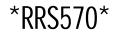
Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1	State of Arkansas	As Engrossed: S3/20/01 H4/5/01	
2	83rd General Assembly	A Bill	
3	Regular Session, 2001		SENATE BILL 935
4			
5	By: Senator B. Johnson		
6			
7			
8		For An Act To Be Entitled	
9	AN ACT TO AMEND ARKANSAS CODE 23-17-404 TO REVISE		
10	THE AR	KANSAS INTRASTATE CARRIER COMMON LINE	POOL
11	IN ORD	ER TO ASSURE THE AVAILABILITY OF REASO	ONABLE
12	AND AF	FORDABLE TELEPHONE SERVICE; AND FOR OT	THER
13	PURPOS	ES.	
14			
15		Subtitle	
16	TO I	REVISE THE CARRIER COMMON LINE POOL	
17	TO ,	ASSURE REASONABLE AND AFFORDABLE	
18	TEL	EPHONE SERVICE.	
19			
20			
21	BE IT ENACTED BY THE	GENERAL ASSEMBLY OF THE STATE OF ARKA	NSAS:
22			
23	SECTION 1. Ark	ansas Code 23-17-404(e)(4)(D) is amen	nded to read as
24	follows:		
25	(D)	Except as provided in this subdivis	sion (e)(4)(D), the
26	intrastate Carrier Co	ommon Line (CCL) Pool charges <u>billed t</u>	co carriers by the
27	<u>Arkansas Intrastate (</u>	Carrier Common Line Pool (AICCLP) shal	l continue as
28	effective on December	- 31, 1996 <u>be determined as provided i</u>	n the ALCCLP <i>tariff</i>
29	<u>effective on December</u>	<u>~ 31, 2000. Following the effective c</u>	late of this act
30	<u>carriers must continu</u>	ue to report RBMOUs associated with th	ne traffic that they
31	<u>reported as of Decemb</u>	ber 2000, except that Incumbent Local	Exchange Carriers
32	may discontinue reporting RBMOUs associated with their intracompany flat		
33	rated optional plans that exist as of June 1, 2001. The AICCLP charges shall		
34	<u>be adjusted to elimir</u>	nate any credits to the AICCLP or to i	nterexchange
35	carriers that have be	een previously required. There is her	reby created an
36	allocation of AICCLP	funds to be known as the "Extension of	of



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1	Telecommunications Facilities Fund". A maximum of five hundred thousand
2	dollars (\$500,000) per year of ALCCLP funds shall be allocated to fund the
3	"Extension of Telecommunications Facilities Fund" to assist in the extension
4	of telecommunications facilities to citizens not served by the wireline
5	facilities of an eligible telecommunications carrier. There is also created
6	an AICCLP allocation to be known as the "Arkansas Calling Plan Fund." The
7	Arkansas Calling Plan Fund shall receive a maximum of four million, five
8	hundred thousand dollars (\$4,500,000) per year to assist in funding the
9	provision of calling plans in telephone exchanges in the state. The
10	Extension of Telecommunications Facilities Fund and the Arkansas Calling Plan
11	Fund will be funded by the AICCLP assessing one half of the fund to be paid
12	by incumbent local exchange carriers (ILECs) and one half of the fund to be
13	paid by all other telecommunications providers reporting intrastate retail
14	billed minutes of use to the AICCLP. ILECs shall be individually assessed in
15	accordance with the proportion that the ILEC funds the AICCLP credits that
16	are being eliminated by this section, and each other telecommunications
17	provider shall be assessed based on its portion of the total non-ILEC
18	intrastate retail billed minutes of use. Amounts paid by ILECs to fund
19	either the Extension of Telecommunications Facilities Fund or the Arkansas
20	Calling Plan Fund created by this section shall not be recoverable from the
21	Arkansas Universal Service Fund (AUSF). The assessments shall commence upon
22	the first day of the month following the effective date of this act. The
23	first four million dollars (\$4,000,000) shall be allocated monthly as
24	collected to assure that the AUSF has adequate funds to compensate any
25	retroactive claims that may be made against the AUSF due to the change in
26	test period resulting from the Arkansas Supreme Court decision in case number
27	99-860 decided March 22, 2001. Following the allocation to the AUSF,
28	assessments shall be made with respect to the Extension of Telecommunications
29	Facilities Fund and the Arkansas Calling Plan Fund only to the extent
30	necessary, but not more than the maximum specified in this section, to fund
31	any extensions of facilities or calling plans approved by the Commission in
32	accordance with applicable law and this section. AICCLP charges determined
33	and billed through December, 2000, shall be considered final and not subject
34	<u>to further true up or adjustment. In addition, if an eligible</u>
35	telecommunications carrier was financially harmed by a court ordered change
36	in the test period applicable for the AUSF funding and an alternate test

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1	period was used by the eligible telecommunications carrier for more than one
2	(1) year, then the test period for the harmed eligible telecommunications
3	carrier shall remain the test period originally set by the Arkansas Public
4	<u>Service Commission.</u> The commission is authorized to develop and implement,
5	commencing three (3) years after February 4, 1997 <u>following July 1, 2003</u> , a
6	phase-in reduction of intrastate CCL pool charges until the <u>each carrier's</u>
7	charges are equivalent to the <u>carrier's</u> interstate CCL charges, including all
8	other federal common line recovery mechanisms such as subscriber line charges
9	(SLCs), presubscribed interexchange carrier charges (PICCs), and long-term
10	support (LTS). Any reduction of intrastate CCL pool charges of incumbent
11	local exchange carriers ordered by the commission shall provide for
12	concurrent recovery of the revenue loss from the AUSF, basic local exchange
13	rates, or a combination thereof;
14	
15	SECTION 2. EMERGENCY CLAUSE. It is found and determined by the
16	General Assembly that there is an immediate need for the amendment of the
17	Arkansas Intrastate Carrier Common Line Pool to assure the preservation and
18	advancement of universal availability of telephone service at rates that are
19	reasonable and affordable. Such action is in the best interest of the
20	public, in that such will assure the continued support of basic local
21	<u>telephone service on an equitable and nondiscriminatory basis and at rates</u>
22	that are reasonable and affordable. Therefore, an emergency is declared to
23	exist and this act being immediately necessary for the preservation of the
24	public peace, health and safety shall become effective on the date of its
25	approval by the Governor. If the bill is neither approved nor vetoed by the
26	Governor, it shall become effective on the expiration of the period of time
27	during which the Governor may veto the bill. If the bill is vetoed by the
28	Governor and the veto is overridden, it shall become effective on the date
29	the last house overrides the veto.
30	
31	/s/ B. Johnson
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