

RESOLUTION NO. 12-46

**A RESOLUTION OF TOWN COUNCIL OF THE TOWN OF FAIRFAX
IN OPPOSITION TO SB 1161**

WHEREAS, universal telephone and telecommunications access is essential for the efficient provision of, and access to, a host of social services, educational opportunities and economic development; and,

WHEREAS, Communication is a fundamental human right and the lack of basic communication services isolates people and denies them the right to communicate. Without access to basic telephone and broadband service, rural communities are further isolated from economic and civic participation, and disconnected from the safety provided by our nation's emergency 911-service network; and,

WHEREAS, Senate Bill 1161 (SB 1161) will prohibit regulatory oversight of most broadband technology by the California Public Utilities Commission and threaten access to broadband and basic telephone service, including 911-emergency service, for California's most vulnerable citizens, including but not limited to rural and low income communities; and,

WHEREAS, since most phone companies use Internet Protocol (IP) in their networks and most phone calls involve the Internet, under SB 1161, phone companies will no longer be held accountable to provide quality, affordable, and reliable phone service for all Californians; and,

WHEREAS, The California Public Utilities Commission has an indispensable role in regulating phone companies that use IP in order to protect customers who use landline and wireless services; and,

WHEREAS, SB 1161 will prohibit the California Public Utilities Commission from regulating phone companies that use IP; and strip the California's Public Utility Commission of its ability to hold telephone utilities accountable to poor service quality and resolving customers' complaints; and;

WHEREAS, if enacted, SB 1161 will, under the guise of "deregulating" Internet Protocol, leave customers at the mercy of an unregulated company to raise the price for basic telephone service; leave customers unprotected from unfair billing and collecting practices like cramming (the illegal practice of placing unauthorized, misleading or deceptive charges on local telephone bills) and slamming (involves switching a phone service to a different provider without notifying the customer); force customers to buy more expensive, additional services that they may not want in order to maintain basic phone service; allow possible "redlining" of poor and remote communities where providing service is more costly or higher-maintenance; allow telephone utilities to withdraw their wireline networks, not only cutting off access to their services but also potentially cutting off other companies' access to these vulnerable customers;

WHEREAS maintaining protections for basic, affordable phone and broadband services in a nondiscriminatory manner is not in conflict with upholding the continued vitality of California's high-tech economy. In fact, regulation that protects basic telephone and broadband service is elemental in maintaining a truly robust, profitable, and innovative telecommunications future for California.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED that the Fairfax Town Council respectfully urges opposition to SB 1161.

The forgoing Resolution was duly introduced and adopted at a regular meeting of the Town Council of the Town of Fairfax held in said Town on the 11th day of July, 2012, by the following vote:

AYES:

NOES:

ABSENT:

PAM HARTWELL-HERRERO, MAYOR

Attest:

Judy Anderson, Town Clerk