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Testimony of Patrick Fucik on behalf of Sprint Corporation
On Kansas HB 2701
Kansas House Energy, Utilities and Telecom Committee
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Good morning Chairman Seiwert and members of the committee. My name is Patrick Fucik and I am the National Director of State Legislative Affairs for Sprint. Thank you for the opportunity to present testimony on HB 2701. While Sprint is generally supportive of measures that encourage broadband expansion, Sprint is officially neutral on HB 2701 and I am happy to discuss the reason for that position below.

First, at both the federal and state level, there has been a lot of focus on creating funding sources to encourage broadband deployment. The federal USF was repurposed to focus on broadband versus voice provisioning and several states have followed suit such as Colorado. I worked on the Colorado legislation that earmarked a portion of their state USF funding to encourage broadband deployment in unserved and underserved areas. However, Colorado did not engage in a ‘task force’ type of process to achieve that legislation. My point is, I am not sure that a formal ‘task force’ created by legislation is necessary to achieve the desired outcome and that an interim joint-committee process involving both chambers of the Legislature as Kansas has used in the past might be an easier way to achieve the desired outcomes.

Second, with regard to the mission of the task force, it calls for identifying opportunities and potential funding sources to expand broadband, remove barriers that may hinder broadband deployment and “enable the creation and deployment of new advanced communication technologies.” Given the State’s current budget situation, it is unlikely that State General Fund revenues would be an available funding source and as a result, either existing funds like the Kansas Universal Service Fund (KUSF) or a new funding source would have to be identified. Whether using KUSF or another funding source, directing those funds to be used to “enable the creation and deployment of new advanced communication technologies” appears to be in direct conflict with what companies like Sprint strive to do every day. Using such funding to compete directly with the private sector does not appear to be useful part of the task force’s mission and I would suggest deleting that provision.

Third, with regard to the make-up of the task force, it appears heavily weighted toward providers other than wireless carriers and provides for “one member appointed by the cellular telecommunications industry association” or CTIA. Because CTIA represents a variety of companies including infrastructure providers in addition to wireless carriers, there is no guarantee that a wireless provider representative would be selected as currently written. I would suggest amending that provision (Section 1 (a) (9)) to provide that CTIA appoint two members: one representing a large wireless carrier and one representing a regional wireless carrier.

Finally, with regard to Section 1 (e) (2), which provides for considering recent actions by the FCC relating to broadband services, I would suggest adding reference to “the Mobility Fund II” which is a fund similar to the Connect America Fund but that focuses specifically on wireless broadband deployment.

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I would like to close by reiterating that Sprint supports efforts to encourage broadband expansion in all states and stands ready to work with policy makers in Kansas on whatever course is determined to be the best path forward to encourage broadband deployment.

Thank you for your time and I would be happy to answer any questions.