

Important Changes to Pennsylvania's Telecommunications Law

Act 183 of 2004, enacted November 30, 2004, has dramatically changed Pennsylvania's old telecommunications law, Chapter 30 (Alternative Form of Regulation for Telecommunications Services). The new law contains several initiatives designed to increase the speed and scope of broadband internet access in Pennsylvania by speeding up the timetable for deployment of high-speed broadband services before the 2015 deadline established under the original Chapter 30.

One of the initiatives is to offer school entities financial assistance to provide students and staff broadband internet access. Specifically, the Act requires PDE to establish an Educational Technology Program to provide broadband discounts, grants for the purchase of telecommunications equipment, and technical assistance for distance learning and other initiatives that will improve educational opportunities throughout the state. Act 183 directs PDE to develop guidelines and application criteria for school entities by the end of February 2005. In awarding grants, PDE is required to ensure that funded applications are geographically dispersed across the state and priority is given to applications that:

1. seek funds for discounted broadband services or for broadband infrastructure, facilities or equipment from local exchange telecommunications companies which contribute to the E-Fund;
2. seek funds for regional networks that serve multiple school districts which are filed on behalf of multiple school districts and school entities; or
3. are submitted by school entities that do not have broadband service, provided, however, that nothing in this subsection shall preclude PDE from awarding funds to school entities for telecommunications services, infrastructure or facilities that provide bandwidths greater than 1.544 megabits per second (Mbps).

Additionally, the Act 183 requires incumbent local exchange carriers (ILECs), which elect to amend their modernization plan under the new law, to provide school entities with a minimum thirty percent (30%) discount on the broadband mileage rate when a school enters into a minimum three (3) year contract with them to provide broadband service. Plus, ILECs also are required to waive the associated nonrecurring charges for available intrastate broadband services when these services are used for educational purposes. Additionally, ILECs must provide school entities with assistance in applying for federal E-rate funding.

Clients who have questions regarding issues discussed in this article, or any education law matter, should feel free to call us at 215-345-9111.