

Amend Amendment No. 4 by Puente by striking the text of the amendment and substituting the following:

Amend **CSHB 789** as follows:

(1) Add a new section to the bill, numbered appropriately, to read as follows:

SECTION \_\_\_\_\_. Subchapter E, Chapter 54, Utilities Code, is amended by adding Section 54.2022 to read as follows:

Sec. 54.2022. PROHIBITION ON MUNICIPAL CHARGES FOR WIRELESS BROADBAND SERVICES. Notwithstanding any other law, a municipality may not charge for wireless broadband services, including wireless fidelity, or Wi-Fi, services that the municipality may provide under this title.

(2) Add a new section to the bill, numbered appropriately, to read as follows:

SECTION \_\_\_\_\_. (a) The Public Utility Commission of Texas shall conduct a study for presentation to the 80th Legislature on issues regarding the provision of wireless broadband communications services by municipalities, including wireless fidelity, or Wi-Fi, services.

(b) The commission shall present the report not later than January 15, 2007, to the lieutenant governor, the speaker of the house of representatives, and the presiding officer of each standing committee of the house of representatives and senate that has jurisdiction over matters related to communications services and municipal government.

(c) The report may include discussion on any issue related to the provision of wireless broadband communications services by municipalities, including Wi-Fi services, that the commission considers important for consideration by the legislature. The report must include the commission's recommendations for legislation and commentary on issues the commission considers important for the legislature's consideration.