

VIRGINIA ACTS OF ASSEMBLY -- 2002 RECONVENED SESSION

CHAPTER 833

An Act to amend and reenact § 56-234 of the Code of Virginia, relating to the provision of service by telephone companies to governmental entities.

[S 156]

Approved April 17, 2002

Be it enacted by the General Assembly of Virginia:

1. That § 56-234 of the Code of Virginia is amended and reenacted as follows:

§ 56-234. Duty to furnish adequate service at reasonable and uniform rates.

It shall be the duty of every public utility to furnish reasonably adequate service and facilities at reasonable and just rates to any person, firm or corporation along its lines desiring same. It shall be their duty to charge uniformly therefor all persons, corporations or municipal corporations using such service under like conditions. However, no provision of law shall be deemed to preclude voluntary rate or rate design tests or experiments, or other experiments involving the use of special rates, where such experiments have been approved by order of the Commission after notice and hearing and a finding that such experiments are necessary in order to acquire information which is or may be in furtherance of the public interest. The charge for such service shall be at the lowest rate applicable for such service in accordance with schedules filed with the Commission pursuant to § 56-236. But, subject to the provisions of § 56-232.1, nothing *contained* herein ~~contained~~ *or in* § 56-481.1 shall be ~~construed as applicable~~ *apply* to (i) schedules of rates for any telecommunications service provided to the public by virtue of any contract with, (ii) for any service provided under or relating to a contract for telecommunications services with, or (iii) contracts for service rendered by any telephone company to, the state government *or any agency thereof*, or by any other public utility to any municipal corporation or to the state or federal government. The provisions hereof shall not apply to or in any way affect any proceeding pending in the State Corporation Commission on or before July 1, 1950, and shall not confer on the Commission any jurisdiction not now vested in it with respect to any such proceeding.

2. That the Secretary of Public Safety shall report by November 15, 2002, to the Governor, and the Chairmen of the House Appropriations and Senate Finance Committees regarding its implementation of outstanding JLARC recommendations regarding inmate telephone calls. In this report, the Secretary shall also address future procurement plans to provide telephone service to inmates, including options for reducing costs to inmate families and the fiscal impact of such options.