

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 85th General Assembly  
3 Regular Session, 2005

As Engrossed: S4/6/05  
**A Bill**

SENATE BILL 1085

4  
5 By: Senator Horn  
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8 **For An Act To Be Entitled**

9 *AN ACT CONCERNING THE ARKANSAS UNIVERSAL SERVICES*  
10 *FUND; AND FOR OTHER PURPOSES.*

11  
12 **Subtitle**

13 *AN ACT CONCERNING THE ARKANSAS UNIVERSAL*  
14 *SERVICES FUND.*

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17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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19 *SECTION 1. Arkansas Code § 23-17-404(e), concerning payment from the*  
20 *Arkansas Universal Service Fund, is amended to add an additional subdivision*  
21 *to read as follows:*

22 *(9)(A) Through a surcharge on its customer bills over its total*  
23 *customer access base, an eligible ILEC may recover any reduction in its AUSF*  
24 *payments up to the amount authorized by the AUSF administrator as of July 1,*  
25 *2005.*

26 *(B) The surcharge is not a tax.*

27 *(C)(i) For an electing company under § 23-17-401, the*  
28 *surcharge shall be in addition to any rate increase authorized under § 23-17-*  
29 *401.*

30 *(ii) For a non-electing ILEC, no general rate*  
31 *application or earnings review shall be required to implement the surcharge.*  
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33 *SECTION 2. Arkansas Code § 23-17-404, concerning preservation and*  
34 *promotion of universal service, is amended to add an additional subsection to*  
35 *read as follows:*

36 *(h) The commission shall adopt portability rules as necessary to allow*



1 competitive eligible telecommunications carriers to have access to the AUSF  
2 funds of eligible telecommunications carriers receiving funds from the AUSF.  
3 The commission shall consider cost issues and quality of service issues in  
4 the rule making process.

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/s/ Horn