
A BILL FOR AN ACT

RELATING TO REPORTING REQUIREMENTS FOR TELECOMMUNICATIONS AND
CABLE TELEVISION PROVIDERS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Governor Abercrombie's creation of the Hawaii
2 broadband initiative boldly states that advanced broadband
3 capability is an essential infrastructure necessary to drive
4 innovation, the economy, and job creation in the twenty-first
5 century. High-speed broadband infrastructure and affordable
6 broadband services are essential for the advancement of
7 education, health services, public safety, research, innovation,
8 e-government services, economic development, and public safety.
9 The telecommunications industry is an essential element of
10 Hawaii's economy and vital to the health and welfare of the
11 people of Hawaii.

12 Implementation of the Hawaii broadband initiative requires
13 statistical data for accurate and timely analyses. The data
14 will also assist in assessments and evaluations of available
15 broadband infrastructure and services. Such analyses will also
16 aid in the development of initiatives related to the future



1 expansion and enhancement of broadband infrastructure and
2 services.

3 SECTION 2. In January 2010, the United States Department
4 of Commerce's National Telecommunications and Information
5 Administration awarded the State of Hawaii a broadband data and
6 development grant, number 15-50-M09057, to create and maintain a
7 broadband map illustrating available broadband services
8 throughout the State. In addition to the mapping, other grant
9 activities included analysis of broadband availability and
10 adoption, identification of services at public schools,
11 libraries, hospitals, colleges, universities and public
12 buildings (referred to as community anchor institutions),
13 development of a five year plan and roadmap to increase access
14 and adoption through legislation and local technical assistance.

15 Of particular interest, the federal grant required
16 broadband data to be aggregated at the census block level. Due
17 to this requirement, if any subscriber in a census block
18 receives broadband service from a provider, that entire census
19 block is deemed to be served by that provider. The legislature
20 finds that reporting on census block basis may result in an
21 inaccurate assessment or overrepresentation of broadband
22 availability within the State.



1 "Broadband infrastructure" means the medium used to provide
2 broadband access or broadband service, including fiber optic
3 cable, copper cable, coaxial cable, and wireless media, such as
4 satellite communications, wi-fi, and worldwide interoperability
5 for microwave access.

6 "Department" means the department of commerce and consumer
7 affairs.

8 "Director" means the director of commerce and consumer
9 affairs.

10 "Mapping information" means that information required under
11 the United States Department of Commerce's National
12 Telecommunications and Information Administration broadband data
13 and development grant, number 15-50-M09057.

14 "Provider" means any cable operator, telecommunications
15 carrier, or telecommunications common carrier that provides
16 broadband service.

17 § -2 **Informational reports.** (a) On January 31 and July
18 31, commencing on July 31, 2012, every provider shall file with
19 the department, in a form as prescribed by the director,
20 separate reports for each county that include broadband access
21 availability and pricing over the most recent thirty-day period,



1 detailed by address or tax map key without any other personal or
2 private information.

3 (b) The department may request that a provider submit
4 additional information to the department when the department
5 deems it necessary to perform its responsibilities under this
6 chapter.

7 § -3 **Confidential information.** (a) Notwithstanding
8 chapter 92F, statements and reports provided to the department
9 pursuant to section -2, and the data contained therein, shall
10 be deemed confidential and proprietary; provided that the
11 department may disclose mapping information.

12 (b) Information and data collected by the department may
13 only be shared with the attorney general, the consumer advocate,
14 and the director of business, economic development, and tourism,
15 and their authorized representatives and employees, if the
16 information and data are necessary for the performance of the
17 agency's or other department's duties and functions and are
18 compatible with the purpose for which the information was
19 collected or obtained.

20 (c) Unless otherwise provided by law, the department and
21 any other department or agency permitted access under subsection

22 (b) shall be prohibited from:



- 1 (1) Using the information furnished or obtained for any
- 2 purpose other than the purposes for which it is
- 3 supplied;
- 4 (2) Making any publication whereby the data furnished by
- 5 any person can be identified; and
- 6 (3) Allowing any person other than the director, the
- 7 attorney general, the consumer advocate, the director
- 8 of business, economic development, and tourism, and
- 9 their authorized representatives and employees, to
- 10 examine the individual reports or statements
- 11 provided."

12 SECTION 4. This Act shall take effect on July 1, 2012.



H.B. NO.

Report Title:

Broadband Providers; Reporting Requirements

Description:

Requires broadband providers to report availability and pricing on an address or TMK basis, instead of the current census block basis, to DCCA. (HD1 Proposed)

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

