power awards for network quality for 35 consecutive years. Such recognition is a testament to our commitment to investing in our network and to the thousands of hard-working network employees here in Maryland who build, maintain, and repair the network in even the most challenging of circumstances. Further, on the occasions when customers do experience issues or have questions, we maintain a dedicated customer service department whose sole responsibility is to listen and help resolve service and reliability matters as quickly as possible via our phone, internet, app, and chat platforms. We value our customers and do not take their investment in us or their loyalty for granted.

Given that the broadband competitive market has proven to be in the best interest of consumers, government intervention is not necessary and would not be the most effective regulator for wireless and Voice over Internet Protocol (VoIP) providers. In today's hypercompetitive environment, consumers have the ability to change providers at any time. Because customers are quick to switch based on service quality, price, and customer service, we are naturally compelled



12 West Street
Annapolis, MD 21401

to maintain high standards to retain our customer base. Introducing a new layer of 20th-century utility oversight at the Public Service Commission (PSC) is redundant and will only hinder the innovation that drives this competition.

2. Federal Preemption and Exclusive FCC Jurisdiction

Senate Bill 605 faces significant legal challenges related to federal preemption. Broadband and VoIP are inherently interstate services. The Federal Communications Commission (FCC) and federal courts have historically barred states from imposing state-level utility oversight on these "information services."

By attempting to establish a "Maryland-only" set of standards for network resilience, reliability, and oversight, the bill invites immediate litigation and conflicts with federal deregulatory policies designed to prevent a fragmented, 50-state regulatory patchwork. Furthermore, the bill fundamentally conflicts with the current statute, which wisely limits the PSC jurisdiction over VoIP to ensure modern services are not hampered by 20th-century utility rules.

3. Market Competition is the Best Regulator

Maryland's competitive broadband market is already driving the deployment of modern, reliable, high-speed services. Unlike the legacy copper-wire era, today's consumers have choices across fiber, cable, fixed wireless, mobile wireless and satellite providers.

In this hypercompetitive environment, providers are compelled to maintain high service quality and network resilience to retain customers. This makes government-mandated "service quality standards" and a new layer of bureaucracy at the PSC unnecessary and redundant. Consumers are already protected by the Attorney General's Division of Consumer Protection, which has the full authority to investigate unfair or deceptive trade practices. Introducing the PSC as an additional regulator will not improve service but will only slow the pace of innovation and network upgrades.

4. Undermining Maryland's Economic Competitiveness

Infrastructure investment, the private capital necessary to expand fiber and 5G, flows to states with stable, predictable, and light-touch regulatory environments. By granting the PSC broad new authority to mandate "remedial actions," conduct audits, and impose state-specific compliance and reporting requirements, SB 605 creates a hostile and uncertain environment for this capital.

Every dollar spent on meeting duplicative state-specific regulations and administrative confusion, including overlapping authority with the Office of Statewide Broadband, is a dollar diverted from investing in our current and future customers. This bill will directly harm Maryland's reputation as a business-friendly state and place it at a competitive disadvantage in the race for next-generation network investment.



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For these reasons, we believe SB 605 is the wrong approach for Maryland. While we share the goal of ensuring reliable connectivity for all Maryland residents, this legislation would create an outdated regulatory framework that will ultimately hinder investment, undermine innovation, and place Maryland at a significant competitive disadvantage.

Thank you,

Paul Brooks Plymouth

Paul Brooks Plymouth

Director, State Government Affairs and Local Engagement

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Position: INFO

KUMAR P. BARVE
CHAIR



FREDERICK H. HOOVER, JR.
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PUBLIC SERVICE COMMISSION

Chair Brian Feldman
Education, Energy, and the Environment Committee
2 West Miller Senate Office Building
Annapolis, MD 21401

RE: SB 605 - Information – Public Service Commission - Broadband and Voice Over Internet Protocol Service - Oversight (Broadband Accountability and Affordability Act)

Dear Chair Feldman and Committee Members:

The Public Service Commission (the “Commission”) appreciates the opportunity to provide this informational testimony for SB 605. The bill authorizes the Commission to exercise oversight of broadband service and voice over internet protocol (VoIP) service. It requires the Commission to adopt regulations on quality, reliability, and resilience, which would include outage reporting, maintenance standards, availability/adoption/pricing data, emergency preparedness, restoration plans, and back-up power requirements. It also requires the Commission to conduct evaluations and audits and order remedial actions.

Currently, the Public Utilities Article (PUA) expressly specifies that the Commission does not have jurisdiction over the regulation of VoIP service. The PUA is silent as to broadband service, but it does not currently confer any oversight authority to the Commission. In order to effectuate SB 605, the Commission would establish and implement administrative processes for the provision of services by a large number of entities that it does not currently regulate. This would likely be organized under a new division of the Commission’s Technical Staff, requiring personnel with expertise in fields that the Commission does not currently oversee.

There is a possibility that an attempted expansion of state jurisdiction over VoIP and broadband could lead to legal challenges based on federal preemption. For VoIP, the Federal Communications Commission (FCC) has made a declaratory ruling that VoIP cannot be regulated like a telephone service because its intrastate and interstate components would be impractical to separate.¹ Federal regulation of interstate commerce under the Constitution has been found to preempt state regulatory interests for this reason. Additionally, federal appeals

¹ See *In re Vonage Holdings Corp. Petition for Declaratory Ruling Concerning an Order of the Minn Pub. Util. Comm.*, 19 F.C.C.R. 22404 (Nov. 12, 2004) (where the FCC determined that state jurisdiction over VoIP was preempted because of the impossibility exception of 47 U.S.C. § 152(b)).

courts have held that VoIP offerings qualified as “information services” under federal law.² Because the federal policy is non-regulation of information services, state regulation would conflict with that policy and would thus be preempted by federal law.

For broadband, there is no categorical federal preemption of state law regulating internet service absent specific federal statutory authority.³ There is a possibility of federal preemption for state regulatory requirements that effectively impose Title II common carrier-like obligations or that conflict with FCC policy. Commission regulation of broadband could also be subject to the risk of preemption to the extent that it materially inhibits broadband deployment or imposes non-cost-based fees, because federal law prohibits state actions that have the effect of preventing a carrier’s ability to provide interstate telecommunications service.⁴

For the purposes of this testimony, the Commission is not providing a legal conclusion as to whether state regulation of VoIP and broadband would be preempted by federal law and policy. The Commission’s intent is to convey that in any case, the Commission would expect legal challenges and litigation burden associated with implementing SB 605.

Please contact Niki Wiggins, Director of Legislative Affairs, at irene.wiggins3@maryland.gov if you have any questions related to this informational testimony.

Sincerely,



Kumar P. Barve
Chair, Maryland Public Service Commission

² *Charter Advanced Servs. (MN), LLC v. Lange*, 903 F.3d 715 (8th Cir. 2018) (finding state regulation of Spectrum Voice VoIP service preempted by 47 U.S.C. § 153(24)).

³ *Mozilla Corp. v. FCC*, 940 F.3d 1 (D.C. Cir. 2019).

⁴ 47 U.S.C. § 253(a)–(d).