

HB 1372 -- LOCAL TELECOMMUNICATIONS CARRIERS (Parson)

COMMITTEE OF ORIGIN: Committee on Energy and Environment

This bill changes the laws regarding local exchange voice telecommunications carriers. In its main provisions, the bill:

(1) Relieves a local exchange carrier from its obligation to provide basic local voice telecommunications service to a "greenfield area," which is defined as real property that requires entirely new construction and development of network equipment to serve new property developments, if the owner or developer of the property:

(a) Allows an alternative service provider to install its facilities or equipment to provide local voice telecommunications service based on the condition of exclusion of the local exchange carrier;

(b) Accepts or agrees to accept incentives or rewards from an alternative service provider that are contingent upon the provision of any or all local voice telecommunications services by one or more alternative service providers to the exclusion of the local exchange carrier; or

(c) Collects from the occupants or residents of the property mandatory charges for the provision of any local voice telecommunications service provided by an alternative service provider including collection through rent, fees, or dues;

(2) Requires, if a local exchange carrier is relieved of its carrier of last resort obligation, the carrier to notify the Missouri Public Service Commission in writing within 120 days after receiving knowledge of that action and the owner or developer of the property to notify the occupants of the property and any subsequent owners that the incumbent local exchange carrier does not have facilities installed to serve their property and the name of the person who will be providing the local communications service and the type of technology that will be used to provide the service;

(3) Specifies that when a local exchange carrier is relieved of its carrier of last resort obligation to serve in a designated area in no instance will the obligation be transferred to any alternative service provider or provider of local voice service, including interconnected voice over Internet protocol service in that designated service area;

(4) Allows a local exchange carrier that is not automatically relieved of its obligation to seek a waiver for good cause from

the commission if other local voice telecommunications service is available on the property; and

(5) Specifies the requirements and procedures for re-establishing the obligation of local telecommunications service by a local exchange carrier if the conditions that terminated the obligation cease.

The bill also prohibits a political subdivision from imposing a fine or penalty on the owner of a pay telephone or the owner of the property on which a pay telephone is located for calls to an emergency telephone service made from the pay telephone.

FISCAL NOTE: No impact on state funds in FY 2011, FY 2012, and FY 2013.