

1 STATE OF OKLAHOMA

2 2nd Session of the 53rd Legislature (2012)

3 COMMITTEE SUBSTITUTE
4 FOR

5 SENATE BILL 1340

6 By: Branam

7 COMMITTEE SUBSTITUTE

8 [telecommunications - providing alternative
9 requirements - codification - effective date]

10
11 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

12 SECTION 1. NEW LAW A new section of law to be codified
13 in the Oklahoma Statutes as Section 139.111 of Title 17, unless
14 there is created a duplication in numbering, reads as follows:

15 A. Local Exchange Companies (LEC) and interexchange companies
16 may, in lieu of the requirements of Oklahoma Administrative Code
17 165:55-3-20, 165:55-3-22 (e), 165:55-3-23, 165:55-5-1, 165:55-5-3,
18 165:55-5-10.2, 165:55-5-10.3, 165:55-5-11, 165:55-5-12, 165:55-5-30,
19 165:55-5-32, 165:55-9-1, 165:55-9-2, 165:55-9-3, 165:55-9-8, 165:55-
20 9-14 (e) (1) (2) (3), 165:55-11-4 (a), 165:55-11-7 (a) (1) and (b), 165:55-
21 11-13 (b) (c), 165:55-11-14, 165:55-13-1, 165:55-13-2 (a), 165:55-13-
22 10, 165:55-13-20, 165:55-13-22 (b), 165:55-13-23, 165:55-13-24,
23 165:55-13-26, 165:55-13-30, 165:55-13-31, 165:55-13-50, 165:55-13-
24 51, 165:55-13-53, 165:55-15-1, 165:55-15-3, and 165:55-17-29:

- 1 1. Maintain a copy of the records required by the Corporation
2 Commission on the company's publicly available website;
- 3 2. Provide a copy of contracts entered into between carriers
4 for regulated services to the Commission upon request by the
5 Commission, except for contracts required pursuant to OAC 165:55-17;
- 6 3. Maintain its rates and terms and conditions of service on a
7 publicly available website. The rates and terms and conditions of
8 service shall be deemed approved the day following the day the
9 website is revised. Upon request by a company's end-user, the
10 company shall provide the end-user a free copy of its rates and
11 terms and conditions of service posted on the company's website.
12 The rates and terms and conditions of services established by other
13 state utility commissions that impact Oklahoma customers may also be
14 posted on the company's publicly available website;
- 15 4. Provide end-user notice prior to or concurrent with any rate
16 increase;
- 17 5. Eliminate the classification of exchanges into rate groups;
- 18 6. Maintain company-specific service standards and service
19 objectives, including but not limited to restoration timeframes,
20 emergency restoration plans, equipment adequacies, order fulfillment
21 timeframes, and transmission objectives. All company-specific
22 service standards and objectives shall be stated on the company's
23 publicly available website;

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1 7. Make promotional offerings without limitation on the
2 duration of the offering or benefit period, however, promotional
3 offerings are not intended to be a substitution for posting rates
4 and terms and conditions of service on the company's publicly
5 available website;

6 8. Enter into customer-specific contracts and provide a copy of
7 the contract to the Commission upon request. All customer-specific
8 contracts shall be deemed effective upon the terms of the contract;

9 9. Enter into a written agreement for regulated services with
10 any business customer regardless of the number of access lines;

11 10. Charge a return check charge consistent with the return
12 check charge on the company's publicly available website;

13 11. Comply with the Federal Truth-in-Billing rules found at 47
14 CFR 64.2401;

15 12. Impose a due date and late payment charge consistent with
16 the due date and late payment fee found on the company's publicly
17 available website;

18 13. Enter into a written agreement with terms and conditions
19 mutually agreeable to both parties;

20 14. Establish a single interest rate for all deposits;

21 15. Correspond with its end-users in a form mutually agreed to
22 by both parties;

23 16. Provide the Commission with a list of its trouble reports
24 upon request;

1 17. Transfer assets to an affiliate entity, including but not
2 limited to equipment, certificates of authority, and customers, by
3 giving thirty (30) days written notice to the Commission and to
4 affected customers. Such transfer will become effective without a
5 Commission order.

6 B. Incumbent local exchange companies with more than seventy-
7 five thousand (75,000) access lines are no longer subject to
8 "Carrier of Last Resort" obligations and shall not be required to
9 extend facilities free of charge as required by OAC 165:55-13-
10 12(a)(b).

11 C. Each incumbent LEC is designated as an eligible
12 telecommunications carrier for the territory for which it was
13 certified on the date of the adoption of the Federal
14 Telecommunications Act of 1996. For the purpose of eligibility to
15 receive federal universal service support under 47 U.S.C. § 214(e)
16 an eligible telecommunications service provider shall, throughout
17 its service territory:

18 1 Offer the telecommunications services that are supported by
19 Federal universal service support mechanisms under 47 U.S.C. §
20 254(c), either using its own facilities or a combination of its own
21 facilities and resale of another telecommunications service
22 provider's services, including the services offered by another
23 eligible telecommunications service provider; and

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1 2 Advertise the availability of such telecommunications
2 services and the charges therefore using media of general
3 distribution.

4 D. The Commission may, concurrent with OAC 165:55-22-9(a),
5 require that in any billing complaint brought before the Commission,
6 if the amount complained of exceeds Ten Thousand Dollars
7 (\$10,000.00) any portion of which is more than ninety (90) days past
8 due, that one hundred percent (100%) of the disputed amount be
9 deposited into an escrow account and remain there until a final
10 order is issued.

11 SECTION 2. This act shall become effective November 1, 2012.

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