

2001 ASSEMBLY BILL 159

March 1, 2001 – Introduced by Representatives BLACK, POWERS, SHILLING, MUSSER, CARPENTER, BOCK, RYBA, BERCEAU, HUBER, LA FAVE, YOUNG, TURNER, MILLER, J. LEHMAN and CULLEN, cosponsored by Senators BAUMGART, ROBSON and ERPENBACH. Referred to Joint committee on Information Policy and Technology.

1 **AN ACT** *to repeal* 196.80 (1g); and *to amend* 196.795 (1) (h) 2. of the statutes;
2 **relating to:** requiring public service commission approval of mergers,
3 consolidations, and certain other transactions involving telecommunications
4 utilities.

Analysis by the Legislative Reference Bureau

Under current law, the following transactions involving public utilities, except for telecommunications utilities, require the prior written approval of the public service commission (PSC): mergers, consolidations, stock acquisitions or sales, acquisitions, leases, or rentals of certain types of plant or property. PSC approval is not required if the transaction involves a telecommunications utility. Under this bill, transactions involving telecommunications utilities require the same prior PSC approval that is required for transactions involving other public utilities under current law.

Also under current law, a person may not acquire more than 10% of the outstanding voting securities of certain public utility holding companies unless the PSC has determined that the acquisition is in the best interests of utility consumers, investors, and the public. This prohibition does not apply to public utility holding companies that hold telecommunications utilities and no other public utilities. This bill repeals this exception to the prohibition.

