

MAINE STATE LEGISLATURE

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R. of S.

L.D. 541

DATE: 3-12-99

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UTILITIES AND ENERGY

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
119TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 399, L.D. 541, Bill, "An Act to Clarify the Jurisdiction of the Public Utilities Commission with Regard to Wireless Carriers"

Amend the bill by striking out everything after the enacting clause and before the summary and inserting in its place the following:

Sec. 1. 35-A MRSA §7104, sub-§3, as enacted by PL 1997, c. 692, §1, is amended to read:

3. Authority. The commission shall adopt rules to implement this section and may require providers of intrastate telecommunications services to contribute to a state universal service fund to support programs consistent with the goals of applicable provisions of this Title and the federal Telecommunications Act of 1996, Public Law 104-104, 110 Stat. 56. Prior to requiring that providers of intrastate telecommunications services contribute to a state universal service fund, the commission shall assess the telecommunications needs of the State's consumers and establish the level of support required to meet those needs. If the commission establishes a state universal service fund pursuant to this section, the commission shall contract with an appropriate independent fiscal agent that is not a state entity to serve as administrator of the state universal service fund. Funds contributed to a state universal service fund are not state funds. Rules and any state universal service fund requirements established by the commission pursuant to this section must:

COMMITTEE AMENDMENT

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- 2 A. Be reasonably designed to maximize federal assistance
- 4 available to the State for universal service purposes;
- 6 B. Meet the State's obligations under the federal
- 8 Telecommunications Act of 1996, Public Law 104 - 104, 110
- 10 Stat. 56;
- 12 C. Be consistent with the goals of the federal
- 14 Telecommunications Act of 1996, Public Law 104 - 104, 110
- 16 Stat. 56;
- 18 D. Ensure that any requirements regarding contributions to
- 20 a state universal service fund be nondiscriminatory and
- 22 competitively neutral;
- 24 E. Require explicit identification on customer bills of
- contributions to any state universal service fund
- established pursuant to this section; and
- F. Allow consideration in appropriate rate-making
- proceedings of contributions to any state universal service
- fund established pursuant to this section.

For purposes of this subsection, "providers of intrastate telecommunications services" includes providers of radio paging service and mobile telecommunications services. Rules adopted under this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter II-A.

Sec. 2. 35-A MRSA §8502 is enacted to read:

§8502. Central office code conservation

To the extent permitted under federal law, the commission may exercise jurisdiction, control and regulation over radio paging service for the purpose of implementing central office code conservation measures.

Sec. 3. 35-A MRSA §8902 is enacted to read:

§8902. Central office code conservation

To the extent permitted under federal law, the commission may exercise jurisdiction, control and regulation over mobile telecommunications services for the purpose of implementing central office code conservation measures.'

COMMITTEE AMENDMENT "A" to H.P. 399, L.D. 541

SUMMARY

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This amendment reallocates the provisions of the bill to
more appropriate sections of the Maine Revised Statutes. The
amendment makes no substantive changes to the provisions of the
bill.

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