

THE HOUSE OF REPRESENTATIVES
Thursday, February 25, 2010

Committee Substitute for
House Bill No. 2829

COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 2829 - By: PETERS AND JACKSON of the House and MARLATT of the Senate.

An Act relating to telecommunications; exempting certain services provided by telecommunications service providers from certain regulations and requirements; specifying Corporation Commission jurisdiction over certain services and actions; exempting certain telecommunication service providers from certain requirements; providing for codification; providing an effective date; and declaring an emergency.

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

- 1 SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma
2 Statutes as Section 139.111 of Title 17, unless there is created a duplication in
3 numbering, reads as follows:
- 4 A. Telecommunications service providers as defined in 165:55-1-4 of the Oklahoma
5 Administrative Code that have services which have been deemed competitive by the
6 Corporation Commission, such services shall no longer be regulated or subject to the
7 following:
- 8 1. Submission of tariffs, provided the telecommunications service provider
9 maintains a website describing rates, terms and conditions of service;
- 10 2. Submission of promotional offerings or individual case-basis contracts;

- 1 3. Notice requirements, provided customers are made aware of any price increase,
2 which may be provided via electronic means;
- 3 4. Exchange reclassification requirements;
- 4 5. Limitations on return check charges;
- 5 6. Directory publications and state telephone numbering requirements;
- 6 7. Customer provided equipment or inside wiring requirements and charges;
- 7 8. Billing and payment requirements;
- 8 9. Service interruption requirements;
- 9 10. Credit or deposit requirements;
- 10 11. Suspension, denial and termination of service requirements;
- 11 12. Network service and transmission requirements;
- 12 13. Extension of facilities and carrier of last resort requirements; and
- 13 14. Minimum service standards.

14 B. Nothing in this section shall limit the ability under existing jurisdiction of the
15 Corporation Commission to:

- 16 1. Resolve telecommunications services complaints for customers;
- 17 2. Require telecommunications service providers to contribute to state funds
18 including but not limited to the Oklahoma Universal Service Fund and the Oklahoma
19 High Cost Fund, which provide for the offering of telecommunications services;
- 20 3. Require telecommunications service providers to make Lifeline Program and
21 Link-up America Program services available; and

1 4. Require telecommunications service providers to comply with nine-one-one
2 service requirements as set forth in the Nine-One-One Emergency Number Act and in
3 applicable rules in the Oklahoma Administrative Code.

4 C. Telecommunications service providers that have services which have been
5 deemed competitive by the Corporation Commission, shall not be subject to the
6 provisions of Section 139.103 of Title 17 of the Oklahoma Statutes.

7 SECTION 2. This act shall become effective July 1, 2010.

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

11 COMMITTEE REPORT BY: COMMITTEE ON ENERGY AND UTILITY
12 REGULATION, dated 02-24-10 - DO PASS, As Amended and Coauthored.