



March 18, 2020

The Honorable Víctor L. Parés-Otero
Presidente, La Comisión de Desarrollo Económico, Planificación, Telecomunicaciones, Alianzas
Público Privadas y Energía
Cámara de Representantes
El Capitolio, Apartado 9022228,
San Juan, PR 00902-2228

Re: PS 1539

Dear Representative Parés-Otero:

On behalf of CTIA®, the trade association for the wireless communications industry, I write to outline concerns regarding PS 1539, which requires utility providers, including telecommunications providers, to not disconnect, cease, or cancel service without the consent of the client until 30 days after the termination of an emergency declaration issued by the governor. While the legislation is well intentioned, CTIA members, including AT&T, Sprint, T-Mobile, and TracFone, have already agreed to be a part of Federal Communications Commission Chairman Ajit Pai's "Keep Americans Connected Pledge" to assist customers during this time.

As part of the "Keep Americans Connected Pledge" these wireless companies pledge for the next 60 days to: (1) not terminate service to any residential or small business customers because of their inability to pay their bills due to the disruptions caused by the coronavirus pandemic; (2) waive any late fees that any residential or small business customers incur because of their economic circumstances related to the coronavirus pandemic; and (3) open its Wi-Fi hotspots to any American who needs them. In fact, this Pledge provides relief to customers for 60 days, which is beyond the time period included in PS 1539. Additionally, this legislation is overly broad and could have unintended consequences during this challenging time.

Our members have taken voluntary action to ensure our customers stay connected. The bill as drafted is unconstitutional as it violates the rights of our members under both the United States and Puerto Rico Constitutions. The Government can force public entities to provide free services. It cannot do the same to private entities. By forcing our companies to potentially provide services without remuneration, it violates Due Process rights and constitutes a taking of property without just compensation.



Moreover, each company has taken additional steps to serve their customers. CTIA has compiled information on these steps in addition to the “Keep Americans Connected Pledge” at <https://www.ctia.org/news/blog-keeping-us-connected-through-covid-19>. The wireless industry stands ready to serve all of our customers. Thank you for your consideration.

Sincerely,

Gerard Keegan
Vice President, State Legislative Affairs