



City of Eden

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EDEN
AGAINST SENATE BILL 1004 and HOUSE BILL 1252
*Level Playing Field Act***

WHEREAS, Senate Bill 1004 (HB 1252) , *The Level Playing Field Act*, have been introduced in the 2009 Session of the General Assembly of North Carolina, and referred to the Senate Commerce Committee and House Committee on Science and Technology, respectively; and

WHEREAS, these bills do not provide a "level playing field" to cities, towns and counties, but greatly hinder local governments from providing needed communications services, especially advanced high-speed broadband services, in underserved areas; and

WHEREAS, the bills do not provide a "level playing field," but instead impose numerous obligations on cities and towns that private broadband companies do not have to meet; and

WHEREAS, private companies, despite having received favorable regulatory and tax treatment to enable broadband investment, have chosen to avoid the financial commitment necessary to provide top quality services, instead offering lesser quality, slow non-state-of-the-art infrastructure technologies that are not even available to all residents; and

WHEREAS, while private companies declare top quality service is cost-prohibitive in our country, the United States continues to lose ground to other nations in broadband access, cost and growth in number of users, falling behind the United Kingdom, Korea, France, Japan and Canada to name a few, and Japan has internet access that is at least 500 times faster than what is considered high-speed in the United States and at less cost; and

WHEREAS, the U.S. Congress provided funds in the American Recovery and Reinvestment Act (federal stimulus) to reverse our country's catastrophic broadband decline by making local and state governments, and not private communication companies, directly eligible for \$4.7 billion in federal grants to provide affordable access to high capacity broadband services in unserved and underserved areas; and

WHEREAS, the bills would prohibit North Carolina cities and towns from using federal grant funds to deploy or operate locally-owned or operated broadband systems, thereby denying N.C. residents access to billions of dollars of federal assistance available to the rest of the country and hindering employment opportunities; and

WHEREAS, deployment of true high-speed broadband internet is a new public utility vital to the future economic development, educational outreach, and community growth in North Carolina necessary to replace lost textile, tobacco, furniture and manufacturing jobs; and