

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2009**

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**HOUSE BILL 135**

Short Title:    Broadband Service Providers. (Public)

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Sponsors:     Representatives Faison, Tolson, Haire, Tillis (Primary Sponsors); Adams,  
K. Alexander, M. Alexander, Allred, Bryant, England, E. Floyd, Guice, Hurley,  
Insko, Jones, Lucas, Mobley, Tarleton, and Wray.

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Referred to:    Ways & Means/Broadband Connectivity, if favorable, Public Utilities.

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February 12, 2009

A BILL TO BE ENTITLED

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2 AN ACT PERMITTING CERTAIN BROADBAND SERVICES PROVIDERS THAT  
3 PROVIDE VOICE GRADE COMMUNICATIONS SERVICES WITHIN A DEFINED  
4 SERVICE TERRITORY OR FRANCHISE AREA TO OFFER SUCH VOICE GRADE  
5 SERVICE AS AN INCIDENT TO BROADBAND SERVICE OUTSIDE THE  
6 PROVIDERS' SERVICE TERRITORY OR FRANCHISE AREA.

7 The General Assembly of North Carolina enacts:

8       **SECTION 1.** G.S. 62-113 is amended by adding a new subsection to read:

9       "(c) Any broadband services provider that provides voice grade communication services  
10 within a defined service territory or franchise area, and elects to provide broadband services  
11 outside its service territory or franchise area, may provide such voice grade service as an  
12 incident to such broadband service without violating its service territory restrictions or  
13 franchise agreement."

14       **SECTION 2.** This act is effective when it becomes law.

