



STATE OF WASHINGTON

UTILITIES AND TRANSPORTATION COMMISSION

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May 14, 2018

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415 15th Avenue Southwest, Room 100
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**Re: Notice from the Utilities and Transportation Commission Concerning
the Effective Date of SHB 2282**

Ladies and Gentlemen:

On March 5, 2018, Governor Inslee signed into law SHB 2282, relating to net neutrality and an open internet.¹ The new law adopts state-level consumer protection and service obligations on internet service providers operating in Washington as a result of recent actions by the Federal Communications Commission (FCC).²

Section 4(1) of the SHB 2282 provides, "This act takes effect on the later of the following:"

- (a) Ninety days after adjournment of the legislative session in which this act is passed; or
- (b) The date the federal communications commission's restoring internet freedom order (FCC 17-166) as issued on January 4, 2018, takes effect.

¹ Laws of 2018, ch. 5 ("AN ACT relating to protecting an open internet in Washington state; adding a new chapter to Title 19 RCW; and providing a contingent effective date").

² See Restoring Internet Freedom, 83 Fed. Reg. 7852 (April 23, 2018, except for amendatory instructions 2, 3, 5, 6, and 8) (to be codified at 47 C.F.R. pts. 1, 8, and 20).

Section 4(2) requires that the Utilities and Transportation Commission (Commission) provide notice of the effective date.

On April 16, 2018, the Commission provided an interim notice to the chief clerk of the House of Representatives, the Secretary of the Senate, the Office of the Code Reviser, and others, explaining that the effective date of SHB 2282 could not be ascertained until the FCC published a notice in the Federal Register announcing the effective date of the repeal of the net neutrality rules.

The FCC has now published that notice.³ The repeal of the federal net neutrality rules in the FCC's Restoring Internet Freedom order will become effective June 11, 2018.

The 2018 legislative session adjourned on March 8, 2018. Ninety days after adjournment is June 7, 2018. Because June 11 is later than June 7, **the effective date of SHB 2282 is June 11, 2018.**

Please contact me at 360-664-1208 or UTC Policy Director Brian Thomas at 360-359-1049 if you have any questions.

Sincerely,



David W. Danner, Chair

cc: The Honorable Reuven Carlyle
Chair, Senate Energy, Environment & Technology Committee

The Honorable Jeff Morris
Chair, House Technology & Economic Development Committee

The Honorable Doug Ericksen
Ranking Minority Member, Senate Energy, Environment & Technology Committee

The Honorable Norma Smith
Ranking Minority Member, House Technology & Economic Development Committee

The Honorable Drew Hansen
Washington State House of Representatives

Lily Smith, Staff Counsel
Office of Program Research

Jan Odano, Coordinator/Analyst
Senate Committee Services

³ Restoring Internet Freedom; Announcement of Effective Date, 83 Fed. Reg. 21927 (June 11, 2018) (to be codified at 47 C.F.R. pts. 1, 8, and 20).