

MAINE STATE LEGISLATURE

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122nd MAINE LEGISLATURE

FIRST REGULAR SESSION-2005

Legislative Document

No. 276

S.P. 96

In Senate, January 18, 2005

An Act To Provide Fair and Equitable Local Calling Service for the People of the State

Reference to the Committee on Utilities and Energy suggested and ordered printed.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator COURTNEY of York.
Cosponsored by Representative NASS of Acton and
Senator: NASS of York, Representatives: BURNS of Berwick, GERZOFSKY of Brunswick.

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

4 **Sec. 1. 35-A MRSA §7303-A**, as enacted by PL 2001, c. 106,
§1, is repealed.

6 **Sec. 2. 35-A MRSA §7303-B** is enacted to read:

8 **§7303-B. Basic service calling areas**

10 No later than January 1, 2006, the commission shall by rule
12 ensure that an eligible local exchange carrier offers its
14 customers a flat-rate-unlimited-calling area option that includes
16 calls made to persons located in contiguous exchanges and in
18 abutting municipalities. For the purposes of this section, the
20 commission shall by rule define "contiguous exchanges."

22 **1. Definitions.** As used in this section, unless the
24 context otherwise indicates, the following terms have the
26 following meanings.

28 **A. "Abutting municipalities"** means all municipalities that
30 share a common boundary with the municipality in which the
32 calling customer receives telephone service.

34 **B. "Eligible local exchange carrier"** means a local exchange
36 carrier designated by the commission pursuant to 47 United
38 States Code, Section 214(e) as an eligible
40 telecommunications carrier for the purposes of receiving
42 universal service funding pursuant to 47 United States Code,
44 Section 254.

46 **2. Commission authority.** Nothing in this section limits
48 the commission's authority to expand or modify basic service
50 calling areas consistent with the requirements of this section or
52 to require a local exchange carrier that is not an eligible local
54 exchange carrier to offer flat-rate-unlimited-calling area
56 options.

58 **3. Cost recovery.** The commission may allow an eligible
60 local exchange carrier affected by the expansion of a
62 flat-rate-unlimited-calling area to recover, to the extent
64 reasonable, its costs, including lost revenues, attributable to
66 the expansion.

68 **4. Rules.** Rules adopted pursuant to this section are
70 routine technical rules as defined in Title 5, chapter 375,
72 subchapter 2-A.

SUMMARY

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4 Current Public Utilities Commission rules regarding basic
6 service calling areas require eligible local exchange carriers to
8 provide a flat-rate-unlimited-calling area option that includes
 contiguous exchanges. This bill requires the commission to amend
 its rules to provide a flat-rate-unlimited-calling area option
 that includes both contiguous exchanges and abutting
 municipalities.