

ENGROSSED SENATE  
BILL NO. 352

By: Robinson of the Senate

and

Anthony of the House

[ Corporation Commission - establishment of rates -  
codification - noncodification - effective date -  
emergency ]

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law to be codified  
in the Oklahoma Statutes as Section 139.301 of Title 17, unless  
there is created a duplication in numbering, reads as follows:

A. The Corporation Commission shall require that all telephone  
companies make available digital telecommunications connections and  
services between the telecommunications network operated by the  
Oklahoma State Regents for Higher Education and all the public  
elementary, secondary and vocational-technical schools in this  
state, and between the telecommunications network and all the  
institutions and other constituent agencies of The Oklahoma State  
System of Higher Education. The digital connections and services  
shall be sufficient for high speed transmission of video imaging and  
data.

B. The Commission shall establish rates for the connections and  
services described in subsection A of this section based upon  
incremental cost for providing the connections and services. The  
rates shall be determined without any differentiation being based on  
the distances between the individual school sites and the points of

connection with the State Regents' telecommunications network. The rates shall not be set at a level that requires subsidization by revenues from monopoly services.

C. The Corporation Commission shall not preclude telephone companies from providing the required connections and services outside their territories or preclude providers that are not telephone companies from providing the required connections and services. The Corporation Commission shall not regulate or set rates for the provision of such connections and services by providers that are not telephone companies.

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 139.302 of Title 17, unless there is created a duplication in numbering, reads as follows:

A. The Corporation Commission shall require that all telephone companies make available digital telecommunications connections and services between the telecommunications network operated by the Oklahoma State Regents for Higher Education and all state agency sites designated by the Director of State Finance. The digital connections and services shall be sufficient for high speed transmission of video imaging and data.

B. The Commission shall establish rates for the connections and services described in subsection A of this section based upon incremental cost for providing the connections and services. The rates shall be determined without any differentiation being based on the distances between the individual agency sites and the points of connection with the State Regents' telecommunications network. The rates shall not be set at a level that requires subsidization by revenues from monopoly services.

C. The Corporation Commission shall not preclude telephone companies from providing the required connections and services outside their territories or preclude providers that are not telephone companies from providing the required connections and

services. The Corporation Commission shall not regulate or set rates for the provision of such connections and services by providers that are not telephone companies.

SECTION 3. It is the intent of the Legislature that Sections 1 and 2 of this act be an amendment to, and alteration of, Sections 18 through 34, inclusive, of Article IX of the Oklahoma Constitution, as authorized by Section 35 of Article IX of the Oklahoma Constitution.

SECTION 4. Section 3 of this act shall not be codified in the Oklahoma Statutes.

SECTION 5. This act shall become effective July 1, 1995.

SECTION 6. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

Passed the Senate the 28th day of February, 1995.

President of the Senate

Passed the House of Representatives the \_\_\_\_ day of

\_\_\_\_\_, 1995.

Speaker of the House of Representatives