



## 115th MAINE LEGISLATURE

## SECOND REGULAR SESSION-1992

Legislative Document

No. 1996

S.P. 797

In Senate, January 8, 1992

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26. Reference to the Committee on Utilities suggested and ordered printed.

JOY J. O'BRIEN Secretary of the Senate

Presented by Senator VOSE of Washington

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND NINETY-TWO

An Act to Amend the Laws Governing Telecommunications Interexchange Carrier Selection.

(EMERGENCY)

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**Emergency preamble. Whereas,** Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, there is an immediate need to amend the law to avoid placing local exchange carriers in the untenable position of complying with conflicting state and federal requirements thereby resulting in increased costs and administrative burdens; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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## Be it enacted by the People of the State of Maine as follows:

35-A MRSA §7506, sub-§1, as enacted by PL 1991, c. 318, §2, is amended to read:

 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.

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) Emergency clause. In view of the emergency cited in the preamble, this Act takes effect when approved.

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## STATEMENT OF FACT

The purpose of this bill is to relieve local exchange carriers from being placed in the difficult position of attempting to comply with distinct and apparently conflicting federal and state requirements. This bill amends the law to prohibit a local exchange carrier from changing a telephone customer's presubscribed interexchange carrier without first having received authorization from a requesting interexchange carrier.

46 Under this bill, it would continue to be a violation for any person to knowingly provide false information to a local exchange 48 carrier concerning a telephone subscriber's preference in carriers, thereby interexchange providing protection to consumers. Nothing in this bill limits the ability of customers 50 to request, by whatever method they choose, a local exchange carrier to change the customer's interexchange carrier. 52