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SENATOR BRASHEAR: No, I can't agree with that. For instance, telecom providers are regulated, to the extent we have a regulatory scheme for telecommunications, and they must go to the Public Service Commission. And they are Internet service providers. And so I'm not prepared to stand and say that the Public Service Commission would not, under its general regulatory authority, exercise jurisdiction over an Internet service provider that happened to be a telecom, telecommunications company subject to their jurisdiction.

SENATOR BEUTLER: Okay, so the law is uncertain with respect to whether the Public Service Commission has jurisdiction over the provision of Internet services?

SENATOR CUDABACK: One minute.

SENATOR BEUTLER: I'm not trying to hound you. I'm...I really am trying to...

SENATOR BRASHEAR: I don't think it's unclear. I think if a telecommunications company is subject to the jurisdiction of the Public Service Commission, and it is an Internet service provider, there is no question but the Public Service Commission would, in its broader authority, have some basis for jurisdiction. But somebody who was not otherwise subject to the telecommunications, to the telecommunications act or the Public Service Commission jurisdiction, might be an Internet service provider and not be subject to the Public Service Commission by any obvious or known methodology.

SENATOR BEUTLER: Okay, and then would public entities of one type or another fall within that category that are not obviously regulated by the Public Service Commission?

SENATOR BRASHEAR: Yes, a short answer.

SENATOR BEUTLER: Okay, so probably the answer is yes right now, that no public agency is regulated with regard to the provision of Internet services.

SENATOR BRASHEAR: And then in my experience, there are people