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SENATE BILL 679

44TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 1999

INTRODUCED BY

Pauline B. Eisenstadt

AN ACT

RELATING TO TELECOMMUNICATIONS; ESTABLISHING PROVISIONS TO ENSURE COMPETITION AND PROTECT CONSUMER CHOICE WITH RESPECT TO HIGH-SPEED INTERNET ACCESS AND OTHER DATA SERVICES PROVIDED AND TO FURTHER ENSURE THAT CONSUMERS OF BASIC CABLE SERVICE ARE NOT REQUIRED TO SUBSIDIZE THE PROVISION OF PUBLIC TELECOMMUNICATIONS SERVICES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. A new section of the New Mexico Telecommunications Act is enacted to read:

" NEW MATERIAL TELECOMMUNICATIONS CARRIERS PROVIDING ADVANCED PUBLIC TELECOMMUNICATIONS SERVICES.

A. A telecommunications carrier that uses its own cable television network facilities, or those of an affiliate, to provide public telecommunications services regulated by the

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1 commission shall not subsidize the provision of those public
2 telecommunications services from the provision of video
3 programming.

4 B. To the extent that telecommunications carriers
5 have an obligation pursuant to state or federal law to provide
6 open and nondiscriminatory access to nonaffiliated providers
7 of internet and on-line services, a telecommunications carrier
8 that uses its own cable television network facilities, or
9 those of an affiliate, to provide public telecommunications
10 services, including high-speed internet access and other data
11 services, shall allow nonaffiliated providers of internet and
12 on-line services to have open and nondiscriminatory access to
13 the cable modem platform and transport services of the
14 telecommunications carrier that are used for the delivery of
15 that telecommunications carrier's own internet and on-line
16 services.

17 C. A telecommunications carrier that uses its own
18 cable television network facilities, or those of an affiliate,
19 to provide public telecommunications services shall allow open
20 and nondiscriminatory access at prices based on the
21 telecommunications carrier's costs of providing the cable
22 modem platform and transport services, as determined by the
23 commission.

1 FORTY-FOURTH LEGISLATURE

2 FIRST SESSION, 1999

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5 February 27, 1999

6
7 Mr. President:

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9 Your CORPORATIONS & TRANSPORTATION COMMITTEE, to
10 whom has been referred

11
12 SENATE BILL 679

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14 has had it under consideration and reports same with
15 recommendation that it DO PASS, and thence referred to the
16 JUDICIARY COMMITTEE.

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18 Respectfully submitted,

Roman M. Maes, Chairman

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Adopted _____ Not

Adopted _____

(Chief Clerk)

(Chief Clerk)

Date _____

The roll call vote was 5 For 1 Against

Yes: 5

No: Rawson

Excused: Aragon, Kysar, McKibben, Robinson

Absent: None

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