

# Lawmakers Aim to Protect Public Broadband

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Fourteen U.S. states have passed laws limiting municipal broadband services, with large Internet providers lobbying against city-offered services. Two U.S. senators have jumped into a growing debate about whether cities should be allowed to create tax-funded broadband services, with the two introducing a bill that would prevent states from outlawing municipal broadband projects.

The Community Broadband Act of 2005, introduced last week by Senators John McCain, an Arizona Republican, and Frank Lautenberg, a New Jersey Democrat, would prevent states from outlawing municipal broadband service while requiring cities to regulate their own broadband services the same as they regulate competitors. For example, a municipal broadband service would have to pay the same franchise fees as other providers.

Several cities, including Philadelphia, have explored offering municipal broadband, typically using Wi-Fi technology, in recent months. Late last year, Pennsylvania Governor Ed Rendell signed legislation preventing further municipal broadband projects, but along with the bill came an agreement between the city of Philadelphia and Verizon Communications over a city-run Wi-Fi network.

The Community Broadband Act is needed to meet President George Bush's goal of universally available broadband in the U.S. by 2007, McCain said in a speech last week. McCain noted that the U.S. ranks 16th among nations in broadband penetration.

"This is unacceptable for a country that should lead the world in technical innovation, economic development, and international competitiveness," McCain said. "As a country, we cannot afford to cut off any successful strategy if we want to remain internationally competitive."

The two telecom giants, however, helped fund a study released in February that said municipal Wi-Fi networks could have "grave flaws."

The New Millennium Research Council study suggested municipal broadband services could dedicate tax dollars to rapidly outdated technology. The study also noted that municipal broadband networks could be expensive to maintain. "Municipal Wi-Fi networks present a number of serious problems that are being overlooked as cities rush into committing millions in taxpayer dollars to pay for network development and expansion," the study says.

Late last week, 40 groups representing local governments, the IT industry, and consumers sent a letter to members of Congress asking lawmakers to support pro-municipal broadband legislation. Among the groups signing the letter were the League of California Cities, Public Knowledge, the Rural Broadband Coalition, Consumers Union, and the Fiber to

the Home Council.

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