

AMENDED IN ASSEMBLY JANUARY 6, 2014

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 876

Introduced by Assembly Member Bonta

February 22, 2013

An act to *amend Section 280 of, and to add ~~Section~~ Sections 280.1 and 280.2* to, the Public Utilities Code, relating to telecommunications.

LEGISLATIVE COUNSEL'S DIGEST

AB 876, as amended, Bonta. Telecommunications: California Teleconnect Fund Administrative Committee Fund.

Existing law requires the Public Utilities Commission to develop and implement a program funded by the California Teleconnect Fund Administrative Committee Fund to advance universal service by providing ~~discount~~ *discounted* rates to qualifying ~~schools, schools maintaining kindergarten or any of grades 1 to 12, inclusive,~~ community colleges, libraries, hospitals, health clinics, and community organizations.

This bill would specify that discounted rates are available to qualifying schools maintaining preschools and transitional kindergartens. The bill would require the commission to develop and implement an outreach plan to preschools and transitional kindergartens to increase awareness of services available to these schools under the program described above.

This bill would require the commission to revise the program described above to give priority for advanced ~~high-quality communication telecommunication services over legacy communication services.~~ *telecommunication services over legacy communication services.* ~~The bill would require the commission to open a new proceeding or amend an existing proceeding to determine whether the~~

rates charged to qualifying schools receiving financial support from the program are comparable to the rates charged to for-profit entities for comparable communication services. *as the commission deems appropriate. The bill would require the commission to ensure that the program described above does not favor a particular technology used to provide advanced telecommunications services to qualifying entities.* The bill would require the commission to ~~establish, maintain, and make available to the public~~ *establish and maintain* a database of communication services purchased by qualifying entities receiving financial support from the program *and the prices paid for those communication services. The bill would require the commission to allow qualifying entities to access the database and to make only average price information from the database available to the public. The bill would require the commission to open a new proceeding or amend an existing proceeding to revise the definition of advanced telecommunication services to include the needs of personalized digital learning in schools and libraries.*

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 280 of the Public Utilities Code is
2 amended to read:

3 280. (a) The commission shall develop, implement, and
4 administer a program to advance universal service by providing
5 discounted rates to qualifying schools maintaining *preschool,*
6 *transitional kindergarten,* kindergarten or any of grades 1 to 12,
7 inclusive, community colleges, libraries, hospitals, health clinics,
8 and community organizations, consistent with Chapter 278 of the
9 Statutes of 1994.

10 (b) There is hereby created the California Teleconnect Fund
11 Administrative Committee, which is an advisory board to advise
12 the commission regarding the development, implementation, and
13 administration of a program to advance universal service by
14 providing discounted rates to qualifying schools maintaining
15 *preschool, transitional kindergarten,* kindergarten or any of grades
16 1 to 12, inclusive, community colleges, libraries, hospitals, health
17 clinics, and community organizations, consistent with Chapter 278

1 of the Statutes of 1994, and to carry out the program pursuant to
2 the commission's direction, control, and approval.

3 (c) All revenues collected by telephone corporations in rates
4 authorized by the commission to fund the program specified in
5 subdivision (a) shall be submitted to the commission pursuant to
6 a schedule established by the commission. The commission shall
7 transfer the moneys received to the Controller for deposit in the
8 California Teleconnect Fund Administrative Committee Fund. All
9 interest earned by moneys in the fund shall be deposited in the
10 fund.

11 (d) Moneys appropriated from the California Teleconnect Fund
12 Administrative Committee Fund to the commission shall be utilized
13 exclusively by the commission for the program specified in
14 subdivision (a), including all costs of the board and the commission
15 associated with the administration and oversight of the program
16 and the fund.

17 (e) Moneys loaned from the California Teleconnect Fund
18 Administrative Committee Fund in the Budget Act of 2003 are
19 subject to Section 16320 of the Government Code. If the
20 commission determines a need for moneys in the California
21 Teleconnect Fund Administrative Committee Fund, the commission
22 shall notify the Director of Finance of the need, as specified in
23 Section 16320 of the Government Code. The commission may not
24 increase the rates authorized by the commission to fund the
25 program specified in subdivision (b) while moneys loaned from
26 the California Teleconnect Fund Administrative Committee Fund
27 in the Budget Act of 2003 are outstanding unless both of the
28 following conditions are satisfied:

29 (1) The Director of Finance, after making a determination
30 pursuant to subdivision (b) of Section 16320 of the Government
31 Code, does not order repayment of all or a portion of any loan
32 from the California Teleconnect Fund Administrative Committee
33 Fund within 30 days of notification by the commission of the need
34 for the moneys.

35 (2) The commission notifies the Director of Finance and the
36 Chairperson of the Joint Legislative Budget Committee in writing
37 that it intends to increase the rates authorized by the commission
38 to fund the program specified in subdivision (a). The notification
39 required pursuant to this paragraph shall be made 30 days in
40 advance of the intended rate increase.

1 (f) Subdivision (e) shall become inoperative upon full repayment
 2 or discharge of all moneys loaned from the California Teleconnect
 3 Fund Administrative Committee Fund in the Budget Act of 2003.

4 *SEC. 2. Section 280.1 is added to the Public Utilities Code, to*
 5 *read:*

6 *280.1. The commission shall develop and implement an*
 7 *outreach plan to preschools and transitional kindergartens to*
 8 *increase awareness of services available to these schools under*
 9 *the program developed pursuant to Section 280.*

10 ~~SECTION 4.~~

11 *SEC. 3. Section 280.1~~280.2~~ is added to the Public Utilities
 12 Code, to read:*

13 ~~280.1. (a) The commission shall open a new proceeding or~~
 14 ~~amend an existing proceeding to determine whether the rates~~
 15 ~~charged to qualifying schools receiving financial support from the~~
 16 ~~program developed pursuant to Section 280 are comparable to~~
 17 ~~rates charged to for-profit entities for comparable communication~~
 18 ~~services.~~

19 ~~(b)~~

20 *280.2. (a) The commission shall establish and maintain a*
 21 *database of communication services purchased by qualifying*
 22 *entities receiving financial support from the program developed*
 23 *pursuant to Section 280*~~to~~ *and the prices paid for those*
 24 *communications services. The commission shall allow qualifying*
 25 *entities to access the database in order to collaborate and allow*
 26 *for the use of common infrastructure to reduce costs, and costs.*
 27 *The commission shall only make average price information from*
 28 *the database available to the public on the commission's Internet*
 29 *Web site. The database shall exclude communications services*
 30 *purchased by qualifying entities who are residential customers*
 31 *and any information prohibited from being publicly disclosed by*
 32 *law.*

33 ~~(e)~~

34 *(b) The commission shall revise the program developed pursuant*
 35 *to Section 280 to give priority to using moneys in the California*
 36 *Teleconnect Fund Administrative Committee Fund for advanced*
 37 ~~*high-quality communications telecommunications services over*~~
 38 ~~*legacy communication services as the commission deems*~~
 39 ~~*appropriate. The commission shall ensure that the program*~~
 40 ~~*developed pursuant to Section 280 does not favor a particular*~~

1 *technology used to provide advanced telecommunications services*
2 *to qualifying entities.*
3 *(c) The commission shall open a new proceeding or amend an*
4 *existing proceeding to revise the definition of advanced*
5 *telecommunications services to include the needs of personalized*
6 *digital learning in schools and libraries.*

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