LEGISLATURE OF NEBRASKA
ONE HUNDRED SEVENTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 914

Introduced by Bostelman, 23.
Read first time January 10, 2022

Committee: Transportation and Telecommunications

A BILL FOR AN ACT relating to the Public Service Commission; to define terms; to require the commission to create and maintain a location fabric broadband access map and broadband data repository as prescribed; to require compliance by certain entities; to provide for annual reporting; and to declare an emergency.

Be it enacted by the people of the State of Nebraska,
Section 1. (1) For purposes of this section:

(a) Served area means a geographical area of the state which has broadband service providing access to the Internet at speeds equal to or greater than one hundred megabits per second for downloading and twenty megabits per second for uploading;

(b) Serviceable location shall mean any residence, dwelling, business, or building where an entity provides or may provide broadband services;

(c) Underserved area means a geographical area of the state which lacks broadband service providing access to the Internet at speeds of at least one hundred megabits per second for downloading and twenty megabits per second for uploading; and

(d) Unserved area means a geographical area of the state which lacks broadband service providing access to the Internet at speeds of at least twenty-five megabits per second for downloading and three megabits per second for uploading.

(2) On or before July 1, 2024, the Public Service Commission shall create and maintain an official Nebraska location fabric broadband access map showing broadband availability and quality of service for all serviceable locations in Nebraska and create and maintain a repository for broadband data and information in Nebraska that includes:

(a) Download and upload speeds advertised and experienced;

(b) Areas that are deemed to be served areas, underserved areas, and unserved areas;

(c) The types of Internet service and technologies available including, but not limited to, wireless, fiber optic cable, coaxial cable, and satellite;

(d) The number of available entities providing broadband services and the price of available broadband services;

(e) The locations of broadband infrastructure currently projected for construction through federal, state, or local funding sources; and
(f) Any other factors the commission may deem relevant.

(3) The commission may contract with private parties to create, improve, and maintain the map and repository, and shall maximize the use of federal funding when developing and implementing this section. The commission may collect from providers of broadband services any information necessary to establish and update the map. Any information provided to the commission by a provider of broadband services pursuant to this section that is confidential, proprietary, or a trade secret as defined in section 87-502 shall be treated as such by the commission.

(4) Any recipient of support from the Nebraska Telecommunications Universal Service Fund shall comply with the provisions of this section. Any grant recipient under the Nebraska Broadband Bridge Act, including any entity that operates as an eligible telecommunications carrier in Nebraska as defined in section 86-1302 that wishes to participate in the Broadband Bridge Program created under section 86-1303, either directly or as a challenging party under section 86-1307, shall comply with the provisions of this section. Any grant recipient of federal broadband funding administered by the Public Service Commission shall comply with the provisions of this section.

(5) After the Federal Communications Commission completes the national Broadband Serviceable Location Fabric and accompanying National Broadband Availability Map, the Public Service Commission shall annually evaluate whether the continued maintenance of an annually updated Nebraska location fabric broadband access map in accordance with this section is necessary. The Public Service Commission shall report its annual findings pursuant to this subsection to the Transportation and Telecommunications Committee of the Legislature.

Sec. 2. Since an emergency exists, this act takes effect when passed and approved according to law.