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Telecommunications Industry Association
Advancing Global Communications



January 31, 2014

The Honorable Julia Lynn, Chair
Senate Commerce Committee
Kansas Legislature
Room 548-S
300 SW 10th St.
Topeka, Kansas 66612

We, the private-sector companies and trade associations listed below, urge you to **oppose SB 304** because this bill will harm both the public and private sectors, stifle economic growth, prevent the creation or retention of thousands of jobs, hamper work force development, and diminish the quality of life in Kansas. In particular, SB 304 will hurt the private sector in several ways: by curtailing public-private partnerships; by stifling the ability of private companies to sell equipment and services to public broadband providers; and by impairing economic and educational opportunities that contribute to a skilled workforce from which businesses across the state will benefit.

The United States must compete in a global economy in which affordable access to advanced communications networks is playing an increasingly significant role. As the Federal Communications Commission noted in challenging broadband providers and state and municipal community leaders to come together to develop at least one gigabit community in all 50 states by 2015, "The U.S. needs a critical mass of gigabit communities nationwide so that innovators can develop next-generation applications and services that will drive economic growth and global competitiveness."

The private sector alone cannot enable the United States to take full advantage of the opportunities that advanced communications networks can create in virtually every area of life. As a result, federal and state efforts are taking place across the Nation, including Kansas, to deploy both private and public broadband infrastructure to stimulate and support economic development and job creation, especially in economically distressed areas. SB 304 would prevent municipalities from working with private broadband providers, or developing themselves, if necessary, the advanced broadband infrastructure that will stimulate local businesses development, foster work force retraining, and boost employment in economically underachieving areas.

Consistent with these expressions of national unity, public entities in Kansas and across America are ready, willing, and able to do their share to bring affordable high-capacity broadband connectivity to all Americans. Enactment of barriers to public broadband initiatives, including SB 304, would be counterproductive to the achievement of these goals. SB 304 is also inconsistent with America's National Broadband Plan, which calls on States to remove existing barriers to community broadband initiatives and to refrain from enacting new ones.

We support strong, fair and open competition to ensure that users can enjoy the widest range of choices and opportunities. SB 304 is a step in the wrong direction. It is bad for Kansas communities, bad for the private sector, particularly high-technology companies, and bad for America's global competitiveness. **Please oppose SB 304 and any amendment or other measure that could significantly impair community broadband deployments or public-private partnerships in Kansas.**

Sincerely,

Alcatel-Lucent
American Public Power Association
Atlantic Engineering Group
Calix Inc.
CTC Technology & Energy, LLC
Fiber to the Home Council
Google
National Association of Telecommunications Officers and Advisors
OnTrac
Telecommunications Industry Association
Utilities Telecom Council

cc: Sen. Susan Wagle, Vice Chair
Sen. Tom Holland, Ranking Minority Member
Sen. Pat Apple
Sen. Jim Denning
Sen. Oletha Faust-Goudreau
Sen. Jeff Longbine
Sen. Jeff Melcher
Sen. Robert Olson
Sen. Mary Pilcher-Cook
Debbie Bartuccio,
Secretary to the Committee