

# **WEST VIRGINIA LEGISLATURE**

## **2025 REGULAR SESSION**

### **Committee Substitute**

**for**

### **Senate Bill 681**

By Senator Hart

[Reported March 18, 2025, from the Committee on  
Transportation and Infrastructure]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding a new section,  
2 designated §24-2-1s, relating to providing the Public Service Commission jurisdiction over  
3 internet service providers; stating legislative findings; defining term; specifying duties and  
4 authority of commission; authorizing fines; and allowing rulemaking.

*Be it enacted by the Legislature of West Virginia:*

**ARTICLE 2. POWERS AND DUTIES OF PUBLIC SERVICE COMMISSION.**

**§24-2-1s. Commission authorized to regulate internet service providers.**

1 (a) The Legislature finds that reliable internet connectivity with sufficient internet speed is a  
2 fundamental and reasonable expectation of internet service providers' consumers. Furthermore,  
3 such connectivity is a necessity for modern living, matching, and at times exceeding, the  
4 importance of and need for other public utility service that has historically been regulated by the  
5 Public Service Commission.

6 (b) For purposes of this section, "internet service provider" means a business that provides  
7 broadband internet access service to an individual, group, legal entity, government, or other  
8 customer of such service in West Virginia.

9 (c) In addition to its other duties, to the extent permitted by and not contrary to applicable  
10 federal law and regulations, the commission shall do the following:

11 (1) Require internet service providers to provide safe, adequate, and reliable service to  
12 customers under just, fair, and reasonable terms and conditions; and

13 (2) Adjudicate any quality of service complaint filed with the commission against an  
14 internet service provider by a customer alleging that service is inadequate or unreliable or alleging  
15 that terms and conditions of service are unjust, unfair, or unreasonable.

16 (d) In carrying out the provisions of this section:

17 (1) The commission shall have jurisdiction over such persons, whether internet service  
18 providers or not, as may in the opinion of the commission be necessary to exercise the  
19 commission's mandate; and

20           (2) The commission may compel attendance before it, take testimony under oath, and  
21 compel the production of papers or other documents.

22           (e) Any internet service provider that fails or refuses to comply with an order of the  
23 commission under this section shall be subject to a fine not to exceed \$7,000 per violation. The  
24 commission or aggrieved party may seek to enforce a commission order issued pursuant to this  
25 section in a court of law.

26           (f) The commission may propose rules in accordance with Chapter 29A of this code as  
27 necessary to implement the provisions of this section.