

2007 DRAFTING REQUEST

Bill

Received: 11/16/2007

Received By: mkunkel

Wanted: As time permits

Identical to LRB:

For: Phil Montgomery (608) 266-5840

By/Representing: Adam

This file may be shown to any legislator: NO

Drafter: mkunkel

May Contact:

Addl. Drafters:

Subject: Public Util. - telco

Extra Copies:

Submit via email: YES

Requester's email: Rep.Montgomery@legis.wisconsin.gov

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Applicability of chapter 196 to wireless telephone companies; federal universal service fund rules

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>
/?	mkunkel 11/16/2007	jdyer 11/19/2007		_____			
/1			pgreensl 11/19/2007	_____	lparisi 11/19/2007		

FE Sent For:

<END>

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/1			pgreensl 11/19/2007	_____	lparisi 11/19/2007	cduerst 01/10/2008	

FE Sent For:

None

<END>

Adam Raschka

Office of Representative Phil Montgomery

Chair - Assembly Energy & Utilities Committee

608-266-5840

Kunkel, Mark

From: Raschka, Adam
Sent: Thursday, November 15, 2007 4:38 PM
To: Kunkel, Mark
Subject: RE: LRB 2625/2

That's correct. Thanks Mark. Sorry to be a pain, but one more question. A few weeks ago I submitted some stray voltage language into drafting. Do you have a rough estimate on when that may be ready. It's an issue Phil would like to tackle early in 08.

Thanks again.

Adam

From: Kunkel, Mark
Sent: Thursday, November 15, 2007 4:30 PM
To: Raschka, Adam
Subject: RE: LRB 2625/2

Adam, you should have the redraft of LRB-2969 (telco dereg) by Monday afternoon. (I'm still working on the analysis, should finish it tomorrow, and then the editors will get it finished on Monday.)

As for the request below, I can also get it to you by the end of the day Monday, if you need it that soon. However, I have one question. The minor tweak that you mention is the additional language regarding 196.202 (4), right? In other words, I take it that you want LRB-2625/2, with the additional change made in AA1 to ASA 1 to SB 40. Is that correct, or is there something else in SSA 1 to SB 40 that you need? (It doesn't look like you need anything else, I just want to make sure.)

-- Mark

From: Raschka, Adam
Sent: Wednesday, November 14, 2007 3:03 PM
To: Kunkel, Mark
Subject: LRB 2625/2

Mark,

Last spring you drafted LRB 2625/2 relating to regulation of commercial mobile radio service providers. We were able to insert this language into the budget with a minor tweak. Can you please alter 2625/2 to reflect the additional language provided below which was incorporated into SSA 1 to SB 40.

As a reference, page 1276 lines 22-25 and page 1277, lines 1-7 of Senate Substitute Amendment 1, to 2007 Senate Bill 40 reflects LRB 2625/2.

In addition, please include the following language from Assembly Amendment 1, to Assembly Substitute Amendment 1 to 2007 Senate Bill 40 found on page 376; lines 16-20:

196.202 (4) of the statutes is created to read:

196.202 (4) RULES. The commission may promulgate rules for designating a commercial mobile radio service provider, upon petitioning the commission, as an eligible telecommunications carrier for purposes of participation under the federal universal service fund.”.

Thanks

Adam

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/?	mkunkel	11/19 JLD	11/19 pg	11/19 12/10/07			

FE Sent For:

<END>

B7 TUES
11-20
pm

stays
- 3487/1

2007 BILL

and granting rule-making authority

PM NOT
RUN

Reger

state's

under both
state and
federal

1 AN ACT to amend 196.202 (2) of the statutes; relating to: regulation of
2 commercial mobile radio service providers.

universal service
programs

Analysis by the Legislative Reference Bureau

* Current law defines a commercial mobile radio service provider (CMRSP) as a
* person authorized by the Federal Communications Commission to provide
commercial mobile service. A CMRSP is commonly referred to as a "wireless
communications company." Under current law, CMRSPs are generally exempt from
regulation by the Public Service Commission (PSC). There are two exceptions to this
exemption. First, if the PSC promulgates rules that make CMRSPs eligible for
~~universal service~~ funding, then CMRSPs must contribute to the state's universal
service fund. Current law requires certain telecommunications providers to make
contributions to the universal service fund, which is used for promoting access to
telecommunications service, as well as for other purposes. Second, current law
prohibits a CMRSP from charging a customer for an incomplete call.

This bill eliminates the first exception described above.

INSERT IA

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

3 SECTION 1. 196.202 (2) of the statutes is amended to read:

4 196.202 (2) SCOPE OF REGULATION. A commercial mobile radio service provider
5 is not subject to ch. 201 or this chapter, except as provided in sub. (5), and except that

strike

BILL

1 ~~a commercial mobile radio service provider is subject to s. 196.218 (3) if the~~
2 ~~commission promulgates rules that designate commercial mobile radio service~~
3 ~~providers as eligible to receive universal service funding under both the federal and~~
4 ~~state universal service fund programs. If the commission promulgates such rules,~~
5 ~~a commercial mobile radio service provider shall respond, subject to the protection~~
6 ~~of the commercial mobile radio service provider's competitive information, to all~~
7 ~~reasonable requests for information about its operations in this state from the~~
8 ~~commission necessary to administer the universal service fund.~~

9 (END)

Subs. (4) and (5)

INSEAT
2-8

2007-2008 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-3487/lins
MDK:.....

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10

INSERT 1A:

~~NO~~ In addition, the bill allows the PSC to promulgate rules for designating a CMRSP, upon petitioning the PSC, as an eligible telecommunications carrier for purposes of participation under the federal universal service fund.

INSERT 2-8:

SECTION 1. 196.202 (4) of the statutes is created to read:

196.202 (4) RULES. The commission may promulgate rules for designating a commercial mobile radio service provider, upon petitioning the commission, as an eligible telecommunications carrier for purposes of participation under the federal universal service fund.

Duerst, Christina

From: Raschka, Adam
Sent: Thursday, January 10, 2008 3:16 PM
To: LRB.Legal
Subject: Draft Review: LRB 07-3487/1 Topic: Applicability of chapter 196 to wireless telephone companies; federal universal service fund rules

Please Jacket LRB 07-3487/1 for the ASSEMBLY.