
HOUSE BILL 2662

State of Washington 65th Legislature 2018 Regular Session

By Representatives Hansen, Griffey, Appleton, MacEwen, and Caldier

1 AN ACT Relating to authorizing limited retail telecommunications
2 services for public utility districts that provide only sewer, water,
3 and telecommunications on the effective date of this act; and adding
4 a new section to chapter 54.16 RCW.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

6 NEW SECTION. **Sec. 1.** A new section is added to chapter 54.16
7 RCW to read as follows:

8 (1) Any public utility district that, as of the effective date of
9 this section, provides only water, sewer, and telecommunications
10 services in a county with an area less than five-hundred square miles
11 may provide end user telecommunications services in the manner
12 prescribed by this section.

13 (2) Upon receiving a petition meeting the requirements of
14 subsection (3) of this section, a public utility district board of
15 commissioners may hold three meetings or hearings to:

16 (a) Verify the signature or signatures on the petition and
17 certify the petition;

18 (b) Determine and submit findings that the retail service
19 available to the individual or the petitioners in their geographical
20 area is either nonexistent or inadequate; and

1 (c) By resolution, authorize the public utility district to
2 provide either retail service, connectivity, or both in the area
3 defined in the petition.

4 (3) A petition meets the requirements of subsection (2) of this
5 section if it is delivered to a public utility district board of
6 commissioners, declares that the signatories have no or inadequate
7 retail service providers, requests the public utility district to
8 provide the retail service, and is signed by one of the following:

9 (a) A majority of the residents or businesses in any
10 telecommunications local utility district;

11 (b) A majority of a group, including homeowner associations, of
12 any geographical area who have developed a partnership payment
13 structure to finance broadband deployment with the public utility
14 district; or

15 (c) Any individual who has developed a partnership payment
16 structure to finance broadband deployment with the public utility
17 district.

18 (4) For purposes of this section, the adequacy of retail service
19 is determined by measuring retail service in the area and comparing
20 it with service standards in the public utility district service
21 level agreement used for other public utility district network
22 providers. Measurement of the existing retail service provider's
23 service must be quantified by measuring the service with speed and
24 capacity devices and software. Additionally, a retail service
25 provider may submit its own assessment of its service level for
26 consideration by the commission within thirty days of the first
27 meeting or hearing conducted under subsection (2) of this section.

28 (5) If, after reviewing the measurements and evaluating the
29 retail service provider's submission, if any, under subsection (4) of
30 this section, a public utility district board of commissioners
31 determines that no or inadequate service exists for the individual or
32 petitioners identified in subsection (3) of this section, the
33 commission, may by resolution authorize the public utility district
34 to provide or contract for provision of internet connectivity to end
35 users in such area.

36 (6) All rates for retail services offered by a public utility
37 district under this section must be fair and nondiscriminatory,
38 except the public utility district may set tiers of service charges

1 based on service demands of the user, including commercial and
2 residential rates.

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