

HCS HB 495 -- LOCAL TELECOMMUNICATIONS CARRIERS (Parson)

COMMITTEE OF ORIGIN: Committee on Energy and Environment

This substitute changes the laws regarding local exchange voice telecommunications carriers. In its main provisions, the substitute:

- (1) Relieves a local exchange carrier from its obligation to provide basic local voice telecommunications service to a greenfield area if the owner or developer of the property:
 - (a) Allows an alternative service provider to install, based on the condition of exclusion of the local exchange carrier, facilities or equipment to provide local voice telecommunications service;
 - (b) Accepts or agrees to accept incentives or rewards from an alternative service provider that are contingent upon the provision of any or all local voice telecommunications services by alternative service providers to the exclusion of the local exchange carrier; or
 - (c) Collects from the occupants or residents of the property charges for the provision of any local voice telecommunications service provided by an alternative service provider including collection through rent, fees, or dues;
- (2) Requires, if a local exchange carrier is relieved of its carrier of last resort obligation, the owner or developer of the property to notify the occupants of the property and any subsequent owners that the incumbent local exchange carrier does not have facilities installed to serve their property and the name of the person who will be providing the local communications service;
- (3) Specifies that when a local exchange carrier is relieved of its carrier of last resort obligation to serve in a designated area, in no instance will the obligation be transferred to any alternative service provider or provider of local voice service, including interconnected voice over Internet protocol service in that designated service area;
- (4) Allows a local exchange carrier that is not automatically relieved of its obligation to seek a waiver of its obligation from the Missouri Public Service Commission if other local voice telecommunications service is available on the property; and
- (5) Specifies the requirements and procedures for re-establishing the obligation of local telecommunications

service by a local exchange carrier if the conditions that terminated the obligation cease.

FISCAL NOTE: No impact on state funds in FY 2010, FY 2011, and FY 2012.