HOUSE BILL 396
Committee Substitute Favorable 4/25/17

Short Title: Municipal Broadband Service Area. (Public)

Sponsors:

Referred to:

March 20, 2017

A BILL TO BE ENTITLED

AN ACT AUTHORIZING THE CITY OF WILSON TO CONTINUE THE PROVISION OF COMMUNICATION SERVICES IN THE CITY'S TEMPORARY EXTENSION AREAS UNTIL THIRTY DAYS AFTER ALTERNATIVE SERVICE IS ESTABLISHED.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 160A-340.2(c)(3) reads as rewritten:

"(c) The provisions of G.S. 160A-340.1, 160A-340.3, 160A-340.4, 160A-340.5, and 160A-340.6 do not apply to a city or joint agency providing communications service as of January 1, 2011, provided the city or joint agency limits the provision of communications service to any one or more of the following:

…

(3) The following service areas:

…

c. For the city of Wilson, the service area is the county limits of Wilson County, including the incorporated areas within the County. <u>Notwithstanding any other provision of this Article, the city of Wilson may continue the provision of communication services to persons and businesses in the temporary extension areas under the condition that the provision of communication services in such areas is terminated by a date which is 30 days after the date retail service is first available in the area from a competitive provider of communications service that will provide Fiber to the Premises (FTTP) service. For purposes of this subdivision, "temporary extension areas" shall mean (i) the corporate limits of the Town of Pinetops and (ii) any service connection located within 800 feet of the centerline of Christian Road (State Road No. 1942) between its intersection with Bloomery Road (State Road No. 1996) and West Hornes Church Road (State Road No. 1941). Prior to the cessation of service, the city of Wilson may establish rates, fees, charges, and penalties for the communication services provided in the temporary extension areas in the same manner as communication services provided in the county limits of Wilson County, including the incorporated areas within the County. Service will be deemed available for purposes of this provision upon the certification by a competitive provider to the city that service is available in a temporary extension area. For purposes of this subdivision, a</u>

competitive provider is an incumbent local exchange carrier or cable telecommunications company that is not presently providing Fiber to the Premises (FTTP) service in the temporary extension areas.

…."

SECTION 2. This act is effective when it becomes law.