

## **SUMMARY OF CONYERS-CANNON & CANNON-CONYERS BILLS**

### **Conyers-Cannon**

#### **Title I**

- Does not allow Bell Operating Companies (“BOCs”) to escape market-opening requirements of Section 271 of the 1996 Telecommunications Act (“1996 Act”) if the BOC has a monopoly (more than 85% of residential or business customers) in the telephone market.

#### **Title II**

- Prohibits the imposition of discriminatory taxes on broadband services.
- Prohibits states and localities from imposing higher taxes on telecommunications carriers for use of public rights-of-way than the states and localities impose on BOCs.
- Creates a \$3 billion loan program to provide incentives for the rollout of broadband services in rural and underserved areas.

### **Cannon-Conyers**

#### **Title I**

- Clarifies that the antitrust laws apply to the telecommunications industry and that they are not superseded by the 1996 Act.
- Makes violations of pro-competitive requirements of the 1996 Act (sections 251, 252, 271, and 272) *per se* violations of the antitrust laws.
- Prohibits BOCs from, among other things, jointly marketing broadband services with other phone services if the BOC violates the antitrust laws.

#### **Title II**

- Creates mandatory alternative dispute resolution (“ADR”) process to provide efficient resolution of disputes that arise under interconnection agreements.
- The ADR decision is binding on the parties; however, it does not limit the authority of the FCC and state regulatory bodies to enforce the 1996 Act.