

Bill No. SB 142

Barcode 401526

CHAMBER ACTION

Senate

House

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The Committee on Communications and Public Utilities  
(Constantine) recommended the following amendment:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause

and insert:

Section 1. Subsections (6) and (7) of section 364.051,  
Florida Statutes, are amended to read:

364.051 Price regulation.--

(6) After a local exchange telecommunications company  
that has more than 1 million access lines in service has  
reduced its intrastate switched network access rates to  
parity, as defined in s. 364.164(5), the local exchange  
telecommunications company's basic local telecommunications  
service may petition the commission under subsection (7) to  
have such service, at the company's election, be subject to  
the same regulatory treatment as its nonbasic services, except  
that the price for basic local telecommunications service may  
be increased in an amount not to exceed 10 percent within a  
12-month period. The company may also petition the commission

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1 under subsection (7) to have its ~~company's~~ retail service  
2 quality requirements that are not already equal to the service  
3 quality requirements imposed upon the competitive local  
4 exchange telecommunications companies to ~~shall thereafter~~ be  
5 no greater than those imposed upon competitive local exchange  
6 telecommunications companies ~~unless the commission, within 120~~  
7 ~~days after the company's election, determines otherwise.~~ In  
8 such event, the commission may grant some reductions in  
9 service quality requirements in some or all of the company's  
10 local calling areas. The commission may not impose retail  
11 service quality requirements on competitive local exchange  
12 telecommunications companies greater than those existing on  
13 January 1, 2003.

14 (7) In its petition ~~if a local exchange~~  
15 ~~telecommunications company elects, pursuant to subsection (6),~~  
16 ~~to subject its retail basic local telecommunications services~~  
17 ~~to the same regulatory treatment as its nonbasic services, the~~  
18 ~~local exchange telecommunications company may petition the~~  
19 ~~commission~~ for regulatory treatment of its retail services at  
20 a level no greater than that imposed by the commission upon  
21 competitive local exchange telecommunications companies, the-  
22 ~~The~~ local exchange telecommunications company shall:

23 (a) Show that granting the petition is in the public  
24 interest;

25 (b) Show in each exchange where it seeks the same  
26 regulatory treatment as nonbasic services that competitive  
27 local exchange providers serve 12 percent of the residential  
28 access lines and 35 percent of the single-line business access  
29 lines; and

30 (c) ~~(b)~~ Reduce its intrastate switched network access  
31 rates to its local reciprocal interconnection rate upon the

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1 grant of the petition.

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3 The commission shall act upon such a petition within 9 months  
4 after its filing with the commission. In making its  
5 determination to either grant or deny the petition, the  
6 commission shall determine the extent to which the level of  
7 competition faced by the local exchange telecommunications  
8 company permits and will continue to permit the company to  
9 have its retail services regulated no differently than the  
10 competitive local exchange telecommunications companies are  
11 then being regulated. The commission may not increase the  
12 level of regulation for competitive local exchange  
13 telecommunications companies to a level greater than that  
14 which exists on the date the local exchange telecommunications  
15 company files its petition. However, the commission may allow  
16 fewer restrictions than required for basic local exchange  
17 telecommunications services but more than nonbasic  
18 telecommunications services when granting such restrictions is  
19 in the best interest of the customer.

20 Section 2. This act shall take effect upon becoming a  
21 law.

22

23

24 ===== T I T L E A M E N D M E N T =====

25 And the title is amended as follows:

26 Delete everything before the enacting clause

27

28 and insert:

29 A bill to be entitled

30 An act relating to telecommunications; amending

31 s. 364.051, F.S., relating to price regulation;

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1 limiting the percentage of price increase for  
2 basic local telecommunications service;  
3 requiring certain companies to petition the  
4 Florida Public Service Commission for reduced  
5 regulatory treatment of its basic local  
6 telecommunications services; providing criteria  
7 for approval; providing an effective date.

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