

ENGROSSED HOUSE
BILL NO. 2046

By: Gilbert of the House

and

Robinson of the Senate

(telecommunications - amending 17 O.S., Section 131 -
certificates of convenience and necessity - notice -
noncodification -
effective date)

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

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

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

(b) Prior to obtaining a Certificate of Convenience and Necessity, each provider of telecommunications services, as defined by the rules of the Commission, making application for such

Certificate shall be required to demonstrate its financial, managerial, and technical ability to provide the requested telecommunications services in this state. In addition, each provider of local exchange telecommunications services shall give notice by mail or personal service to the chief executive officer of each municipality or county prior to the provisioning of local exchange telecommunications services by the provider within the municipality or county. The notice shall confirm that the provider is a local exchange telephone company as defined in the Nine-One-One Emergency Number Act, and that the provider shall comply with or make emergency telephone services available to its customers in accordance with the act.

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

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

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

Passed the House of Representatives the 1st day of March, 2000.

Speaker of the House of
Representatives

Passed the Senate the ____ day of _____, 2000.

President of the Senate