

Hall of the House of Representatives
83rd General Assembly - Regular Session, 2001
Amendment Form

Subtitle of House Bill No. 2426
"AN ACT TO AUTHORIZE THE ARKANSAS PUBLIC SERVICE COMMISSION TO
ESTABLISH TOLL FREE CALLING PLANS IN TELEPHONE EXCHANGES
THROUGHOUT THE STATE."

Amendment No. 1 to House Bill No. 2426.

Amend House Bill No. 2426 as originally introduced:

Add the following Representative as cosponsors of the bill: Agee, Bevis, Bolin, Cleveland, Cowling, Eason, Hathorn, Hickinbotham, Jackson, Jacobs, G. Jeffress, McMellon, Oglesby, Parks, Prater, Scroggin, Seawel, Stovall, Verkamp, Weaver, Wood

AND

Delete the Title and substitute the following:
"AN ACT TO AUTHORIZE THE ARKANSAS PUBLIC SERVICE COMMISSION TO ESTABLISH A CALLING PLAN IN THE STATE; AND FOR OTHER PURPOSES."

AND

Delete the Subtitle and substitute the following:
"AN ACT TO AUTHORIZE THE ARKANSAS PUBLIC SERVICE COMMISSION TO ESTABLISH A CALLING PLAN IN THE STATE."

AND

Delete Section 1 and substitute the following:
"SECTION 1. (a)(1) The Arkansas Public Service Commission shall, by regulation, establish calling plans in telephone exchanges in the state.
(2) The commission shall determine the size of exchanges that will be eligible for the calling plan.
(b)(1) The commission may establish end user charges for the plan in an amount not to exceed two dollars and fifty cents (\$2.50) per month per access line to be applied in the affected exchanges. In addition the commission may establish usage based charges or other end user charges as appropriate to fund the plan.
(2) The plan shall be funded by customer charges under

subdivision (b)(1) and by the Arkansas Calling Plan Fund established by the act of 2001 Regular Session of the Arkansas General Assembly which was introduced as Senate Bill 935.

(c) The plan may vary among telephone exchanges based on factors determined by the commission.

(d) In establishing the calling plan, the commission shall consider basic local exchange rates, calling scopes, the ability of customers to call the county seat, access to industry and business, the cost of providing the calling plan, and the availability of funding from the Arkansas Calling Plan Fund.

(e) The plan provided to different telephone exchanges may vary in minutes in the plan, and the cost to customers for the plan, and may be either mandatory or optional plans.

(f) Any mandatory plan shall be subject to approval by the customers of the exchanges that would be subject to the monthly end user charge associated with the proposed plan through a balloting process. A minimum of fifty-one percent (51%) of the ballots returned must be in favor of such proposed calling plan in order for the proposed calling plan to be implemented.

(g) Incumbent Local Exchange Carriers shall not be entitled to AUSF recovery for lost toll revenues associated with the implementation of these calling plans. In establishing such plans, the commission is required to ensure that all costs to Incumbent Local Exchange Carriers of implementing such plans, including but not limited to lost toll and access revenues, network and equipment costs, and costs incurred to terminate associated plan traffic, are fully compensated by the combination of end user charges and funds provided to each Incumbent Local Exchange Carrier from the Arkansas Calling Plan Fund. Lost toll revenues shall be determined by a two-month study of actual toll usage and revenues for traffic on the proposed route.

SECTION 2. EMERGENCY CLAUSE. It is found the determined by the General Assembly that it is important that Arkansans have access to government, business, and to others; that there is a need to establish a calling plan in order to enable Arkansans to have better access to government, business, and others; that this act provides for such a plan; and that this act needs to become effective immediately so that the Arkansas Public Service Commission may begin the process of promulgating regulations. Therefore, an emergency is declared to exist and this act being immediately necessary for the preservation of the public peace, health and safety shall become effective on the date of its approval by the Governor. If the bill is neither approved nor vetoed by the Governor, it shall become effective on the expiration of the period of time during which the Governor may veto the bill. If the bill is vetoed by the Governor and the veto is overridden, it shall become effective on the date the last house overrides the veto."

The Amendment was read

By: Representative Milligan

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Chief Clerk