

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 2441

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 OF 1997 TO CLARIFY THE  
11 APPLICATION OF CHARGES FOR EXTENDED AREA SERVICE;  
12 TO RESTRUCTURE THE ARKANSAS INTRASTATE CARRIER  
13 COMMON LINE POOL TO PROMOTE THE PROPER  
14 APPLICATION OF ACCESS CHARGES AND REBALANCE  
15 RATES; AND FOR OTHER PURPOSES.  
16

## Subtitle

17  
18 TO AMEND THE ARKANSAS TELECOMMUNICATIONS  
19 REGULATORY REFORM ACT.  
20  
21

22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
23

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) 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:

31 (A) ~~rate~~ Rate increases ordered by the commission pursuant  
32 to § 23-17-404~~r~~; and

33 (B) Increases that are added to a carrier's basic local  
34 exchange rate to recover additional costs and lost revenue associated with  
35 providing non-optional extended area service.  
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1 SECTION 2. Arkansas Code § 23-17-407(b)(1), concerning regulation of  
 2 rates for basic local exchange service and switched-access service of  
 3 electing companies, shall be amended to read as follows:

4 (b)(1) After the expiration of the three-year period, the rates for  
 5 basic local exchange services and switched-access services, excluding the  
 6 intrastate carrier common line charge, may be adjusted by the electing  
 7 company filing a price list with the commission, as long as the rates remain  
 8 at or below the inflation-based rate cap, or the increase has been added to a  
 9 carrier's basic local exchange rate to recover additional costs and lost  
 10 revenue associated with providing non-optional extended area service.

11  
 12 SECTION 3. Arkansas Code Title 23, Chapter 17, is amended to add a new  
 13 subchapter to read as follows:

14 23-27-501. Arkansas Intrastate Carrier Common Line Charges.

15 (a) After the effective date of this subchapter, charges assessed by  
 16 the Arkansas Intrastate Carrier Common Line Pool shall be reduced and  
 17 incumbent local exchange carriers shall be allowed to terminate their  
 18 membership in the pool.

19 (b) Each incumbent local exchange carrier may recover a portion of its  
 20 intrastate carrier common line revenue requirement from its per minute access  
 21 charges.

22 (c)(1) Each incumbent local exchange carrier that experiences revenue  
 23 shortfalls as a result of exiting the pool or reducing per minute carrier  
 24 common line charges may recover the revenue shortfalls by adjusting rates  
 25 from other services.

26 (2) A carrier's recovery under subsection (c)(1) of this section  
 27 shall not affect the carrier's ability to adjust rates under §§ 23-17-406  
 28 through 23-17-408, or 23-17-412.

29 (d) Where technically feasible, any telecommunications provider whose  
 30 customer originates or forwards an intrastate interexchange message to be  
 31 terminated over the telecommunications network of any carrier in the state  
 32 shall transmit to the terminating carrier the jurisdictionally appropriate  
 33 telephone number of the originating party sending the message and other  
 34 signaling information.

35 (e)(1) The Attorney General shall investigate allegations of  
 36 violations of this section.

1           (2) The Attorney General shall give a carrier who has violated  
2 this section reasonable opportunity to correct each violation.

3           (3) If a carrier is found to have violated this section and  
4 refuses to correct the violation after reasonable opportunity:

5                   (A) The carrier shall be deemed to have committed a  
6 deceptive trade practice under § 4-88-107; and

7                   (B) The Arkansas Public Service Commission may revoke the  
8 carrier's certificate of convenience and necessity, upon petition by the  
9 Attorney General.

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