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FLOOR DEBATE

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interested parties' grouping is. There are 13 members, excuse me, of the Nebraska Cable Communication Association and there are 32 members of the Nebraska Telecommunication Association, and those people, together with the public power entities, have all, to a greater or lesser extent, participated in or, I would represent to you, had an opportunity to participate in trying to put together this amendment. The amendment has a number of key provisions which I would like to make a matter of record. First, there's a permanent restriction placed on all state agencies and political subdivisions other than public power suppliers from entering the business of providing broadband services, Internet services, and telecommunication services or video services. This is in accordance with the original purpose of LB 1645--pardon me, strike that--LB 645. There is a rationale for separating public power suppliers from other public entities and political subdivisions. Primarily, the distinction is that public power supplies already possess the infrastructure, as I previously discussed, that potentially can be used for telecommunication services. This is technology known as broadband over power lines, or BPL. Although this technology is unproven and not yet applicable to rural areas, it may have some potential and the power suppliers are, of course, understandably reluctant to agree to discard it prospectively and forever, and so they are not under this amendment. Any other public entity other than power suppliers would need to construct new infrastructure in order to enter the telecommunications field. This is what is known in the parlance of the trade as overbuild. New infrastructure is constructed on a tax advantage basis to compete with existing private infrastructure. This bill would prevent those overbuilds. Accordingly, Section 2 of the amendment would prevent public entry into the provision of services for broadband, telecommunications, or video. The second part of the amendment deals with public power suppliers. These entities are permanently prohibited from entering the telecommunications market on a retail basis, something that obviously I could not bring to you in what I represent as a consensual or collegial amendment, although maybe not totally agreed to by all parties, if they had not been consulted. They have repeatedly said they don't want to be in the retail business, and so we have put a prohibition on it. In addition, there would be a moratorium