

MAINE STATE LEGISLATURE

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L.D. 1330

(Filing No. S-184)

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STATE OF MAINE
SENATE
115TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT " A" to S.P. 492, L.D. 1330, Bill, "An Act to Promote Competition in Providing Telecommunications Services"

Amend the bill by striking the title and substituting the following:

'An Act Regarding the Regulation of Customer Premise Wire and Interexchange Carrier Selection'

Further amend the bill by striking out everything after the enacting clause and before the statement of fact and inserting in its place the following:

'Sec. 1. 35-A MRSA §7306 is enacted to read:

§7306. Customer premise wire

1. Definitions. For purposes of this section, unless the context otherwise indicates, the following term has the following meaning.

A. "Customer premise wire" means the segment of telephone wiring from the customer's side of the protector, or such other point that may be determined by the commission, to the customer's telephone equipment.

2. Deregulation of customer premise wire. The commission may by rule deregulate all or a portion of a telephone utility's service providing installation, maintenance and repair of customer premise wire. Prior to deregulation, the commission must find that a reasonable degree of competition exists between providers of installation, maintenance or repair services on

R. of S.

COMMITTEE AMENDMENT "A" to S.P. 492, L.D. 1330

customer premise wire. The commission must include the results of any action taken pursuant to this subsection in the annual report filed with the Legislature pursuant to section 120.

3. Rate-making treatment of customer premise wire services. Nothing in subsection 2 restricts the commission's authority over the rate-making treatment of expenses and revenues associated with customer premise wire services offered by a telephone utility.

Sec. 2. 35-A MRSa §7507 is enacted to read:

§7507. Interexchange carrier selection

1. Carrier-initiated changes. A local exchange telephone company operating in this State in an equal access exchange, as defined by the Federal Communications Commission, may not change a telephone subscriber's presubscribed interexchange carrier, at the request of an interexchange carrier, unless provided with a written authorization form from the requesting interexchange carrier signed by the telephone subscriber.

2. Penalty. A person who knowingly violates subsection 1 or provides false information to a local exchange telephone company concerning a telephone subscriber's preference in interexchange carriers commits a civil violation for which a forfeiture not to exceed \$1,000 may be adjudged for each offense.

FISCAL NOTE

This bill authorizes the Public Utilities Commission to promulgate rules to deregulate customer premise wire services after a determination that competition exists in the areas of installation, maintenance or repair. The costs associated with the rule-making process can be absorbed within the existing resources of the Public Utilities Commission.

The additional work load and administrative costs associated with the minimal number of new cases filed in District Court as a result of the new civil violation will be absorbed within the budgeted resources of the Judicial Department. The collection of additional fines will increase General Fund revenue. The amount can not be determined at this time.'

STATEMENT OF FACT

The amendment authorizes the Public Utilities Commission to adopt rules that deregulate customer premise wire services after the commission has found that a reasonable degree of competition exists so that customers may choose between one or

R. of S.

COMMITTEE AMENDMENT " A" to S.P. 492, L.D. 1330

2 more providers to install, maintain or repair their on-premises
telephone wiring.

4 The amendment also clarifies that the commission retains
6 authority over the ratemaking treatment of expenses and revenues
associated with customer premise wire services offered by
8 telephone utilities even in the event the commission determines
that the charges levied by telephone utilities should be
deregulated.

10 The amendment prohibits local exchange carriers from
12 changing at the request of an interexchange carrier the
customer's interexchange carrier unless the local carrier
14 receives an authorizing form signed by the customer. Any knowing
violation of this provision is a civil violation for which a
16 forfeiture not to exceed \$1,000 may be adjudged. Nothing in this
section limits the ability of customers to request, by whatever
18 method they choose, a local exchange carrier to change the
customer's interexchange carrier.

20 This amendment adds a fiscal note to the bill.

Reported by Senator Carpenter for the Committee on Utilities.
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