

This year was another roller coaster for legislation that would allow for municipal electric broadband to expand beyond its electric service footprint.

The session looked to potentially be a quiet one due some legislators wanting to wait until two ongoing studies were completed, one by the Tennessee Department of Economic and Community Development and the other by TACIR. However, the need for more broadband, particularly in rural areas, motivated other legislators to continue the push for more access. Additionally, TACIR agreed no legislation should be affected due to its study.

TMEPA's legislation carried over to this year's session, and several other bills were filed on the topic. [HB1839](#) would allow municipal electric expansion in name only, as it had several conditions that would all but prohibit expansion. Two caption or placeholder bills ([HB2408](#) and [HB2133](#)) were filed, along with two resolutions ([HIR482](#) and [SJR510](#)) that urged more broadband service in rural areas.

After the legislative session started, it was clear some legislators didn't believe more studies were to tell them what they already knew: their constituents need better and more broadband access. Two House members, Rep. Art Swann and Rep. Mike Carter, heard their constituents' needs and put together a new approach that turned more than a few heads. With municipal electric systems already having the authority to offer broadband, they turned to electric cooperative service territory. Under their legislation, cooperative members could petition their cooperative board for more broadband service. If at least two current private providers were not already providing the FCC broadband benchmark of 25 mbps download/3 mbps download, then the cooperative or a municipal system could offer broadband service. This was a promising development as Rep. Swann is the chairman of the House Business and Utilities Subcommittee were all broadband were referred, and it had legislators asking electric cooperatives to offer service for the first time.

Early in the session, broadband activists held a press conference in the State Capitol the day they delivered petitions to legislators asking for municipal broadband service. Several legislators were present at the press conference, and several citizens told their stories of how the lack of broadband affected their daily lives. The most compelling grassroots supporter was a ten-year old student that spoke of the challenges she faces just to get her homework done on a nightly basis. AARP publicly voiced their support of the bill as the need for access to broadband is important to their members in Tennessee.

While more legislators supported public expansion of broadband this year, the committees where the broadband bills were referred still did not pass a bill out this year. One bill did come up for a vote. Rep. Brooks, sponsor of TMEPA's bill, Rep. Kevin Brooks attempted to amend one of the caption bills ([HB2133](#)) to allow for EPB of Chattanooga to conduct a demonstration expansion project to go along with the studies being conducted by the Tennessee Department of Economic and Community Development and TACIR. The project would have allowed EPB to serve the rest of Hamilton County and into Bradley County. The amendment failed 3-5, with one committee member absent that likely would have voted "no" as well. While no bill went forward this year, the chairman of the subcommittee Rep. Art Swann placed all broadband bills into a summer study. Several legislators both publicly and privately have committed this is the last year they would oppose any expansion legislation, and that next year they would support a bill of some kind. This is encouraging, however promises of "next year" have been heard for several years.

TMEPA will be following the two ongoing studies closely. The Department of Economic and Community Development broadband study is due in June 2016, while the TACIR broadband study is set to be completed in January 2017.