

CHAPTER 131**STUDIES CONCERNING THE IOWA COMMUNICATIONS NETWORK***H.F. 461*

AN ACT relating to the Iowa communications network by directing the Iowa telecommunications and technology commission to conduct studies concerning the possible sale of the network, and the possible conversion of the network into a public utility.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. STUDIES.

1. a. The Iowa telecommunications and technology commission established in section 8D.3 shall initiate and complete a study concerning the possible sale of the network. The study shall include a review of legal and practical issues which may affect whether the sale of the network should be approved or rejected, or which may affect the terms under which a sale should be completed. The study shall include a review of issues including all of the following:

- (1) The effect of the sale on the tax-exempt bonds which were issued for purposes of financing certain parts of the network.
- (2) The impact on existing telecommunications providers.
- (3) The protection of state interests including the assurance of affordable access to the network for public entities, including Part III users which are not yet connected to the network.
- (4) The necessity of compliance with other applicable state law.
- (5) Issues relating to the use of public rights-of-way by any potential buyer of the network.
- (6) Benefits to Iowa businesses and citizens.
- (7) Providing for a long-term lease of capacity sufficient to meet the needs of existing and future educational users of the network identified in chapter 8D.
- (8) A review of whether a sale of the network should be completed pursuant to a request for proposals or by auction.
- (9) A review of the impact of federal communications commission policy and regulations on the potential sale of the network in its entirety or in parts, and a recommendation as to the manner in which the network should be sold as a result of this review.
- (10) Other relevant issues as identified by the commission.

b. The commission shall consult with other state agencies, appropriate federal agencies, and private associations and vendors in completing this study.

2. The commission, in consultation with the utilities division of the department of commerce, shall study the possible conversion of the Iowa communications network into a public utility. The study shall include a review of legal and practical issues identified by the commission and the division which may affect such conversion.

3. The commission, prior to November 1, 1995, shall complete the studies required by this Act and deliver a written report including any recommendations related to each study to the members of the house of representatives committee on technology and the senate committee on communications and information policy, the chief clerk of the house, and the secretary of the senate.

Approved May 1, 1995