

Hall of the House of Representatives
84th General Assembly - Regular Session, 2003
Amendment Form

Subtitle of House Bill No. 2409

"AN ACT TO EXCLUDE CHARGES FOR EXTENDED AREA SERVICES IN
DETERMINING RATE INCREASES UNDER ARKANSAS CODE § 23-17-412."

Amendment No. 1 to House Bill No. 2409.

Amend House Bill No. 2409 as originally introduced:

Delete everything after the enactment clause and substitute the following:

“SECTION 1. Arkansas Code § 23-17-412(i)(1), concerning rate increases for non-tier one rural telephone companies, is amended to read as follows:

(i)(1) The commission on its own motion may review basic local exchange service rates of any company subject to this section if the company has increased the rates by more than the greater of fifteen percent (15%) or two dollars (\$2.00) per access line per month within any consecutive twelve-month period, excluding rate increases ordered by the commission pursuant to § 23-17-404 or rate increases resulting from the provision of extended area services required as the result of customer election under commission rules.

SECTION 2. Arkansas Code § 23-17-407(b)(1), concerning regulation of rates for basic local exchange service and switched access service of electing companies, shall be amended to read as follows:

(b)(1) After the expiration of the three year period, the rates for basic local exchange services and switched-access services, excluding the intrastate carrier common line charge, may be adjusted by the electing company filing a price list with the commission, as long as the rates remain at or below the inflation-based rate cap or the rate increase results from the provision of extended area services required as the result of customer election under commission rules.

SECTION 3. Arkansas Code Title 23, Chapter 17, Subchapter 4, is amended to add a new section read as follows:

23-17-414. Extended area service.

(a) The commission shall promulgate rules that enable customers in a local exchange service area to petition the commission directly, or by a resolution of the customers’ quorum court or other local governing body, to request that an ILEC provide extended area service.

(b)(1) The rules relating to the provision of extended area shall include:

(A) The procedure by which customers may petition the



commission for an election on the provision of extended area service;

(B) The information required for the commission to verify that the rate to be charged for providing extended area service will be just and reasonable;

(C) Notice requirements to customers regarding the rate, terms, and conditions under which extended area service would be provided as a result of a scheduled election under subsection (a) of this section; and

(D) The procedure for conducting an election under subsection (a) of this section, and for determining whether extended area service will be provided as a result of the election.

(2) After the initial election and adoption of extended area service, no subsequent change in the rate charged for the provision of extended area service shall be effective unless adopted under the commission's rules promulgated to implement this section.

(c) If the affected customers vote in favor of instituting or renewing extended area service under this section, the carrier shall implement extended area service at a rate that is consistent with subdivision (b)(1)(B) of this section."

The Amendment was read _____
By: Representative Stovall
AAF/CDS - 031820031321
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Chief Clerk