

# STATE OF NEW YORK

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5062

2021-2022 Regular Sessions

## IN SENATE

February 23, 2021

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Introduced by Sen. PARKER -- read twice and ordered printed, and when printed to be committed to the Committee on Energy and Telecommunications

AN ACT to amend the public service law, in relation to directing the commission to establish standards and safeguards for certain radio and phone providers to meet eligibility to provide lifeline services

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Paragraph c of subdivision 6 of section 5 of the public  
2 service law, as amended by chapter 13 of the laws of 2020, is amended to  
3 read as follows:

4 c. Notwithstanding paragraph a of this subdivision, the commission may  
5 designate any commercial mobile radio or cellular telephone service  
6 providers as an eligible telecommunications carrier for purposes of  
7 providing lifeline service, in addition to any commercial mobile radio  
8 or cellular telephone service providers designated as such pursuant to  
9 47 U.S.C. § 214(e) and 47 U.S.C. § 214(e)(2), without requiring any such  
10 provider to obtain a certificate of public convenience and necessity  
11 pursuant to section ninety-nine of this chapter. The commission is  
12 authorized and directed to promulgate all rules and regulations neces-  
13 sary to implement the provisions of this paragraph, and to establish  
14 standards and safeguards for approval as an eligible telecommunications  
15 carrier for purposes of providing lifeline service. Such standards and  
16 safeguards shall include, but not be limited to, the provider's manage-  
17 rial, financial and technical capability and expertise, including wheth-  
18 er the provider has forfeited eligible telecommunications carrier desig-  
19 nation in another state or been subject to the imposition of substantial  
20 monetary penalties by the federal communications commission or another  
21 state. Upon adoption by the commission, such standards and safeguards  
22 shall apply to new applicants, and shall not apply to previously  
23 approved providers or affiliated entities of such providers with common  
24 financial, managerial and technical capability and expertise.

25 § 2. This act shall take effect immediately.

EXPLANATION--Matter in italics (underscored) is new; matter in brackets  
[-] is old law to be omitted.

LBD09906-01-1