STATE OF NEW YORK

5062

2021-2022 Regular Sessions

IN SENATE

February 23, 2021

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:

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

c. Notwithstanding paragraph a of this subdivision, the commission may designate any commercial mobile radio or cellular telephone service providers as an eligible telecommunications carrier for purposes of providing lifeline service, in addition to any commercial mobile radio or cellular telephone service providers designated as such pursuant to 47 U.S.C. § 214(e) and 47 U.S.C. § 214(e)(2), without requiring any such provider to obtain a certificate of public convenience and necessity pursuant to section ninety-nine of this chapter. The commission is authorized **and directed** to promulgate all rules and regulations necessary to implement the provisions of this paragraph**, and to establish standards and safeguards for approval as an eligible telecommunications carrier for purposes of providing lifeline service. Such standards and safeguards shall include, but not be limited to, the provider's managerial, financial and technical capability and expertise, including whether the provider has forfeited eligible telecommunications carrier designation in another state or been subject to the imposition of substantial monetary penalties by the federal communications commission or another state. Upon adoption by the commission, such standards and safeguards shall apply to new applicants, and shall not apply to previously approved providers or affiliated entities of such providers with common financial, managerial and technical capability and expertise**.

§ 2. This act shall take effect immediately.

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

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