

**1999 DRAFTING REQUEST**

**Assembly Amendment (AA-ASA1-AB133)**

Received: 06/19/99

Received By: **kunkemd**

Wanted: **Soon**

Identical to LRB:

For: **Assembly Republican Caucus**

By/Representing: **Tompach**

This file may be shown to any legislator: **NO**

Drafter: **kunkemd**

May Contact:

Alt. Drafters:

Subject: **Public Util. - telco and cable**

Extra Copies:

**Pre Topic:**

ARC:.....Tompach - Am. #32,

**Topic:**

Effective dates of telecommunications tariff filings

**Instructions:**

See Attached

**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	kunkemd 06/21/99	chanaman 06/22/99		_____			
/1			martykr 06/22/99	_____	lrb_docadmin 06/22/99		

FE Sent For:

<END>

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FE Sent For:

<END>

50764 ARC

# To Be Drafted

Agency PSC

Amendment# 32

ARC Analyst Matt Tompach

LRB#

Tax Cut

## Summary

Under current law, a telecommunications utility that chooses to offer a new telecommunications service or make a limited offering of promotional rates must first file a rate tariff with the PSC and wait a minimum of ten days before the rates can become effective. New telecommunications services are additional functions or features that were not part of any telecommunications services offered by the utility prior to January 1, 1994, such as caller identification or voice-mail. Promotional rates are time-limited, discounted rates for telecommunication services designed to encourage customer use of a service. Under current law, the PSC may, at the request of a telecommunications utility, direct that either of these special tariff filings be effective after a shorter time period than the ten day waiting period specified in the statute.

This amendment would repeal the current ten-day minimum waiting period between the date of a rate tariff filing with the PSC and the effective date when a telecommunications utility can begin charging for new telecommunications services or commence the offering of promotional rates.

Under this change, these tariff filings would become effective upon their filing with the PSC unless a later date is specified in the filing. Under this amendment, the PSC would retain its current authority to suspend either type of proposed tariff. ✓

In the case of new telecommunications services, the PSC would continue to be able to suspend rate tariff filings by providing written notice to the telecommunications utility within 10 days of the filing. *Current law* If the PSC suspends a new telecommunications services tariff, it may modify the tariff if the PSC finds that the filing violates statutory requirements regarding: (a) the prohibition on subsidization of any activity of an affiliate of the utility; (b) privacy considerations; or (c) the protection of telecommunications consumers. The PSC has a maximum of 60 days (120 days if a public hearing on the matter is held) to issue a final order on the proposed tariff or the tariff as filed becomes effective. With regard to promotional rates, the PSC would continue to be able to suspend a rate tariff within 10 days of filing if the PSC finds that the rate would violate any of the statutory requirements cited above. If the PSC suspends a promotional tariff, it must investigate and resolve the matter within 60 days of the date of the filing. ✓

## Fiscal Impact

There is no state fiscal impact

## Statement of Intent

PSC. Telecommunications Tariff Filings Effective Dates

1999

Date (time) needed

Soon

LRB b 0764, 1

CAUCUS BUDGET AMENDMENT [ONLY FOR CAUCUS]

MDT:cmh:

RM NOT RUN

See form AMENDMENTS — COMPONENTS & ITEMS.

CAUCUS AMENDMENT TO ASSEMBLY SUBSTITUTE AMENDMENT 1 TO 1999 ASSEMBLY BILL 133

>>FOR CAUCUS SUPERAMENDMENT — NOT FOR INTRODUCTION<<

At the locations indicated, amend the substitute amendment as follows:

#. Page 1179, line 2: after that line insert:

#. Page . . . . , line . . . . :

#. Page . . . . , line . . . . :

#. Page . . . . , line . . . . :

#. Page . . . . , line . . . . :

#. Page . . . . , line . . . . :

DOA:.....Holden – Eliminate 10–day waiting period for certain tariff filings by telecommunications utilities

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

1 AN ACT ...; relating to: the budget.

*Analysis by the Legislative Reference Bureau*

**STATE GOVERNMENT**

**OTHER STATE GOVERNMENT**

Under current law, a tariff filed with the public service commission (PSC) in which a telecommunications utility offers either a new telecommunications service or promotional rates may not take effect before ten days after the tariff is filed. Under certain specified circumstances, the PSC may also suspend the effectiveness of such a tariff. This bill provides that such a tariff is effective on the date specified in the tariff, unless the PSC suspends the effectiveness of the tariff as allowed under current law.

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

2 → ✓ SECTION <sup>2309a</sup> 196.19 (1m) (b) of the statutes is amended to read:

3 196.19 (1m) (b) A telecommunications utility may not offer a new

4 telecommunications service to the public without first filing a tariff for that offering

1 with the commission. A proposed tariff offering a new telecommunications service  
 2 shall be effective on the date specified in the tariff ~~but not earlier than 10 days after~~  
 3 ~~the date on which the tariff is filed with the commission~~, unless the commission,  
 4 either upon complaint or upon its own motion, suspends the operation of the new  
 5 tariff by serving written notice of the suspension on the telecommunications utility  
 6 within 10 days after the date of filing. The notice shall include a statement of the  
 7 reason under par. (c) upon which the commission believes the tariff may be modified.

8 <sup>g 2309r } B</sup> SECTION 2. 196.19 (1m) (e) of the statutes is repealed. ✓/Λ

9 <sup>#. Page 1186, line 2: after that line insert:</sup> SECTION 3. 196.77 of the statutes is amended to read:

10 <sup>2336g } B</sup> 196.77 Promotional rates. Except as provided in this section, nothing in this

11 chapter prohibits a telecommunications utility from filing a tariff to make a limited  
 12 offering of promotional rates. A promotional rate under this section shall take effect  
 13 automatically at the time specified in the tariff ~~but not earlier than 10 days after the~~  
 14 ~~date the tariff is filed with the commission~~ unless the commission authorizes an  
 15 earlier effective date or suspends the tariff within 10 days after the date on which  
 16 it is filed. The commission may suspend a tariff if it believes that the tariff violates  
 17 s. 196.204, 196.209 or 196.219. If the commission suspends a tariff, it shall  
 18 investigate and resolve the matter within 60 days after the date on which the tariff  
 19 is suspended or the tariff shall be effective as filed. ✓/Λ

20 SECTION 9341. Initial applicability, public service commission.

21 <sup>#. Page 1595, line 17: after that line insert:</sup> (1) TARIFF FILINGS. The treatment of sections 196.19 (1m) (b) and (e) and 196.77  
 22 of the statutes first applies to tariffs filed on the effective date of this subsection. ✓/Λ  
 23 <sup>1g ← letter "g"</sup>

(END)

Initial App



State of Wisconsin  
1999 - 2000 LEGISLATURE

LRBb0764/1  
MDK:cmh:km

ARC:.....Tompach – Am. #32, Effective dates of telecommunications tariff filings

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

CAUCUS AMENDMENT

TO ASSEMBLY SUBSTITUTE AMENDMENT 1,

TO 1999 ASSEMBLY BILL 133

1 At the locations indicated, amend the substitute amendment as follows:

2 1. Page 1179, line 21: after that line insert:

3 “SECTION 2309q. 196.19 (1m) (b) of the statutes is amended to read:

4 196.19 (1m) (b) A telecommunications utility may not offer a new  
5 telecommunications service to the public without first filing a tariff for that offering  
6 with the commission. A proposed tariff offering a new telecommunications service  
7 shall be effective on the date specified in the tariff ~~but not earlier than 10 days after~~  
8 ~~the date on which the tariff is filed with the commission~~, unless the commission,  
9 either upon complaint or upon its own motion, suspends the operation of the new  
10 tariff by serving written notice of the suspension on the telecommunications utility

1 within 10 days after the date of filing. The notice shall include a statement of the  
2 reason under par. (c) upon which the commission believes the tariff may be modified.

3 **SECTION 2309r.** 196.19 (1m) (e) of the statutes is repealed.”.

4 **2.** Page 1186, line 2: after that line insert:

5 “SECTION 2336g. 196.77 of the statutes is amended to read:

6 **196.77 Promotional rates.** Except as provided in this section, nothing in this  
7 chapter prohibits a telecommunications utility from filing a tariff to make a limited  
8 offering of promotional rates. A promotional rate under this section shall take effect  
9 automatically at the time specified in the tariff ~~but not earlier than 10 days after the~~  
10 ~~date the tariff is filed with the commission unless the commission authorizes an~~  
11 ~~earlier effective date or~~ suspends the tariff within 10 days after the date on which  
12 it is filed. The commission may suspend a tariff if it believes that the tariff violates  
13 s. 196.204, 196.209 or 196.219. If the commission suspends a tariff, it shall  
14 investigate and resolve the matter within 60 days after the date on which the tariff  
15 is suspended or the tariff shall be effective as filed.”.

16 **3.** Page 1595, line 17: after that line insert:

17 “(1g) TARIFF FILINGS. The treatment of sections 196.19 (1m) (b) and (e) and  
18 196.77 of the statutes first applies to tariffs filed on the effective date of this  
19 subsection.”.

20

(END)