



NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 129*

AMENDMENT NO. 5
(to be filled in by
Principal Clerk)

Page 1 of 1

H129-ATD-66 [v.1]

Comm. Sub. [YES]
Amends Title [NO]
Fourth Edition

Date April 28, 2011

Senator Atwater

1 moves to amend the bill on page 3, line 43, through page 4, line 5, by rewriting the lines to
2 read:

3 "(b) The provisions of G.S. 160A-340.1, 160A-340.4, and 160A-340.5 do not apply to
4 the provision of communications service in an unserved area. A city seeking to provide
5 communications service in an unserved area shall petition the North Carolina Utilities
6 Commission for a determination that an area is unserved. The petition shall identify with
7 specificity the geographic area for which the designation is sought. Any private
8 communications service provider, or any other interested party, may, within a time established
9 by order of the Commission, which time shall be no fewer than 30 days, file with the
10 Commission an objection to the designation on the grounds that one or more areas designated
11 in the petition is not an unserved area. For purposes of this subsection, the term "unserved area"
12 means either of the following:

13 (1) A census block, as designated by the most recent census of the U.S. Census
14 Bureau, in which at least fifty percent (50%) of households either have no
15 access to high-speed Internet service or have access to high-speed Internet
16 service only from a satellite provider. A city may petition the Commission to
17 serve multiple contiguous unserved areas in the same proceeding.

18 (2) A geographical area where the average household density per square mile is
19 equal to or less than 30."

20
21
22
WITHDRAWN

SIGNED Sen. Pat Atwater
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED _____ FAILED _____ TABLED _____



* H 1 2 9 - A T D - 6 6 - V - 1 *