

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 84th General Assembly
3 Regular Session, 2003

A Bill

HOUSE BILL 2409

4
5 By: Representative Stovall
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For An Act To Be Entitled

9 AN ACT TO AMEND THE ARKANSAS TELECOMMUNICATIONS
10 REGULATORY REFORM ACT TO EXCLUDE CHARGES FOR
11 EXTENDED AREA SERVICES IN DETERMINING RATE
12 INCREASES UNDER ARKANSAS CODE § 23-17-412; AND
13 FOR OTHER PURPOSES.
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Subtitle

15 AN ACT TO EXCLUDE CHARGES FOR EXTENDED
16 AREA SERVICES IN DETERMINING RATE
17 INCREASES UNDER ARKANSAS CODE § 23-17-
18 412.
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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24 SECTION 1. Arkansas Code § 23-17-412(i)(1), concerning rate increases
25 for non tier one rural telephone companies, is amended to read as follows:

26 (i)(1)(A) The commission on its own motion may review basic local
27 exchange service rates of any company subject to this section if the company
28 has increased the rates by more than the greater of fifteen percent (15%) or
29 two dollars (\$2.00) per access line per month within any consecutive twelve-
30 month period, excluding rate increases ordered by the commission pursuant to
31 § 23-17-404.

32 (B) However, if customers in a given service area
33 voluntarily adopt extended area services, the commission shall not consider
34 any portion of a fee incurred as the result of offering extended area
35 services in determining whether a company subject to this section has
36 increased its rates as stated in subdivision (i)(1)(A).



1 (C) If customers in a given service area petition the
 2 commission requesting that an ILEC provide extended area service:

3 (i) The carrier shall submit sufficient information,
 4 as determined by the commission, to allow the commission to verify that the
 5 rate charged by the carrier for providing extended area service that is just
 6 and reasonable; and

7 (ii) The commission shall promulgate rules to:

8 (a) Define extended area service;

9 (b) Notify customers of the opportunity for
 10 extended area service;

11 (c) The rate, terms, and conditions under
 12 which such service would be offered; and

13 (d) The process whereby the affected customers
 14 would vote and determine whether such service is desired.

15 (D) If the affected customers vote in favor of instituting
 16 an extended area service offering pursuant to rules promulgated by the
 17 commission pursuant to (ii), the ILEC shall implement extended area service
 18 at a rate determined pursuant to (i).

19 (E) Subsequent changes in the established rates for
 20 extended area service shall meet the criteria established in (i) and (ii).

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

25 (b)(1)(A) After the expiration of the three year period, the rates for
 26 basic local exchange services and switched access services, excluding the
 27 intrastate carrier common line charge, may be adjusted by the electing
 28 company filing a price list with the commission, as long as the rates remain
 29 at or below the inflation-based rate cap.

30 (B) However, if customers in a given service area voluntarily adopt
 31 extended area service, the commission shall not consider any portion of a fee
 32 incurred as a result of offering extended area service in determining whether
 33 a company subject to this section has increased its rates for basic local
 34 exchange service as stated in subdivision (b)(1)(A).

35 (C) If customers in a given service area petition the
 36 commission requesting that an ILEC provide extended area service:

1 (i) The carrier shall submit sufficient information,
2 as determined by the commission, to allow the commission to verify that the
3 rate charged by the carrier for providing extended area service:

4 (a) Is just and reasonable; and

5 (b) Allows the carrier to recover its cost of
6 providing the service.

7 (ii) The commission shall promulgate rules to

8 (a) Define extended area service;

9 (b) Notify customers of the opportunity for
10 extended area service;

11 (c) The rate, terms, and conditions under
12 which such service would be offered; and

13 (d) The process whereby the affected customers
14 would vote and determine whether such service is desired.

15 (iii) If the affected customers vote in favor of
16 instituting an extended area service offering pursuant to rules promulgated
17 by the commission pursuant to (ii), the ILEC shall implement extended area
18 service at a rate determined pursuant to (i).

19 (iv) Subsequent changes in the established rates for
20 extended area service shall meet the criteria established in (i) and (ii).

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