

THE HOUSE OF REPRESENTATIVES
Thursday, February 28, 2008

Committee Substitute for
House Bill No. 2502

COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 2502 - By: ADKINS of the House.

An Act relating to telecommunications; amending 17 O.S. 2001, Section 139.109, as amended by Section 1, Chapter 409, O.S.L. 2004 (17 O.S. Supp. 2007, Section 139.109), which relates to the Oklahoma E911 Emergency Service Fund, the Oklahoma Telecommunications Technology Training Fund, and Special Universal Services; deleting annual contribution requirements and Oklahoma E911 Emergency Service Fund maximum amount; stating purpose of the Fund; modifying uses of the Fund; changing funding preference date; clarifying qualifications; deleting certain application prohibition for certain local exchange telecommunications service providers; providing an effective date; and declaring an emergency.

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

1 SECTION 1. AMENDATORY 17 O.S. 2001, Section 139.109, as amended by
2 Section 1, Chapter 409, O.S.L. 2004 (17 O.S. Supp. 2007, Section 139.109), is amended to
3 read as follows:

4 Section 139.109 A. There is hereby created within the Oklahoma Corporation
5 Commission the "Oklahoma E911 Emergency Service Fund". ~~Beginning September 1,~~
6 ~~1997, each local exchange telecommunications service provider shall annually contribute~~
7 ~~fifty cents (\$0.50) per retail local exchange access line to the Oklahoma E911 Emergency~~
8 ~~Service Fund until the total amount contributed by all providers to the Fund equals Five~~
9 ~~Million Dollars (\$5,000,000.00). The contribution amount for each service provider shall~~

1 ~~be based upon the number of retail local exchange access lines of that service provider in~~
2 ~~service on July 1 of each applicable year~~ The purpose of the Fund shall be to fund the
3 provisions of enhanced 911 emergency service to every citizen in Oklahoma through a
4 direct appropriation. The Oklahoma E911 Emergency Service Fund shall be
5 administered by the Oklahoma Corporation Commission ~~and~~. The Fund shall be used to
6 ~~defray the cost of purchasing and installing equipment for enhanced 911 emergency~~
7 ~~systems across the state~~ equipment purchases, installation or upgrades, and the cost of
8 creating a map of the service area of a system which reflects accurate addresses.
9 Preference for funding shall be given first to those systems established in areas of the
10 state which do not have access to 911 emergency service ~~before~~ as of July 1, 1997 2007,
11 and second to areas of the state which do not have access to enhanced 911 emergency
12 services. Funding from the E911 Emergency Service Fund shall not be used for ongoing
13 operating costs of any emergency telephone service system. To qualify for funding, the
14 emergency telephone service system shall have been or be in the process of being
15 approved by election as provided for in the Nine-One-One Emergency Number Act. ~~Local~~
16 ~~exchange telecommunications service providers serving fifteen percent (15%) or more of~~
17 ~~the access lines in the state may not apply for recovery of the contributions made to the~~
18 ~~E911 Emergency Service Fund from the Oklahoma Universal Service Fund created in~~
19 ~~Section 139.106 of this title.~~ All monies in the Oklahoma E911 Emergency Service Fund
20 shall be expended only for the purposes set forth in this subsection.

21 B. There is hereby created within the Oklahoma Department of Career and
22 Technology Education the “Oklahoma Telecommunications Technology Training Fund”.

1 Beginning September 1, 1997, each local exchange telecommunications service provider
2 shall annually contribute seventy-five cents (\$0.75) per retail local exchange access line
3 to the Oklahoma Telecommunications Technology Training Fund until the total amount
4 contributed by all providers to the Fund equals Seven Million Dollars (\$7,000,000.00).
5 The contribution amount for each service provider shall be based upon the number of
6 retail local exchange access lines of that service provider in service on July 1 of each
7 applicable year. The Oklahoma Telecommunications Technology Training Fund shall be
8 administered by the Oklahoma Department of Career and Technology Education working
9 in conjunction with OneNet, and shall be used to provide statewide training of teachers
10 and school administrators in the most effective use of telecommunications and distance
11 learning technology for the enhancement of education throughout the state. Local
12 exchange telecommunications service providers serving fifteen percent (15%) or more of
13 the access lines in the state may not apply for recovery of the contributions made to the
14 Oklahoma Telecommunications Technology Training Fund from the Oklahoma Universal
15 Service Fund created in Section 139.106 of this title. All monies in the Oklahoma
16 Telecommunications Technology Training Fund shall be expended only for the purposes
17 set forth in this subsection.

18 C. The following services are hereby declared to be Special Universal Services and
19 such services shall be provided only after funding for the Oklahoma Universal Service
20 Fund is implemented as set forth in Section 139.101 et seq. of this title:

21 1. Each not-for-profit hospital in the state shall, upon written request, receive one
22 incoming, toll-free phone number and up to a total of five access lines, free of charge, to

1 allow incoming, toll-free calls from any location within the geographic area served by the
2 hospital;

3 2. Each not-for-profit hospital, county health department, city-county health
4 department, and federally qualified health center in this state shall, upon written
5 request, receive, free of charge, one telecommunications line or wireless connection
6 sufficient for providing such telemedicine, clinical and health consultation services as the
7 entity is equipped to provide. The telecommunications carrier shall be entitled to
8 reimbursement from the Oklahoma Universal Service Fund for providing the line or
9 connection. In no case, however, shall reimbursement from the fund be made for an
10 Internet subscriber fee or charges incurred as a result of services accessed via the
11 Internet;

12 3. Each public school building wherein classrooms are contained and each public
13 library in the state shall, upon written request, receive one incoming, toll-free phone
14 number and up to a total of five access lines, free of charge, to allow incoming, toll-free
15 calls from any location within the geographic area served by the school or the public
16 library;

17 4. Each public school building wherein classrooms are contained and each public
18 library in the state shall, upon written request, receive one access line, free of charge,
19 with the ability to connect to an Internet service provider at 56 kbps, in the most
20 economically efficient manner for the carrier, or an equivalent dollar credit to be applied
21 by the public school or public library toward similar services provided by the same
22 carrier, for the purpose of accessing the Internet. In no case shall the Oklahoma

1 Universal Service Fund reimburse an entity for an Internet subscriber fee or charges
2 incurred as a result of services accessed via the Internet; and

3 5. Each county seat in the state shall, upon written request of the board of county
4 commissioners, receive one incoming, toll-free phone number and up to a total of five
5 access lines, free of charge, to allow incoming, toll-free calls from any location within the
6 geographic area served by the county seat.

7 D. To the extent Special Universal Services are purchased from a
8 telecommunications service provider by another carrier, the Special Universal Services
9 are for the exclusive use of the not-for-profit hospital, county health department, city-
10 county health department, federally qualified health center, public school, public library
11 or county government. Under no circumstances shall the not-for-profit hospital, county
12 health department, city-county health department, federally qualified health center,
13 public school, public library or county government sell, repackage or share Special
14 Universal Services with any other entity.

15 SECTION 2. This act shall become effective July 1, 2008.

16 SECTION 3. It being immediately necessary for the preservation of the public
17 peace, health and safety, an emergency is hereby declared to exist, by reason whereof
18 this act shall take effect and be in full force from and after its passage and approval.

19 COMMITTEE REPORT BY: COMMITTEE ON ENERGY AND TECHNOLOGY, dated
20 02-27-08 - DO PASS, As Amended.