

**GENERAL ASSEMBLY OF NORTH CAROLINA**  
**SESSION 2007**

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**HOUSE BILL 2453**

Short Title: Broadband Availability Reporting Required. (Public)

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Sponsors: Representatives Faison and Bryant (Primary Sponsors).

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Referred to: Agribusiness and Agricultural Economy, if favorable, Public Utilities.

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May 26, 2008

A BILL TO BE ENTITLED

1 AN ACT REQUIRING COMPANIES AND OTHER ENTITIES OFFERING  
2 BROADBAND INTERNET SERVICES TO PROVIDE ANNUAL REPORTS TO  
3 THE E-NC AUTHORITY REGARDING SERVICE AREAS AND  
4 AVAILABILITY OF BROADBAND SERVICES WITHIN THOSE AREAS.  
5

6 The General Assembly of North Carolina enacts:

7 **SECTION 1.** Part 2F of Chapter 143B of Article 10 of the General Statutes  
8 is amended by adding a new section to read:

9 **"§ 143B-437.48. Broadband service providers; required reports.**

10 (a). Any company offering high-speed broadband Internet access to consumers in  
11 this State shall report annually by January 31 to the e-NC Authority on its service areas  
12 and its equipment, speed levels, and offerings for broadband services within its service  
13 areas. The report shall cover the preceding calendar year and shall also contain the  
14 following information:

15 (1) A description and map of the company's service area. The map of the  
16 service area shall be submitted in graphic form and shall also be  
17 submitted digitally, to the extent possible, in shapefile or coverage  
18 format for use with GIS applications. If files cannot be supplied in  
19 shapefile or coverage format, the company shall supply sufficient  
20 information for another entity to create the files necessary for GIS  
21 applications.

22 (2) A copy of the company's most recent estimate of subscriber uptake, as  
23 provided to the Federal Communications Commission.

24 (3) A listing of latitude/longitude coordinates for wireless facilities and  
25 wireless support structures, as defined in G.S. 153A-349.51, that the  
26 company owns, leases, or operates from to provide high-speed  
27 broadband Internet access to service areas within this State. The report  
28 shall include the range of service for each wireless facility or structure  
29 and an estimate of the number of subscribers within range.

1        (b) A telephone company or telephone cooperative subject to the reporting  
2 requirements of this section shall include in its annual report the following additional  
3 information:

4            (1) An aggregate number of homes passed and a listing of the number of  
5 access lines for each wirecenter, listed both by wirecenter and by  
6 county. If a wirecenter covers area in more than one county, the report  
7 shall provide a listing of access lines for each county along with an  
8 aggregate number of the homes passed in each of the counties covered  
9 by the wirecenter.

10          (2) Of the access lines reported pursuant to subdivision (1) of this  
11 subsection identification or listing of the access lines that are DSL  
12 capable.

13          (3) Latitude/longitude coordinates for all pair gain DSL Access  
14 Multiplexor (DSLAM) remotes. For each remote, the report shall  
15 contain a list of which remotes are DSL capable, and which are not.

16        (c) A cable or other company, including a cable company offering only one-way  
17 television, is subject to the reporting requirements of this section where applicable. The  
18 company shall include in its annual report the following additional information:

19            (1) A listing of the communities and municipalities served in each county  
20 and the aggregate number of homes passed in each community,  
21 municipality, and county served; along with a map of the coverage  
22 area showing the communities, municipalities and county areas served.

23            (2) A listing of the Head Ends of cable systems, with latitude and  
24 longitude coordinates.

25        (d) A local government entity, or any subdivision thereof, that offers broadband  
26 services or cable television service shall be subject to the reporting requirements of this  
27 section, where applicable.

28        (e) Proprietary information filed with the e-NC Authority pursuant to this section  
29 is confidential, and is not subject to disclosure under Chapter 132 of the General  
30 Statutes. It may not be released to any person other than to the submitting service  
31 provider or the e-NC Authority, without the express permission of the submitting  
32 service provider. Proprietary information is considered a trade secret under the Trade  
33 Secrets Protection Act, Article 24 of Chapter 66 of the General Statutes. General  
34 information collected by the e-NC Authority may be released or published only in  
35 aggregate amounts that do not identify or allow identification of numbers of subscribers  
36 or revenues attributable to an individual service provider."

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