

# State Corporation Commission

## 2002 Fiscal Impact Statement

**1. Bill Number** SB245

**House of Origin** ☐ Introduced ☒ Substitute ☐ Engrossed  
**Second House** ☒ In Committee ☐ Substitute ☐ Enrolled

**2. Patron** Wampler

**3. Committee** Commerce and Labor

**4. Title** Public utilities; telecommunications services.

**5. Summary/Purpose:**

Public utilities; telecommunications services. Provides that any locality may provide telecommunications services, including local exchange telephone service, within or outside its boundaries if the locality obtains a certificate pursuant to § 56 -265.4:4 and complies with all applicable laws. The certificate for local exchange service or interexchange service granted by the State Corporation Commission after July 1, 2002, shall be for service throughout the Commonwealth unless the applicant specifically requests a different certificated service territory. Each local exchange carrier that was certificated before July 1, 2001, to provide service in part of the Commonwealth shall be certificated to provide local exchange service throughout the Commonwealth beginning September 1, 2002 unless the local exchange carrier notifies the Commission prior to September 1, 2002, that it elects to retain its existing certificated service territory in which it was considered an incumbent prior to July 1, 2002. No locality providing such service shall acquire facilities or other property by eminent domain. A new section has been added to Title 56 pertaining to anti-competitive acts (§ 56 -479.2). Also repeals § 56 -484.7:3 pertaining to availability of service by lessee.

**6. Fiscal impact:** Estimates are unavailable. See item 8.

**7. Budget amendment necessary:** No

**8. Fiscal implications:** This bill would have a fiscal impact on the State Corporation Commission's special regulatory revenue fund provided municipalities begin providing service. There is, however, no way at this point to determine how much additional revenue would be generated since there is no past data available on municipal telephone companies. This tax is set at a maximum of two-tenths of one percent and is based on intrastate revenue only.

**9. Specific agency or political subdivisions affected:** State Corporation Commission and its Communications and Public Service Taxation Division's and the Office of General Counsel.

**10. Technical amendment necessary:** No

**11. Other comments:** This bill would require municipal telephone companies that are granted a certificate of public convenience and necessity by the State Corporation Commission, to report all of their real and tangible personal property they own, operate or use to the Commission for assessment as stated in § 58.1 -2628.

**Date:** 02/18/02/K.Cummings/RST

cc:SecretaryofCommerceandTrade