

1 STATE OF OKLAHOMA

2 2nd Session of the 47th Legislature (2000)

3 COMMITTEE SUBSTITUTE  
4 FOR  
5 HOUSE BILL NO. 2046

By: Gilbert

6  
7 COMMITTEE SUBSTITUTE

8 An Act relating to telecommunications; amending 17  
9 O.S. 1991, Section 131, as last amended by Section 1,  
10 Chapter 331, O.S.L. 1996 (17 O.S. Supp. 1999, Section  
11 131), which relates to certificates of convenience  
12 and necessity; requiring providers of local exchange  
13 telecommunications services to provide certain notice  
14 to certain entities; requiring certain confirmation  
15 and guarantee in the notice; stating intent to amend  
16 certain sections of the Oklahoma Constitution;  
17 providing for noncodification; and providing an  
18 effective date.

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

20 SECTION 1. AMENDATORY 17 O.S. 1991, Section 131, as last  
21 amended by Section 1, Chapter 331, O.S.L. 1996 (17 O.S. Supp. 1999,  
22 Section 131), is amended to read as follows:

23 Section 131. (a) No person, firm, association, corporation or  
24 cooperative shall provide telecommunications services, as defined by  
25 the rules of the Corporation Commission, to any end-user in this  
26 state without having first obtained from the Corporation Commission  
27 a Certificate of Convenience and Necessity. This section shall not  
28 be construed to require any incumbent exchange carrier to secure  
29 such a certificate for any extension within or to any territory  
30 already served by it or for any extension into a territory  
31 contiguous to a territory already served by it on which it has  
32 heretofore filed with the Commission an exchange area map showing  
the territory professed to be served by such incumbent exchange  
carrier.

1 (b) Prior to obtaining a Certificate of Convenience and  
2 Necessity, each provider of telecommunications services, as defined  
3 by the rules of the Commission, making application for such  
4 Certificate shall be required to demonstrate its financial,  
5 managerial, and technical ability to provide the requested  
6 telecommunications services in this state. In addition, each  
7 provider of local exchange telecommunications services shall give  
8 notice by mail or personal service to the chief executive officer of  
9 each municipality or county prior to the provisioning of local  
10 exchange telecommunications services by the provider within the  
11 municipality or county. The notice shall confirm that the provider  
12 is a local exchange telephone company as defined in the Nine-One-One  
13 Emergency Number Act, and that the provider shall comply with or  
14 make emergency telephone services available to its customers in  
15 accordance with the act.

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

21 SECTION 3. The provisions of Section 2 of this act shall not  
22 be codified in the Oklahoma Statutes.

23 SECTION 4. This act shall become effective November 1, 2000.

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