



Assemblymember Lori D. Wilson, 11th Assembly District

AB 1588 – Affordable Internet and Net Equality Act of 2023

Updated: 2/23/2023

BACKGROUND

The COVID-19 pandemic highlighted that access to the internet continues to be a barrier for many across the state, especially for low-income households.

In 2020 the Governor released Executive Order N-73-20 which included the order that stated “CDT, in collaboration with DGS, is directed to seek opportunities to leverage the State’s contract authorities as resources to further statewide broadband access and adoption”

According to the California State Broadband Action Plan completed in December of 2020, broadband affordability remains a large challenge to achieving broadband for all in the state.

Over half of Californians without broadband at home cannot afford market prices or do not own a computer.¹ Additionally, there are no broadband programs to support families at risk of losing their service, like the Low-Income Home Energy Assistance program²

In 2011 the FCC and the US Department of Justice approved the acquisition of NBCUniversal by Comcast with specified conditions that created the Internet Essentials program. Internet Essentials was an affordable offer that at the time allowed a 1.5mbs connection for \$9.95 per month with no activation or equipment fees, as well as an opportunity to purchase a discounted netbook and receive free internet training.³⁴

In 2015 the California Public Utilities Commission approved Comcast’s potential \$45.2 billion acquisition of Time Warner Cable with specified conditions to expand Internet Essentials to cover Time Warner Cable territory, double speeds to 10mbs, provide free Wi-Fi routers, connect schools and libraries in underserved areas, and sign up at least 45% of eligible households within two years.⁵

Also in 2015, the FCC imposed conditions on the merger of AT&T-DirectTV that required an affordable, low-price standalone internet offer at 10mbs for \$10 broadband service to low-income consumers.⁶⁷

BILL SUMMARY

The Affordable Internet and Net Equality Act of 2023 is a landmark piece of legislation to ensure California continues to be a national leader in Digital Inclusion.

Internet access should be treated as a necessity, not a luxury. It is a basic necessity to access education, health care, economic opportunity, and other necessary services. This bill will ensure vulnerable communities across the state are not left behind in the 21st century.

Specifically, AB 1588:

- Would require the Department of Technology to develop and establish the Net Equality Program. The Net Equality program would require the state and state agencies to only do business with an internet service provider (ISP) that offers affordable home internet service to households participating in certain public assistance programs
- The bill would also require that the affordable offer costs no more than \$40 per month and that meets a specified minimum speed requirement of 25 mbs download and 3 mbs upstream and a latency that supports distance learning and telehealth services. **Combined with the \$30 dollar subsidy from the federal Affordable Connectivity Program, this would bring the cost to the consumer down to \$10 dollars.**
- It would also require ISPs to establish a telephone number to sign up eligible households and would require these providers to advertise the availability of affordable offers.
- The bill would also require that ISPs shall meet annually with the Department and the California Broadband Council in an open workshop to confer on how to achieve the overall goals for adoption and explore options for establishing and advancing strategic and effective public private partnerships.

FOR MORE INFORMATION

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¹ “Statewide Survey 2019,” CETF

² “California State Broadband Action Plan,” California Broadband Council

³ <https://www.ideals.illinois.edu/bitstream/handle/2142/38375/127.pdf?sequence>

⁴ <https://www.pcmag.com/archive/comcast-launches-low-cost-internet-for-low-income-families-285949>

⁵ <https://docs.cpuc.ca.gov/PublishedDocs/Efile/G000/M146/K376/146376008.PDF>

⁶ <https://docs.fcc.gov/public/attachments/DOC-334561A1.pdf>

⁷ https://about.att.com/story/att_completes_acquisition_of_directv.html