

NINETY-NINTH LEGISLATURE
FIRST SESSION
LEGISLATIVE RESOLUTION 144

Introduced by Baker, 44

Read first time May 17, 2005

Committee:

PURPOSE: Pursuant to the Nebraska Telecommunications Universal Service Fund Act, Neb. Rev. Stat. sections 86-316 to 86-329 (Cum. Supp. 2004), the policy of the State of Nebraska to preserve and advance universal service is based on the following principles: Quality telecommunications and information services at just, reasonable, and affordable rates for all consumers in all regions of the state, including low-income and those in rural and high-cost areas; access to advanced telecommunications and information services in all regions of the state; equitable and nondiscriminatory contributions by all providers of telecommunications to the preservation and advancement of universal service; that schools, libraries, and health care providers in rural areas should have access to advanced telecommunications services; and that the costs of administration of the Nebraska Telecommunications Universal Service Fund (the "fund") should be kept to a minimum.

This study shall investigate the purpose of the Nebraska Telecommunications Universal Service Fund Act and the services currently supported by the fund in order to determine

whether the act should include dedicated support for wireless telecommunications services. Input shall be solicited from the Public Service Commission, regulated entities, wireless telecommunications carriers, and the public.

Study topics shall include, but not be limited to, the following areas:

(1) Issues relating to services currently receiving support, including:

- (a) Landline telecommunications service;
- (b) Broadband telecommunications;
- (c) The Nebraska Telephone Assistance Program; and
- (d) The telehealth system.

(2) Issues related to providing support for wireless telecommunications services, including:

(a) The nature and extent of any fund support to be provided;

(b) The nature and extent of eligibility requirements for receiving support from the fund including requirements for obtaining state and federal eligible telecommunications carrier status;

(c) The nature of cost recovery mechanisms to be used related to the construction of wireless infrastructure with support from the fund;

(d) The nature and extent of any regulatory oversight, if any, to be implemented with respect to carriers receiving any support from the fund; and

(e) Issues related to the ownership and sharing of any wireless infrastructure constructed with support from the fund.

(3) Any other issues arising during the course of the study relevant to furthering the stated policy of the state of preserving and advancing universal service.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-NINTH LEGISLATURE OF NEBRASKA, FIRST SESSION:

1. That the Transportation and Telecommunications Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.