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LEGISLATIVE ACTION

Senate

House

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Floor: WD

04/26/2011 11:20 AM

Senator Simmons moved the following:

Senate Amendment (with title amendment)

Between lines 1085 and 1086

insert:

Section 32. Section 364.336, Florida Statutes, is amended to read:

364.336 Regulatory assessment fees.—

(1) Notwithstanding any ~~provisions of~~ law to the contrary, each telecommunications company licensed or operating under this chapter, for any part of the preceding 6-month period, shall pay to the commission, within 30 days following the end of each 6-month period, a fee that may not exceed 0.25 percent annually of its gross operating revenues derived from intrastate business,



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14 except, for purposes of this section and the fee specified in s.
15 350.113(3), any amount paid to another telecommunications
16 company for the use of any telecommunications network shall be
17 deducted from the gross operating revenue for purposes of
18 computing the fee due. The commission shall by rule assess a
19 minimum fee in an amount up to \$1,000. The minimum amount may
20 vary depending on the type of service provided by the
21 telecommunications company, and shall, to the extent
22 practicable, be related to the cost of regulating such type of
23 company. Differences, if any, between the amount paid in any 6-
24 month period and the amount actually determined by the
25 commission to be due shall, upon motion by the commission, be
26 immediately paid or refunded. Fees under this section may not be
27 less than \$50 annually. Such fees shall be deposited in
28 accordance with s. 350.113. The commission may by rule establish
29 criteria for payment of the regulatory assessment fee on an
30 annual basis rather than on a semiannual basis.

31 (2) By August 1, 2011, the commission must begin rulemaking
32 to reduce the regulatory assessment fee for telecommunications
33 companies under s. 350.113 and this section, as required to
34 reflect the reduction in regulation resulting from amendments to
35 this chapter 364 which take effect on or after July 1, 2011. The
36 reduced fee shall be applied beginning with payments due in
37 January 2012 on revenues for the preceding 6-month period. The
38 commission's consideration of the required amount of the
39 reduction to the regulatory assessment fee must include, but
40 need not be limited to:

41 (a) The regulatory activities that are no longer required
42 and the number of staff members currently assigned to such



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43 activities.

44 (b) The number of staff members necessary to carry out the
45 reduced level of regulatory responsibilities based on the
46 reductions in the workload for the staff in the Division of
47 Regulatory Analysis, the Office of Auditing and Performance
48 Analysis, and the Division of Service, Safety and Consumer
49 Assistance.

50 (c) The reductions in overhead associated with the
51 commissioner's offices, the Office of General Counsel, the
52 Office of Commission Clerk, the Office of Information Technology
53 Services, the Office of Public Information, and the Office of
54 Inspector General.

55 (d) The reductions in direct and indirect costs, including
56 allocations of fixed costs.

57 (3) By January 15, 2012, and annually thereafter, the
58 commission must report to the Governor, the President of the
59 Senate, and the Speaker of the House of Representatives,
60 providing a detailed description of its efforts to reduce the
61 regulatory assessment fee for telecommunications companies,
62 including a detailed description of the regulatory activities
63 that are no longer required; the commensurate reduction in the
64 costs associated with this reduction in regulation; the
65 regulatory activities that continue to be required under this
66 chapter; and the costs associated with those regulatory
67 activities.

68
69 ===== T I T L E A M E N D M E N T =====

70 And the title is amended as follows:

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72 Delete line 99
73 and insert:
74 of authority; amending s. 364.336, F.S.; requiring the
75 commission to begin by a specified date rulemaking
76 procedures to reduce the regulatory assessment fee
77 charged to telecommunications companies; setting forth
78 the issues to be considered for reducing the
79 regulatory assessment fee; requiring the commission to
80 provide the Governor and the Legislature with a
81 detailed description of its activities to reduce the
82 regulatory assessment fee; repealing s. 364.337, F.S.,
83 relating to