

**The Florida Senate**  
**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

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Prepared By: The Professional Staff of the Communications and Public Utilities Committee

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BILL: SB 784

INTRODUCER: Senator Bennett

SUBJECT: Local telecommunications services

DATE: February 18, 2008

REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Caldwell	Caldwell	CU	<b>Favorable</b>
2.	_____	_____	_____	_____
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____

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**I. Summary:**

This bill repeals section 364.059 of the Florida Statutes.

**II. Present Situation:**

In 2003, Chapter Law 2003-32 provided for a revenue neutral, rate rebalancing mechanism to adjust basic local telecommunications rates upward toward cost, offset by lower intrastate switched network access charges. The mechanism would continue until intrastate switched network access charges reached parity which was defined to mean that the local exchange telecommunications company's intrastate switched network access rate is equal to its interstate switched network access rate in effect on January 1, 2003<sup>1</sup>. Subsection 364.051(6), F.S., provided that after basic local telecommunications rates reached parity as defined in the statute, the local exchange telecommunications company's retail service quality requirements would be no greater than the competitive local exchange telecommunications companies' retail service quality requirements unless the commission within a specified time determined otherwise.

Section 364.059, F.S., provides procedures for a substantially interested party to seek a stay of a local exchange telecommunications company electing under 364.051(6), F.S., to have its basic local telecommunications services treated the same as its nonbasic services. In 2007, Section 10 of Chapter Law 2007-29 repealed subsections (6), (7), and (8) of s. 364.051, F.S.

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<sup>1</sup> if the company has more than 1 million access lines in service. If the company has 1 million or fewer access lines in service, the term "parity" means that the company's intrastate switched network access rate is equal to 8 cents per minute. Section 364.164(5), F.S.

**III. Effect of Proposed Changes:**

According to the Public Service Commission, with the repeal of s. 364.051(6), F.S., in 2007, section 364.059, F.S., has no effect and is, therefore, obsolete. As such, this section is repealed.

**IV. Constitutional Issues:****A. Municipality/County Mandates Restrictions:**

None.

**B. Public Records/Open Meetings Issues:**

None.

**C. Trust Funds Restrictions:**

None.

**V. Fiscal Impact Statement:****A. Tax/Fee Issues:**

None.

**B. Private Sector Impact:**

None.

**C. Government Sector Impact:**

None.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Additional Information:****A. Committee Substitute – Statement of Substantial Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.

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This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

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