

State Corporation Commission 2009 Fiscal Impact Statement

1. Bill Number: HB1885

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

2. Patron: Nixon

3. Committee: Passed Both Houses

4. Title: Telephone regulatory alternatives; determination of competitiveness.

5. Summary: Telephone regulatory alternatives; determination of competitiveness. Requires the State Corporation Commission, when determining whether the telephone services of a telephone company are competitive, to consider all wireless communications providers that offer voice communications services to be facilities-based competitors owning wireline network facilities and reasonably meeting the needs of consumers. It also requires the Commission to expand its competitive determination for basic and associated telephone services in an exchange area if a telephone company provides access to fiber-optic or copper-based broadband service to 90 % or more of its residential and business lines within that exchange area. The measure further requires the Commission, if it determines that 75 % or more of residential households or businesses in a telephone company's incumbent territory are in areas that are competitive for a telephone service, to expand, for that telephone service throughout the company's incumbent territory, its competitive determination. In such cases, the Commission is required to apply the same regulatory treatment already adopted for that telephone service in competitive areas.

6. Fiscal Impact Estimates: None – but see Item 11.

7. Budget Amendment Necessary: No.

8. Fiscal Implications: None on the State Corporation Commission.

9. Specific Agency or Political Subdivisions Affected: State Corporation Commission

10. Technical Amendment Necessary: No.

11. Other Comments: The bill is not explicit regarding whether a wireless affiliate of a telephone company can be considered a competitor in the Commission's competitive determination. There could be disagreement on this issue when a case comes before the State Corporation Commission. In addition, possible changes in telephone company prices that could result from this legislation might affect tax revenues impacting state agencies and localities.