

Approved: March 31, 2003

Date

MINUTES OF THE HOUSE COMMITTEE ON UTILITIES.

The meeting was called to order by Chairman Carl D. Holmes at 9:06 a.m. on January 31, 2003 in Room 526-S of the Capitol.

All members were present except: Representative Eric Carter  
Representative Cindy Neighbor

Committee staff present: Mary Galligan, Legislative Research  
Dennis Hodgins, Legislative Research  
Mary Torrence, Revisor of Statutes  
Jo Cook, Administrative Assistant

Conferees appearing before the committee:

John Smith, Pixius Communications  
Carol Woolbright, Greenbush Interactive Distance Learning Network  
Ann Lundy, South Central Kansas Distance Learning Network  
Carol Swinney, Southwest Plains Regional Service Center  
Tom Gleason, Kansas Rural Independent Telephone Companies

Others attending: See Attached List

**HB 2019 - State Corporation Commission prohibited from regulating high speed Internet access/broadband service**

John Smith, Chief Information Officer for Pixius Communications, testified before the committee in a neutral position to **HB 2019 (Attachment 1)**. Mr. Smith provided background information about the company. He also stated that it is important for the members to know that there are alternative solutions to the challenge of bringing broadband service to rural communities and that wireless broadband was one of those alternatives.

Carol Woolbright, appearing on behalf of the Greenbush Interactive Distance Learning Network, addressed the committee as a neutral party to **HB 2019 (Attachment 2)**. Ms. Woolbright told the committee of their concerns that SBC will be disconnecting the analog sites that are required to provide the distance learning classes. Included with Ms. Woolbright's testimony is a map of the state showing the locations of the various distance learning networks.

Ann Lundy, Director of the South Central Kansas Distance Learning Network, also addressed the committee as a neutral party to **HB 2019 (Attachment 3)**. Ms. Lundy told the committee that the continuing need for distance learning is critical for the school districts and the decision by SBC to implement new technology has caused frustration.

Carol Swinney, Director of Distance Learning at Southwest Plains Regional Service Center, appeared before the committee as a neutral party to **HB 2019 (Attachment 4)**. Ms. Swinney also spoke of the changes SBC has initiated. She told how their energies were focused on replacing the analog technology in the appropriate time frame to guarantee the continuation of distance learning throughout our state.

Tom Gleason, appearing on behalf of the Kansas Rural Independent Telephone Companies, spoke to the committee as a neutral party regarding **HB 2019 (Attachment 5)**. He stated they have concern about potential

effects of the bill in the area of unintended consequences. Specifically, Mr. Gleason told the committee they felt there had been strained interpretations of selective phrases of the 1996 Telecommunication Act and feel that selective advancement of certain aspects of policy, at the expense of other goals, can do more harm than good to rural customers and they are not anxious for that to occur under a new law.

Mr. Smith, Ms. Woolbright, Ms. Lundy, Ms. Swinney, and Mr. Gleason responded to questions from the committee.

Chairman Holmes closed the hearing on **HB 2019**.

The meeting adjourned at 10:25 a.m. The next meeting is Monday, February 3, 2003 at 9:00 a.m.