

FIRST REGULAR SESSION
[TRULY AGREED TO AND FINALLY PASSED]
SENATE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR

HOUSE BILL NO. 338

96TH GENERAL ASSEMBLY

1158S.04T

2011

AN ACT

To amend chapter 392, RSMo, by adding thereto one new section relating to telecommunications.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Chapter 392, RSMo, is amended by adding thereto one new section, to be known as section 392.461, to read as follows:

392.461. A telecommunications company may, upon written notice to the commission, elect to be exempt from certain retail rules relating to:

(1) The provision of telecommunications service to retail customers and established by the commission which include provisions already mandated by the Federal Communications Commission, including but not limited to federal rules regarding customer proprietary network information, verification of orders for changing telecommunications service providers (slamming), submission or inclusion of charges on customer bills (cramming); or

(2) The installation, provisioning, or termination of retail service.

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Notwithstanding any other provision of this section, a telecommunications company shall not be exempt from any commission rule established under authority delegated to the state commission pursuant to federal statute, rule or order, including but not limited to universal service funds, number pooling and conservation efforts, or any authority delegated to the state commission to facilitate or enforce any interconnection obligation or

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

16 other intercarrier issue, including but not limited to, intercarrier compensation, network
17 configuration or other such matters. Notwithstanding other provisions of this chapter or
18 chapter 386, a telecommunications company may, upon written notice to the commission,
19 elect to be exempt from any requirement to file or maintain with the commission any tariff
20 or schedule of rates, rentals, charges, privileges, facilities, rules, regulations, or forms of
21 contract for telecommunications services offered or provided to residential or business
22 retail end user customers and instead, shall publish generally available retail prices for
23 those services available to the public by posting such prices on a publicly accessible
24 website. Nothing in this section shall affect the rights and obligations of any entity,
25 including the commission, established pursuant to federal law, including 47 U.S.C. Sections
26 251 and 252, any state law, rule, regulation, or order related to wholesale rights and
27 obligations, or any tariff or schedule that is filed with and maintained by the commission.

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