

HOUSE BILL No. 1069

DIGEST OF INTRODUCED BILL

Citations Affected: IC 8-1-32.5.

Synopsis: Communications service outages. Provides that a communications service provider (provider) shall notify the Indiana utility regulatory commission (IURC) of a service outage that: (1) prevents the provider from providing service to at least 25 customers in a contiguous geographical area; and (2) is sustained or consistent over a period of seven or more consecutive days. Requires the provider to: (1) notify the IURC regarding the service outage not later than eight days after the start of the service outage; and (2) provide the IURC with updates regarding the service outage at least once every 24 hours until the service outage ends. Requires the IURC to publish the provider's notification on the IURC's Internet web site. Provides that, within 45 days after the start of the service outage, the IURC may hold one or more public meetings regarding the service outage, and requires the provider to: (1) provide notice of the public meeting to the provider's customers affected by the service outage; and (2) present a root cause analysis of the service outage at the public meeting. Allows the IURC to revoke the certificate of territorial authority of a provider that fails to comply with these provisions.

Effective: July 1, 2021.

Frye R

January 4, 2021, read first time and referred to Committee on Utilities, Energy and Telecommunications.



First Regular Session of the 122nd General Assembly (2021)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2020 Regular Session of the General Assembly.

HOUSE BILL No. 1069

A BILL FOR AN ACT to amend the Indiana Code concerning utilities.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 8-1-32.5-4.7 IS ADDED TO THE INDIANA
2 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
3 [EFFECTIVE JULY 1, 2021]: **Sec. 4.7. As used in this chapter,**
4 **"extended service outage" means the inability of a communications**
5 **service provider to provide communications service to at least**
6 **twenty-five (25) customers in a contiguous geographical area that:**
7 **(1) is caused by a malfunction or failure of equipment or**
8 **technology owned or operated by the communications service**
9 **provider; and**
10 **(2) is sustained or consistent over a period of seven (7) or**
11 **more consecutive days.**

12 SECTION 2. IC 8-1-32.5-11.5 IS ADDED TO THE INDIANA
13 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
14 [EFFECTIVE JULY 1, 2021]: **Sec. 11.5. (a) If a communications**
15 **service provider experiences an extended service outage, the**
16 **communications service provider shall, in a form and manner**
17 **prescribed by the commission:**



1 (1) provide notice of the extended service outage to the
2 commission not later than eight (8) days after the start of the
3 extended service outage; and

4 (2) after providing notice under subdivision (1), provide the
5 commission with at least one (1) update regarding the
6 extended service outage every twenty-four (24) hours until the
7 extended service outage ends.

8 (b) The commission shall publish a notification received from a
9 communications service provider under subsection (a) on the
10 commission's Internet web site. The commission may, within
11 forty-five (45) days after the start of the extended service outage,
12 hold one (1) or more public meetings concerning the extended
13 service outage. The commission shall provide public notice of a
14 public meeting under this subsection not later than seven (7) days
15 before the public meeting.

16 (c) If the commission provides public notice of a public meeting
17 under subsection (b), the communications service provider shall:

18 (1) not later than twenty-four (24) hours after the commission
19 provides public notice of the public meeting, provide written
20 notice of the public meeting to all customers of the
21 communications service provider affected by the extended
22 service outage; and

23 (2) provide for a representative of the communications service
24 provider to attend the public meeting and, at the public
25 meeting, provide the commission with a root cause analysis of
26 the extended service outage.

27 (d) The commission may revoke the certificate of territorial
28 authority of a communications service provider that fails to comply
29 with subsection (a) or (c).

