

Sponsored By: Joint Corporations, Elections & Political  
Subdivisions Interim Committee

AN ACT relating to telecommunications; amending the Wyoming Telecommunications Act as specified; extending the Wyoming Telecommunications Act's sunset date; amending the authority of the public service commission; amending regulatory authority over telecommunications companies deemed to be competitive; amending the operation of the Wyoming universal service fund; providing an alternative distribution option for the Wyoming universal service fund; establishing a benchmark price for essential local exchange services; providing standards for the review and alteration of the benchmark price; establishing a cap on additional expenditures related to the Wyoming universal service fund; repealing and amending obsolete standards and language; amending language related to competitive carrier regulation; amending deadlines related to certificates of public convenience; and providing for an effective date.

1/5/2015 Bill Number Assigned  
1/13/2015 S Received for Introduction  
1/14/2015 S Introduced and Referred to S07 - Corporations  
2/4/2015 Corporations:Recommend Amend and Do Pass 4-1-0-0-0

#### ROLL CALL

**Ayes:** Senator(s) Hicks, Meier, Pappas, Scott

**Nays:** Senator Case

**Ayes** 4    **Nays** 1    **Excused** 0    **Absent** 0    **Conflicts** 0

2/4/2015 S Placed on General File

#### SF0043SS001/ADOPTED

Page 1-line 12 After "fund;" insert "repealing and amending obsolete standards and language; amending language related to competitive carrier regulation; amending deadlines related to certificates of public convenience;".

Page 2-line 2 After "37-15-101(b)," insert "37-15-103(a)(xvi)(A)(I), 37-15-201(a)," after "37-15-202(a)(intro)" insert "and (i)".

Page 2-line 3 After "(h) and (j)" insert ", 37-15-203(j), 37-15-204(a)".

Page 2-after line 10 Insert:

#### **"37-15-103. Definitions.**

(a) As used in this chapter:

(xvi) "Supported services" means the services or functionalities which shall be supported by the state universal service fund pursuant to W.S. 37-15-502, as described in subparagraphs (A) and (B) of this paragraph:

(A) The services designated for support are:

(I) Voice grade access to the public switched network. "Voice grade access" is defined as a functionality that enables a user of telecommunications services to transmit voice communications, including signaling the network that the caller wishes to place a call, and to receive voice communications, including

receiving a signal indicating there is an incoming call; ~~For the purposes of this subparagraph, bandwidth for voice grade access shall be, at a minimum, three hundred (300) to three thousand (3,000) Hertz;~~

**37-15-201. Regulation of local exchange services; certificates of public convenience and necessity; concurrent certificates.**

(a) Except for those telecommunications companies that as of July 1, ~~2007~~2015, have a valid certificate of public convenience and necessity previously issued by the commission to provide local exchange services in the state, all telecommunications companies seeking to offer and provide local exchange service shall obtain a certificate of public convenience and necessity from the commission prior to providing that service in this state."

Page 2-After line 23 Insert:

"(i) The extent to which telecommunications services are available from alternative providers including, but not limited to, wireless providers, satellite providers, cable providers offering voice services, voice over internet protocol or any other providers utilizing telephone numbers to provide voice services in the relevant market;"

Page 6-after line 5 Insert:

**37-15-203. Price regulation of noncompetitive essential services.**

(j) Unless as otherwise directed under federal law, noncompetitive switched access shall not be priced above three cents (\$.03) per minute after January 1, 2010. ~~Prices for noncompetitive switched access which exceed three cents (\$.03) per originating and terminating minute shall be reduced to three cents (\$.03) per minute on or before January 1, 2010. Any telecommunications company which must reduce noncompetitive switched access prices under this subsection shall, on or before January 1, 2010, submit a proposed plan to the commission, identifying the amount of intrastate switched access revenues and access lines in the years until the date of filing, to reduce switched access prices in annual increments to meet the requirements of this subsection, and a request for corresponding annual revenue neutral incremental increases to noncompetitive essential service prices to offset the anticipated loss in revenue from a reduction in switched access prices. The commission shall review the proposal and the facts set forth in the proposed plan to ensure that it is accurate and consistent with this section. The telecommunications company shall satisfy any requests for information by the commission, and shall modify the plan as necessary to conform to the facts the commission finds after investigation to be accurate. Once the commission approves the proposed plan, the noncompetitive switched access and noncompetitive essential service prices proposed in the plan shall go into effect after compliance with W.S. 37-15-204. The commission may authorize noncompetitive switched access prices above three cents (\$.03) per minute for an additional transition period not to exceed two (2) years ending January 1, 2012, only upon a showing that access prices are supported by a current total long-run incremental cost study as defined by W.S. 37-15-103(a)(xiii) based upon data after January 1, 2008. A telecommunications company increasing rates pursuant to this subsection may utilize the universal service fund for eligible access lines as provided in W.S. 37-15-501 and 37-15-502 and commission rule and regulation.~~

**37-15-204. Price schedules.**

(a) A local exchange company shall file with the commission, in such form and detail as the commission may require, schedules showing all noncompetitive telecommunications services terms, conditions and

prices currently in effect and charged to customers by the company in this state. All prices for new noncompetitive telecommunications services, and any increase in prices for noncompetitive telecommunications services as authorized by the commission pursuant to W.S. 37-15-203, shall be filed thirty (30) days prior to the proposed effective date. No price increase for a noncompetitive service shall be effective unless the customer has been given notice by the provider at least one (1) full billing cycle prior to the proposed increase and the increase has been approved by the commission as required by W.S. 37-15-203. No price or price change is effective until filed in accordance with this section. ~~Prices charged for competitive services shall be in accordance with its price schedule unless a separate contract is negotiated. Prices for generally offered competitive services shall be publicly available on a company's website through the internet, the world wide web or a similar proprietary or common carrier or provided to the commission. Price schedules may be filed in electronic format at the option of the company.~~ For purposes of this subsection, the rules, regulations, policies, practices and other requirements relating to services shall be filed with the commission in such form and detail as the commission may require. Rules, regulations, policies, practices and other requirements ~~relating to competitive services shall be subject to the same requirements under this chapter as the prices of competitive services.~~ Those relating to noncompetitive services shall be subject to the same requirements under this chapter as the prices of noncompetitive services."

Page 9-line 14 Delete "small rural incumbent" insert "local exchange"; after "carrier" insert ", as defined by the federal communications commission on January 1, 2015,".

Page 11-after line 2 Insert:  
"Section 2. W.S. 37-15-103(a)(xiii) and (xv), 37-15-104(a)(vi)(A) and 37-15-204(d) are repealed."

Page 11-line 4 Delete "Section 2." insert "Section 3.". CASE, CHAIRMAN

#### SF0043SW001/FAILED

Page 1-line 7 After "fund;" delete balance of line.  
Page 1-line 8 Delete.  
Page 1-line 11 After "price;" delete balance of line.  
Page 1-line 12 Delete.  
Page 2-line 4 Delete "(e)" insert "(d)"; delete "subsections" insert "subsection".  
Page 2-line 5 Delete "and (h)".  
Page 7-lines 20 through 22 Delete new language.  
Page 8-lines 8 through 23 Delete.  
Page 9-lines 1 through 23 Delete.  
Page 10-lines 1 through 8 Delete.  
Page 10-line 10 Delete "(h)" insert "(g)". CASE

2/4/2015 S COW Passed

#### SF0043S2001/FAILED

Page 10-line 10 Delete "thirty dollars" insert "thirty-five dollars (\$35.00)".  
Page 10-line 11 Delete "(\$30.00)".  
Page 10-line 16 After "approximates" delete balance of line and insert "one hundred fifty percent (150%) of".

Page 10-line 21 After "approximate" delete balance of line and  
insert "one hundred fifty percent (150%)".  
Page 10-line 22 Delete "(130%)". CASE

2/5/2015 S 2nd Reading:Passed

**SF0043S3001/ADOPTED**

Page 9-line 14 In the Senate Standing Committee Amendment  
(SF0043SS001/A) to this line, before "local"  
insert "rural incumbent". SCOTT, CASE

2/6/2015 S 3rd Reading:Passed 26-4-0-0-0

**ROLL CALL**

**Ayes:** Senator(s) Anderson, J.D.(SD02), Anderson, J.L.(SD28), Barnard,  
Bebout, Christensen, Coe, Cooper, Craft, Dockstader, Driskill, Emerich,  
Esquibel, Geis, Hastert, Hicks, Johnson, Kinskey, Landen, Meier,  
Pappas, Perkins, Peterson, Rothfuss, Scott, Von Flatern, Wasserburger

**Nays:** Senator(s) Burns, Case, Nicholas Pres, Ross

**Ayes** 26 **Nays** 4 **Excused** 0 **Absent** 0 **Conflicts** 0

2/9/2015 H Received for Introduction  
2/10/2015 H Introduced and Referred to H07 - Corporations  
2/20/2015 Corporations:Recommend Do Pass 8-0-1-0-0

**ROLL CALL**

**Ayes:** Representative(s) Blackburn, Byrd, Edwards, Jennings, Kirkbride,  
Lindholm, Paxton, Zwonitzer, Dn.

**Excused:** Representative Gay

**Ayes** 8 **Nays** 0 **Excused** 1 **Absent** 0 **Conflicts** 0

2/20/2015 H Placed on General File  
2/23/2015 H COW Passed  
2/24/2015 H 2nd Reading:Passed  
2/25/2015 H 3rd Reading:Passed 59-0-1-0-0

**ROLL CALL**

**Ayes:** Representative(s) Allen, Baker, Baldwin, Barlow, Berger,  
Blackburn, Blake, Brown Speaker, Burkhart, Byrd, Campbell, Cannady,  
Clem, Connolly, Dayton, Edmonds, Edwards, Eklund, Esquibel, Freeman,  
Gay, Greear, Halverson, Harshman, Harvey, Hunt, Jaggi, Jennings,  
Kasperik, Kirkbride, Kroeker, Krone, Larsen Lloyd, Laursen Dan,  
Lindholm, Lockhart, Loucks, Madden, McKim, Miller, Moniz, Nicholas,  
Northrup, Paxton, Pelkey, Petroff, Piiparinen, Pownall, Reeder,  
Schwartz, Sommers, Steinmetz, Stubson, Throne, Walters, Wilson,  
Winters, Zwonitzer,Dn, Zwonitzer,Dv

**Excused:** Representative Patton

**Ayes** 59 **Nays** 0 **Excused** 1 **Absent** 0 **Conflicts** 0

2/25/2015 Assigned Number SEA No. 0026  
2/26/2015 S President Signed SEA No. 0026  
2/26/2015 H Speaker Signed SEA No. 0026  
3/3/2015 Governor Signed SEA No. 0026  
3/3/2015 Assigned Chapter Number  
Chapter No. 96 Session Laws of Wyoming 2015