

City of Houston Proposed Amendments to HR-3291

The bill contains language that would preempt existing local government authority to regulate telecommunication and cable companies that operate for profit within public rights-of-way, negatively impacting local government revenues and causing potential harm to residents.

The following are brief descriptions of changes that would greatly improve and protect services:

1. There should be a clear definition of “telecommunication facility”
 - Remove language in 47 USC 253(j)(2)(B)(page 36 lines 8-10) and 47 USC 1455(7)(E) (page 47, lines 19-21).
2. Public Access information should be added as an exception.
 - Amend the modification and elimination requirements exceptions and add language in 47 USC 625(a) (page 65, lines 5-6) and 47 USC 654(a)(B)(3) (page 66, lines 13-17)
3. The franchise authority should be required to exhaust all existing state administrative remedies before revoking a franchise.
 - Add language to 47 USC 626(c)(1) (page 70, lines 9-10)
4. Once a cable franchise is non-renewed or is terminated, there should be clear guidelines for both the franchise authority or cable franchisee to remove equipment in the right of way.
 - Add language in 47 USC 626(c)(3)(C) (page 71, lines 13-32)