



**Testimony of  
Gerard Keegan  
CTIA  
In Opposition to Hawaii Senate Bill 2611**

**Before the Hawaii Senate Committee on Commerce, Consumer Protection & Health**

**February 23, 2018**

Chair Baker, Vice-Chair Tokuda, and members of the committee, on behalf of CTIA, the trade association for the wireless communications industry, I submit this testimony in opposition to Hawaii Senate Bill 2611. Over the past decade, mobile broadband services have flourished in the United States and in Hawaii due in part to a national regulatory framework. Hawaii's competitive mobile marketplace and its consumers are best served by ensuring internet service providers (ISPs) can continue to operate within that national framework and not fragmented, state-by-state regulation as proposed in SB 2611.

The wireless industry's competitive nature has spurred an unprecedented period of innovation and consumer adoption of mobile broadband services. This period was ushered in by Congress' decision in 1993 to create a national regulatory framework for wireless. This national framework allowed wireless carriers to offer innovative services and options, like national service plans, which significantly lowered the cost of wireless services and provided more consumers with greater access to wireless.

The national framework has also allowed the wireless industry to quickly respond to ever-changing consumer demands. Since 2003, CTIA's Consumer Code for Wireless Service has been an integral part of delivering superior customer service to wireless consumers. The Code – which is followed in all 50 states – has helped consumers make



informed decisions when selecting wireless service and has contributed to the continued competitiveness within the wireless industry. The wireless industry regularly reviews and updates the Code to ensure it reflects current consumer demands. This type of pro-consumer initiative, which allows carriers to respond to consumers in all 50 states, has served consumers well, has operated within the national framework, and does not raise the regulatory risks proposed in SB 2611.

SB 2611 proposes to allow the Hawaii Public Utilities Commission to regulate ISPs, thus changing the regulatory regime for providers that has delivered benefits to consumers. State-by-state regulation of ISPs will create regulatory uncertainty as broadband is an interstate service not bound by state lines. This type of fragmented regulatory scheme may lead to reduced investment in broadband networks and could hinder innovation in the state. Wireless carriers are planning to deploy 5G, the next generation of wireless services. SB 2611 is unnecessary and creates uncertainty, risking the investment and innovation that will be derived from 5G.

In closing, Hawaii should not impose a new state regulatory regime for ISPs that will create uncertainty and may hamper investment and innovation. Hawaii should be encouraging certainty to ensure the state and its citizens realize the benefits from 5G. For these reasons, we respectfully request that you not move SB 2611. Thank you for your consideration.