

LEGISLATURE OF NEBRASKA
ONE HUNDRED SIXTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 549

Introduced by Brandt, 32; Briese, 41; Dorn, 30; Walz, 15.

Read first time January 22, 2019

Committee: Transportation and Telecommunications

1 A BILL FOR AN ACT relating to the Nebraska Telecommunications Regulation
2 Act; to amend sections 86-101 and 86-103, Reissue Revised Statutes
3 of Nebraska; to define terms; to provide duties for certain
4 telecommunications companies and the Public Service Commission; to
5 provide for creation and maintenance of a geographic information
6 system map as prescribed; to harmonize provisions; and to repeal the
7 original sections.
8 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 86-101, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 86-101 Sections 86-101 to 86-165 and sections 3, 4, and 5 of this
4 act shall be known and may be cited as the Nebraska Telecommunications
5 Regulation Act.

6 Sec. 2. Section 86-103, Reissue Revised Statutes of Nebraska, is
7 amended to read:

8 86-103 For purposes of the Nebraska Telecommunications Regulation
9 Act, unless the context otherwise requires, the definitions found in
10 sections 86-103.01 to 86-121 and sections 3 and 4 of this act apply.

11 Sec. 3. Geographic information system shapefiles means a digital
12 storage format containing geospatial or location-based data that can be
13 viewed, edited, and mapped in geographic information system software.

14 Sec. 4. Rural area means the area within any city of the first
15 class, city of the second class, or village or the unincorporated area of
16 a county.

17 Sec. 5. (1) Every telecommunications company providing advanced
18 telecommunications capability service in a rural area shall file with the
19 commission or its designated representative on a semiannual basis:

20 (a) Geographic information system shapefiles of the rural area in
21 which the telecommunications company offers advanced telecommunications
22 capability service with street-address or land-parcel level of detail;
23 and

24 (b) The connection speed and type of technology for each serviceable
25 street address or land parcel for which the telecommunications company
26 offers advanced telecommunications capability service.

27 (2) The geographic information system shapefiles shall be used to
28 create a geographic information system map that clearly conveys the
29 following information:

30 (a) The availability and type of advanced telecommunications
31 capability service in rural areas;

1 (b) The rural areas not served by any telecommunications company
2 providing advanced telecommunications capability service;

3 (c) The rural areas served by a single telecommunications company
4 providing advanced telecommunications capability service;

5 (d) The household density of rural areas not served by a
6 telecommunications company providing advanced telecommunications
7 capability service;

8 (e) The location of towers in rural areas used to transmit and
9 receive advanced telecommunications capability service signals;

10 (f) The actual advanced telecommunications capability service speeds
11 with census-block level of detail; and

12 (g) The types of technology used to provide advanced
13 telecommunications capability service.

14 (3) The commission shall create and maintain a geographic
15 information system map by:

16 (a) Contracting for and purchasing geographic information system
17 services from a third party; or

18 (b) Working directly with any telecommunications company providing
19 advanced telecommunications capability service in a rural area to input
20 and process data.

21 (4) The commission shall make geographic information system
22 processing services available, either directly or through a contract with
23 a third party, at no charge to any telecommunications company providing
24 advanced telecommunications capability service that requires assistance
25 with preparing geographic information system shapefiles to fulfill the
26 requirements of subsection (1) of this section. The commission may adopt
27 and promulgate rules and regulations which include the attributes of the
28 geographic information system shapefiles and the time and method for
29 filing such shapefiles under this section.

30 (5) Data provided to the commission pursuant to this section shall
31 be treated as records which may be withheld from the public upon request

1 of the party submitting such data if the data qualifies under subdivision
2 (3) of section 84-712.05.

3 (6) The commission may revoke or suspend the certificate of
4 convenience and necessity as a telecommunications common carrier or the
5 permit as a telecommunications contract carrier of any telecommunications
6 company which violates this section.

7 Sec. 6. Original sections 86-101 and 86-103, Reissue Revised
8 Statutes of Nebraska, are repealed.