

2001 DRAFTING REQUEST

Assembly Amendment (AA-ASA1-AB889)

Received: 03/06/2002

Received By: **kunkemd**

Wanted: **As time permits**

Identical to LRB:

For: **Mark Pettis (608) 267-2365**

By/Representing:

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

Drafter: **kunkemd**

May Contact:

Addl. Drafters:

Subject: **Public Util. - telco**

Extra Copies:

Submit via email: **YES**

Requester's email: **Rep.Pettis@legis.state.wi.us**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Retail and wholesale service standards

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 03/07/2002	gilfokm 03/07/2002		_____			
/1			pgreensl 03/07/2002	_____	lrb_docadmin 03/07/2002	lrb_docadmin 03/07/2002	

03/07/2002 11:28:47 AM

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FE Sent For:

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/?	kunkemd	3/7 kmf	3/7 pg	3/7 pg/kst			

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<END>

D-NOTE

2001 - 2002 LEGISLATURE

LRBa1457/1
MDK:kmg:pg

NOON
today

AA to ASAI to AB 889

a1492/1

ASSEMBLY AMENDMENT
TO 2001 ASSEMBLY BILL 889

PM NOT
RUN

substitute amendment

1

At the locations indicated, amend the bill as follows:

2

✓ 1. Page 2, line ³ after the semicolon insert "retail and wholesale telecommunications standards;"

3

4

✓ 2. Page ¹³ ~~18~~, line ²⁴ ~~17~~: after that line insert:

5

"SECTION ²¹ ~~3~~m. 196.219 (3m) of the statutes is created to read:

6

196.219 (3m) RETAIL AND WHOLESALE SERVICES. (a) *Definitions*. In this

7

subsection:

8

1. "Large price-regulated telecommunications utility" means a

9

price-regulated telecommunications utility that has more than 500,000 access lines

10

in use in this state at the time of electing to become price regulated.

11

2. "Price-regulated telecommunications utility" means a price-regulated

12

telecommunications utility with 50,000 or more access lines in this state on the

13

effective date of this subdivision [revisor inserts date].

1 3. “Retail services” means basic residential and business telecommunications
2 services.

3 4. “Wholesale services” means telecommunications services, products, or
4 facilities, provided by a telecommunications utility to a telecommunications
5 provider, including preordering, ordering and provisioning, maintenance and repair,
6 network performance, unbundled elements, operator services and directory
7 assistance, system performance, service center availability, billing, and any other
8 service that the commission specifies by order.

9 (b) *Retail services.* 1. No later than 90 days after the effective date of this
10 subdivision [revisor inserts date], after notice and reasonable opportunity for
11 hearing, the commission shall issue an order establishing standards for retail
12 services applicable to a large price-regulated telecommunications utility.

13 2. The commission may issue an order establishing standards for retail services
14 applicable to a price-regulated telecommunications utility other than a large
15 price-regulated telecommunications utility only if the commission finds, after notice
16 and reasonable opportunity for hearing, that the price regulated
17 telecommunications utility has engaged in a demonstrable pattern of poor retail
18 service that was not caused by poor wholesale service from a telecommunications
19 utility, or has intentionally violated any state or federal law, rule, regulation, or order
20 relating to retail service.

21 3. The commission may, by order under s. 196.37, require a price-regulated
22 telecommunications utility subject to the standards under subd. 1. or 2. to make
23 payments to the commission or issue credits to retail customers who are affected by
24 the utility's failure to comply with the standards. Any payments to the commission
25 under this subdivision shall be credited to the appropriation under s. 20.155 (1) (Lm).

1 4. Any standards established under this paragraph shall expire 3 years after
2 they are established and will not apply thereafter unless renewed by the commission
3 in an order issued after notice and reasonable opportunity for hearing.

4 (c) *Wholesale service standards.* 1. A price-regulated telecommunications
5 utility shall provide wholesale services, including interconnection, collocation, and
6 network elements, to telecommunications providers in a manner that promotes the
7 maximum development of competitive telecommunications offerings in this state.

8 2. The commission shall issue an order establishing standards for wholesale
9 services applicable to a large price-regulated telecommunications utility. The
10 standards must be designed to facilitate the provision of reasonable and
11 nondiscriminatory wholesale services.

12 3. The commission may issue an order establishing standards for wholesale
13 services applicable to a price-regulated telecommunications utility other than a
14 large price-regulated telecommunications utility only if the commission finds, after
15 notice and reasonable opportunity for hearing, that the price-regulated
16 telecommunications utility has engaged in a demonstrable pattern of poor wholesale
17 service or has intentionally violated any state or federal law, rule, regulation, or
18 order relating to wholesale service.

19 4. The commission may, by order under s. 196.37, require a price-regulated
20 telecommunications utility subject to the standards under subd. 2. or 3. to make
21 payments to the commission or to a telecommunications provider who is affected by
22 the utility's failure to comply with the standards. The commission may require the
23 payments be made automatically upon the price-regulated telecommunications
24 utility's filing of reports showing the utility's failure to meet the standards. Any

1 payments to the commission under this subdivision shall be credited to the
2 appropriation under s. 20.155 (1) (Lm).".

3 ✓ 3. Page 28, line 10: after that line insert:

4 "SECTION 39m. 227.01 (13) (cm) of the statutes is created to read:

5 227.01 (13) (cm) Is an order under s. 196.219 (3m) (a) 4., (b), or (c).".

6
7 (END)

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRBa1492/1dn

MDK.

King

Representative Pettis:

This is AA1 to ASA1 to AB889.

Handwritten: An arrow points from a circled 'M' to the 'A' in 'AA1'.

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**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRBa1492/1dn
MDK:kmg:pg

March 7, 2002

Representative Pettis:

This is an AA 1 to ASA1 to AB889.

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