

MAINE STATE LEGISLATURE

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UTILITIES AND ENERGY

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
120TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 312, L.D. 390, Bill, "An Act to Require Telephone Utility Participation in Enhanced 9-1-1"

Amend the bill in section 1 by striking out all of subsection 10 (page 1, lines 5 to 7 in L.D.) and inserting in its place the following:

'10. Local exchange carrier. "Local exchange carrier" means any person that is engaged in:

A. Service within a telephone exchange, or within a connected system of telephone exchanges within the same exchange area operated to furnish to subscribers intercommunicating service of the character ordinarily furnished by a single exchange, that is covered by the exchange service charge;

B. Service comparable to that described in paragraph A provided through a system or combination of switches or transmission equipment or other facilities by which a subscriber can originate and terminate a telecommunications service; or

C. The offering of access to telephone exchange services or facilities for the purpose of the origination or termination of telephone toll services.'

Further amend the bill in section 2 in that part designated "§2933." by striking out all of the first line (page 1, line 16 in L.D.) and inserting in its place the following:

'§2933. Local exchange carrier participation'

COMMITTEE AMENDMENT

2 Further amend the bill in section 2 in that part designated
3 "§2933." in subsection 1 in the first 2 lines (page 1, lines 18
4 and 19 in L.D.) by striking out the following: "telephone
5 utility" and inserting in its place the following: 'carrier'

6
7 Further amend the bill in section 2 in that part designated
8 "§2933." in subsection 1 in the 2nd line (page 1, line 19 in
9 L.D.) by striking out the following: "telephone utility" and
10 inserting in its place the following: 'carrier'

11 Further amend the bill in section 2 in that part designated
12 "§2933." in subsection 2 in the 2nd line (page 1, line 27 in
13 L.D.) by striking out the following: "telephone utility" and
14 inserting in its place the following: 'carrier'

15 Further amend the bill in section 2 in that part designated
16 "§2933." in subsection 3 in the 2nd line (page 1, line 34 in
17 L.D.) by striking out the following: "telephone utility" and
18 inserting in its place the following: 'carrier'

19 Further amend the bill in section 2 in that part designated
20 "§2933." in subsection 3 in the 6th line (page 1, line 38 in
21 L.D.) by striking out the following: "person" and inserting in
22 its place the following: 'primary contact person, who may
23 delegate the authority to one or more other persons,'

24 Further amend the bill in section 2 in that part designated
25 "§2933." by inserting after subsection 3 the following:

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27
28 '4. Penalties. On petition by the bureau, the Public
29 Utilities Commission, in an adjudicatory proceeding, may impose
30 the following penalties for a violation by a local exchange
31 carrier of subsection 2 or 3 or any rules adopted by the bureau
32 implementing subsection 2 or 3:

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38 A. An administrative penalty of up to \$1,000 for each day
39 of the violation; and

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41
42 B. In extraordinary cases, as determined by the Public
43 Utilities Commission, revocation of the commission's
44 authorization of the local exchange carrier's authority to
45 provide local exchange service in this State.

46
47 Penalties collected by the commission under this subsection must
48 be deposited in the Public Utilities Commission Reimbursement
49 Fund under Title 35-A, section 117.'

50 Further amend the bill by inserting at the end before the
summary the following:

2 'Sec. 3. Rules review. The Department of Public Safety,
4 Emergency Services Communication Bureau shall submit to the Joint
6 Standing Committee on Utilities and Energy any rules it proposes
8 to adopt pursuant to the Maine Revised Statutes, Title 25,
 section 2933 prior to holding any hearing on those proposed rules
 and shall notify the committee of all hearing dates on those
 proposed rules.'

10 Further amend the bill by inserting at the end before the
 summary the following:

12

14

FISCAL NOTE

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 Imposing penalties for violations associated with local
18 exchange carriers' participation in implementing the E-9-1-1
 service may result in increased revenues to the Public Utilities
20 Commission Reimbursement Fund. The estimated amount of dedicated
 revenue can not be determined at this time.

22

 The Emergency Services Communication Bureau within the
24 Department of Public Safety will incur some minor additional
 costs to adopt certain rules pertaining to telephone utility
26 participation in E-9-1-1 service. These costs can be absorbed
 within the bureau's existing budgeted resources.'

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SUMMARY

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 This amendment does the following.

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 1. It changes the term "local exchange telephone utility"
36 to "local exchange carrier" and provides a definition of this
 term.

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 2. It provides that local exchange carriers and cellular
40 and wireless providers must designate a primary contact person to
 work with the Emergency Services Communication Bureau but that
42 that person may delegate the authority to others.

44

 3. It establishes a penalty provision, administered by the
44 Public Utilities Commission, for violations of the law.

46

 4. It requires the Emergency Services Communication Bureau
 to submit for review by the Joint Standing Committee on Utilities

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2 and Energy any rules it proposes to adopt pursuant to the Maine
Revised Statutes, Title 25, section 2933.

4 5. It adds a fiscal note to the bill.