

1 AMENDMENT TO SENATE BILL 1518

2 AMENDMENT NO. _____. Amend Senate Bill 1518 by replacing
3 the title with the following:

4 "AN ACT concerning telecommunications."; and

5 by replacing everything after the enacting clause with the
6 following:

7 "Section 5. The Public Utilities Act is amended by
8 adding Section 13-306 as follows:

9 (220 ILCS 5/13-306 new)

10 (Section scheduled to be repealed on July 1, 2005)

11 Sec. 13-306. Broadband services.

12 (a) The Commission shall not, by entering or enforcing
13 any order, adopting or enforcing any rule, or otherwise
14 taking or enforcing any agency action, impose or enforce any
15 regulation upon a provider of high speed internet access
16 service or broadband service in its provision of that service
17 regardless of technology or medium used to provide that
18 service. Nothing in this Section shall be construed to
19 deprive the Commission of authority over voice grade local
20 exchange telecommunications services provided to end users.

21 (b) For purposes of this Section, "high speed internet

1 access service" or "broadband service" means those services
2 and underlying facilities that provide upstream, from
3 customer to provider, or downstream, from provider to
4 customer, transmission to or from the Internet or have the
5 capability to transmit information in excess of 150 kilobits
6 per second, regardless of the technology or medium used,
7 including, but not limited to, wireless, copper wire, fiber
8 optic cable, or coaxial cable, to provide that service.

9 (c) A local exchange carrier subject to the provisions
10 of 47 U.S.C. Section 251(c) shall be required to provide
11 unbundled access to network elements related to high speed
12 internet access or broadband service including, but not
13 limited to, loops, subloops, and collocation space within the
14 facilities of the incumbent local exchange carrier, only to
15 the extent specifically required under Federal Communications
16 Commission regulations.

17 Section 99. Effective date. This Act takes effect upon
18 becoming law."