



KRITCTM
Investment that works for all Kansans

House Energy, Utility and Telecommunication Committee

HB 2451 – Statewide Broadband Deployment

Mary Jane Stankiewicz, Executive Director

Written Only Neutral Testimony

February 7, 2018

Chairman Seiwert and members of the House Energy, Utility and Telecommunication Committee, the Kansas Rural Independent Telecommunication Coalition submits the following written neutral testimony regarding HB 2451.

HB 2451 states the purpose of the act “is to encourage the deployment of advanced telecommunications capability throughout rural Kansas by promoting competition in the local telecommunication market and removing barriers to infrastructure investment.” (page 1, lines 8-11).

However, the definition of “rural area” seems to include the whole state and not focus just on the rural areas. A rural area is a “county with an average population density of less than 100 persons per square mile, excluding the county seat and is either: (1) not served by any broadband service provider; or (2) served by a broadband service provider, but less than 10% of the persons in such county have access to broadband service.” Currently 98 of the 105 counties in Kansas have less than 100 people per square mile **including** the county seat. It is estimated that the other 7 counties, if you excluded the county seat, would also qualify as rural areas under this definition. Therefore, this definition does not focus on rural areas and needs to be amended to be compatible with the stated purpose of encouraging deployment in rural areas.

We also do not understand the need for a new certification system. This seems to be creating a source of potential conflict with existing federal law or at the very least could create a new barrier for any company wishing to provide these services. As you have heard from conferees on Monday, February 5th, there is a significant amount of competition in the areas of telecommunication. Current Kansas law regulates wireline voice service but broadband providers need no state authorization in urban or rural areas. We are aware the FCC is planning on providing a model state broadband law this summer and while we do not know if this bill would create conflicts with the proposed model bill we think it would be most prudent to wait until after the FCC has released their plan before moving forward with this idea.

Thank you for your time and attention to our testimony regarding HB 2451.

