

1 AN ACT concerning telecommunications.

2 Be it enacted by the People of the State of Illinois,  
3 represented in the General Assembly:

4 Section 5. The Public Utilities Act is amended by adding  
5 Section 13-306 as follows:

6 (220 ILCS 5/13-306 new)

7 (Section scheduled to be repealed on July 1, 2005)

8 Sec. 13-306. Broadband services.

9 (a) The Commission shall not, by entering or enforcing  
10 any order, adopting or enforcing any rule, or otherwise  
11 taking or enforcing any agency action, impose or enforce any  
12 regulation upon a provider of high speed internet access  
13 service or broadband service in its provision of that  
14 service, or upon the facilities used to provide that service,  
15 unless the order, rule, agency action, or regulation is  
16 imposed equally and uniformly upon all providers of high  
17 speed internet access service or broadband service,  
18 regardless of technology or medium used to provide that  
19 service.

20 (b) For purposes of this Section, "high speed internet  
21 access service" or "broadband service" means those services  
22 and underlying facilities that provide upstream, from  
23 customer to provider, or downstream, from provider to  
24 customer, transmission to or from the Internet or have the  
25 capability to transmit information in excess of 150 kilobits  
26 per second, regardless of the technology or medium used,  
27 including, but not limited to, wireless, copper wire, fiber  
28 optic cable, or coaxial cable, to provide that service.

29 (c) A local exchange carrier subject to the provisions  
30 of 47 U.S.C. Section 251(c) shall be required to provide  
31 unbundled access to network elements including, but not

1 limited to, loops, subloops, and collocation space within the  
2 facilities of the incumbent local exchange carrier, to the  
3 extent specifically required under Federal Communications  
4 Commission regulations.

5 Section 99. Effective date. This Act takes effect upon  
6 becoming law.