

2001 ASSEMBLY BILL 855

February 26, 2002 – Introduced by Representatives SCHOOFF, MUSSER, RYBA, PLALE and TURNER. Referred to Joint Committee on Information Policy and Technology.

1 **AN ACT to amend** 196.202 (2); and **to create** 196.202 (6) of the statutes; **relating**
2 **to:** provision of telephone number portability by wireless telecommunications
3 providers.

Analysis by the Legislative Reference Bureau

Under current federal law, with certain exceptions, telecommunications providers are required to provide number portability in the 100 largest metropolitan statistical areas (MSAs) of the country. “Number portability” is defined as the ability of a customer to retain existing telephone numbers at the same location when switching telecommunications providers. Milwaukee is the only area in Wisconsin that is in the 100 largest MSAs. Current federal law also requires, with certain exceptions, a telecommunications provider to provide number portability in an area outside the 100 largest MSAs within six months after another telecommunications provider requests number portability.

One of the exceptions to the above requirements applies to wireless telecommunications providers, which are referred to under federal and state law as commercial mobile radio service providers. Under current federal law, wireless telecommunications providers must begin providing number portability in the 100 largest MSAs by November 24, 2002. After that date, a wireless telecommunications provider must provide number portability in an area outside the 100 largest MSAs within the same six-month deadline described above.

Under this bill, a wireless telecommunications provider must begin providing number portability in all areas of the state on November 24, 2002. The duty applies

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only if a customer of a wireless telecommunications provider switches to another telecommunications provider in the same area code. In addition, number portability must be provided in a manner that does not impair the quality or reliability of telecommunications services.

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

1 **SECTION 1.** 196.202 (2) of the statutes, as affected by 2001 Wisconsin Act 16,
2 is amended to read:

3 196.202 **(2)** SCOPE OF REGULATION. A commercial mobile radio service provider
4 is not subject to ch. 201 or this chapter, except as provided in ~~sub.~~ subs. (5) and (6),
5 and except that a commercial mobile radio service provider is subject to s. 196.218
6 (3) if the commission promulgates rules that designate commercial mobile radio
7 service providers as eligible to receive universal service funding under both the
8 federal and state universal service fund programs. If the commission promulgates
9 such rules, a commercial mobile radio service provider shall respond, subject to the
10 protection of the commercial mobile radio service provider's competitive
11 information, to all reasonable requests for information about its operations in this
12 state from the commission necessary to administer the universal service fund.

13 **SECTION 2.** 196.202 (6) of the statutes is created to read:

14 196.202 **(6)** NUMBER PORTABILITY. (a) In this subsection, "number portability"
15 means the ability of a customer of a commercial mobile radio service provider who
16 switches service to another telecommunications provider in the same area code to
17 retain the telephone numbers that the customer used with that commercial mobile
18 radio service provider.

