

DIGEST

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SB 69 Reengrossed

2020 Second Extraordinary Session

Johns

Proposed law requires, on or before June 1, 2021 each cable service provider and video service provider shall prepare and submit to the La. Public Service Commission (commission) an emergency service plan, which shall include a provider's emergency preparedness and response plan to an emergency or disaster.

Proposed law provides the emergency service plan shall include all of the following information:

- (1) The name and contact information of two persons who have knowledge of the provider's emergency operations.
- (2) The identification of any available human resource and their position and responsibilities during an emergency.
- (3) The provider's plan for obtaining resources that may be necessary during an emergency, including but not limited to communication, equipment, generators, and vehicles.
- (4) The arrangement of any alternative facility if a facility is needed for the operation and continuity of service.
- (5) A description of the drills or exercises to be performed at least annually that test and evaluate the effectiveness of the emergency service plan.
- (6) A schedule for the regular evaluation and a risk mitigation strategy for all operating assets that may be at a higher risk or are prone to damage during an emergency.
- (7) The provider's means of communication with the commission in the event of a disruption of telecommunication services.

Proposed law provides that upon receipt of an emergency service plan, the commission shall review the plan to determine if it is in compliance with proposed law and any applicable rules and regulations of the commission.

Proposed law provides that on or before August 1st of each year, the commission shall submit a written declaration certifying compliance or noncompliance of each cable or video service provider's emergency service plan to the director of the Governor's Office of Homeland Security and Emergency Preparedness, the Senate Committee on Commerce, Consumer Protection and International Affairs, and the House Committee on Commerce.

Proposed law requires each cable or video service provider to review its emergency plan annually. If changes are made the revised plan shall be submitted to the commission on or before June 1st. If there are no changes to the emergency service plan, written notification that the previously submitted plan is current shall be submitted to the commission on or before June 1st.

Proposed law requires the commission to adopt rules and regulations to implement the provisions of proposed law on or before March 1, 2021.

Proposed law provides that the filing of an emergency service plan in accordance with proposed law shall not subject any cable or video service provider to any regulatory jurisdiction by the commission not in effect on December 1, 2020.

Proposed law provides that if a cable or video service provider uses the same facilities to provide any other service regulated by the commission and files with the commission an emergency service plan for that service that includes an emergency preparedness and response plan for cable service, video service, or both, that cable or video service provider shall not be required to submit an additional emergency service plan pursuant to the provision of proposed law.

Proposed law provides that any cable service provider or video service provider found by the commission, after notice and hearing, to be in violation of proposed law shall be subject to a civil fine not to exceed \$1,000 for the first violation, and any subsequent violation of proposed law shall not exceed \$5,000.

Effective Dec. 1, 2020.

(Adds R.S. 45:1611-1613)

Summary of Amendments Adopted by Senate

Senate Floor Amendments to engrossed bill

1. Changes the date from March 1, 2021 to on or before June 1, 2021 for cable and video service providers to submit their emergency service plan to the commission.
2. Specifies what type of information shall be submitted in each cable and video service providers' emergency service plan.
3. Changes the requirement from a copy of each cable and video service provider's emergency plan be submitted to the director of the Governor's Office of Homeland Security and Emergency Preparedness and the House and Senate commerce committees to the commission shall submit a written declaration certifying compliance or noncompliance of the emergency service plan to the above offices on or before August 1st of each year.
4. Specifies that the commission shall adopt rules and regulations to implement proposed law on or before March 1, 2021.
5. Adds that the commission shall, upon receipt of an emergency service plan, review the plan to determine if it is in compliance with proposed law and any rules and regulations adopted by the commission.
6. Adds that on or before August 1st of each year, the commission shall submit a written declaration certifying compliance or noncompliance of each cable or video service provider's emergency plan to offices listed above.
7. Adds a requirement that each cable and video service provider review their emergency service plan annually. If the plan is revised, it shall be submitted to the commission on or before June 1st of each year. If there are no changes to the emergency plan a written notification that the previously submitted plan is current shall also be submitted to the commission on or before June 1st.
8. Adds a provision stating that the filing of an emergency service plan in accordance with proposed law shall not subject any cable or video service provider to any regulatory jurisdiction by the commission not in effect on Dec. 1, 2020.
9. Adds a provision stating that if a cable or video service provider uses the same facilities to provide any other service regulated by the commission and files with the commission an emergency service plan for that service that includes an emergency preparedness and response plan for cable service, video service, or both, that cable or video service provider shall not be

required to submit an additional emergency service plan pursuant to the provision of proposed law.

10. Changes the effective date from governor's signature to 12/1/2020.

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Commerce to the reengrossed bill:

1. Change from annual to regular the scheduled frequency for evaluation of operating assets as required by proposed law.
2. Clarify that the commission shall review the emergency service plan to determine compliance with any applicable rules and regulations of the commission.