

RESOLUTION NO. 2009 - 878

A RESOLUTION TO EXPRESS THE CONCERN OF THE CITY OF RALEIGH ABOUT CERTAIN PROVISIONS OF RECENTLY INTRODUCED LEGISLATION REGULATING GOVERNMENT PROVISION OF BROADBAND SERVICE AND CABLE TELEVISION SERVICE.

Whereas, Senate Bill 1004 and House bill 1252, companion bills entitled *The Level Playing Field Act*, have been introduced in the 2009 Regular Session of the north Carolina General Assembly; and

Whereas, it is possible that the bills do not provide the level playing field implied in their titles for local governments versus private providers; and

Whereas, the United States Congress has enacted the American Recovery and Reinvestment Act which includes provision for up to \$4.7 billion in federal grants to local governments to assist them in providing affordable access to high capacity broadband service in unserved and underserved areas; and

Whereas, S 1004 and H 1252 could have the effect of denying the availability of such grants to local governments if those bills are enacted into law; and

Whereas, North Carolina law already imposes strict accounting and other regulations on the provision of enterprise services and in the provision of funds to encourage economic development throughout the State; and

Whereas, local government only desires that the playing field for the provision of these services be truly level for both public and private sectors;

NOW THEREFORE BE IT RESOLVED BY THE RALEIGH CITY COUNCIL THAT:

1. The General Assembly reexamines the need for the *Level Playing Field Act* to determine its true effect on local government's obligations to its citizens and to remove the chilling effect these bills will have on local economies if they become law.
2. The General Assembly make public and private providers subject to the same standards and requirements if it is determined that one of the groups is at an actual disadvantage.
3. The General Assembly takes no action to impede or remove the local government's ability to access American Recovery and Reinvestment Act funds.
4. A copy of this Resolution be given to each member of the Senate Commerce Committee and the House Committee of Science and Technology.

Adopted: April 21, 2009

Effective: April 21, 2009