

2009 DRAFTING REQUEST

Assembly Amendment (AA-AA3-AB696)

Received: 04/13/2010

Received By: **mkunkel**

Wanted: **As time permits**

Companion to LRB:

For: **Gary Hebl (608) 266-7678**

By/Representing: **Kate Battiatto**

May Contact:

Drafter: **mkunkel**

Subject: **Public Util. - telco**

Addl. Drafters:

Extra Copies:

Submit via email: **YES**

Requester's email: **Rep.Hebl@legis.wisconsin.gov**

Carbon copy (CC:) to: **david.lovell@legis.wisconsin.gov**

Pre Topic:

No specific pre topic given

Topic:

Applicability of consumer protection requirements

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 04/13/2010	nmatzke 04/14/2010		_____			
/1			jfrantze 04/14/2010	_____	cduerst 04/14/2010	cduerst 04/14/2010	

FE Sent For:

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1?	mkunkel	1/1 nwn 4/14		4/14			

FE Sent For:

<END>

Kunkel, Mark

From: Lovell, David
Sent: Tuesday, April 13, 2010 5:17 PM
To: Kunkel, Mark
Cc: Battiato, Kate
Subject: Rep Hebl drafting request

Mark,

Kate, of Rep. Hebl's office, requests 3 amendments to AA 3 to AB 696:

- 1) Identical to SA 1 to SA 2 to SB 469.
2. Identical to SA 2 to SA 2 to SB 469.
3. Identical to SA 1 to SA 2 to SB 469, plus a provision amending 66.0420 (7) (em) to allow municipalities to impose on video service providers and incumbent cable operators fees actually imposed under prior franchise agreements to provide monetary support for access facilities for PEG channels, without the 1/1/11 sunset. One way to approach it might be something like this:

66.0420 (7) (em) 2. ~~The duty of~~ A municipality may require an interim cable operator to provide monetary support for access facilities for PEG channels contained in that is not more than the amount of such support that is required under a cable franchise existing on January 9, 2008, shall continue until January 1, 2011.

Something similar would be needed for subds. 1 & 3, also, I presume.

Thank you --

David

David L. Lovell, Senior Analyst
Wisconsin Legislative Council Staff
608/266-1537



State of Wisconsin
2009 - 2010 LEGISLATURE

LRBa1882/2
MDK:nwn:rs

O-note

*by
6:00 TODAY
4:00 PM*

*a217711
RM NOT
Rud*

**SENATE AMENDMENT 1,
TO SENATE AMENDMENT 2,
TO 2009 SENATE BILL 469**

AA to AA3 to AB696

March 22, 2010 - Offered by Senator ERPENBACH.

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

2 **1.** Page 6, line 1: [✓] delete that line and substitute:

3 "7e. Page 15, line 18: [✓] delete lines 18 to 22 and substitute "may, by order, suspend
4 any of the following provisions of law, except as provided under subs. (7) and (8): ch.
5 201 and s. 196.02 (2); s. 196.05; s. 196.06; s. 196.07; s. 196.09; s. 196.10; s. 196.12; s.
6 196.13 (2); s. 196.19; ~~tariffing requirements under s. 196.194; s. 196.196 (1) or (5); or~~
7 s. 196.20; s. 196.21; s. 196.22; s. 196.26; s. 196.28; s. or 196.37; s. 196.49; s. 196.52;
8 s."

9 7m. Page 16, line 3: [✓] delete lines 3 and 4 and substitute "the provisions listed
10 in sub. (5) except ss. ~~196.19, s. 196.20 (1m), 196.22, 196.26, or 196.37, 196.60 and~~
11 ~~196.604~~ or may approve a regulatory method alternative to".

1 7s. Page 17, line 12: delete the material beginning with that line and ending
2 with page 18, line 2.”.

3 **2.** Page 7, line 13: delete lines 13 and 14 and substitute:

4 “18m. Page 21, line 2: delete lines 2 to 4 and substitute “196.03, 196.04, 196.135,
5 196.14, 196.197, 196.199, 196.20 (1m), 196.207, 196.208, 196.209, 196.218, 196.219,
6 196.25, 196.26, 196.28, 196.37, 196.39, 196.395, 196.40, 196.41, 196.43, 196.44,
7 196.65, 196.66, 196.81,.”.”.

8 **3.** Page 8, line 3: after that line insert:

9 “24m. Page 23, line 15: after that line insert:

10 “(4) OTHER REQUIREMENTS. A provider of interconnected voice over Internet
11 protocol service is subject to ss. 196.03, 196.20 (1m), 196.219, 196.26, 196.28, and
12 196.37.”.”.

13 **4.** Page 8, line 15: delete lines 15 to 21.

14 **5.** Page 8, line 22: delete “SECTION” and substitute ““SECTION””.

15 **6.** Page 9, line 5: after that line insert:

16 “32m. Page 27, line 1: delete lines 1 to 7 and substitute:

17 “SECTION 74g. 196.26 (4) (a) and (b) of the statutes are amended to read:

18 196.26 (4) EXCEPTIONS. (a) This section does not apply to any rate, toll, charge
19 or schedule of any telecommunications cooperative or unincorporated
20 telecommunications cooperative association, ~~except as provided under s. 196.205 or~~
21 unless at least 5% of the customers of the telecommunications cooperative or
22 association file a complaint with the commission that the rate, toll, charge or
23 schedule is in any respect unreasonable, insufficient or unjustly discriminatory.

1 (b) This section does not apply to any rate, toll, charge or schedule of any small
2 telecommunications utility ~~except as provided under s. 196.215 (2).~~

3 **SECTION 74r.** 196.28 (4) of the statutes is amended to read:

4 196.28 (4) This section does not apply to rates, tolls or charges of a
5 telecommunications cooperative, an unincorporated telecommunications
6 cooperative association, or a small telecommunications utility ~~except as provided in~~
7 ~~s. 196.205 or 196.215 (2).~~.”.

8 **7.** Page 9, line 8: after that line insert:

9 “33m. Page 27, line 18: delete that line and substitute:

10 **SECTION 77m.** 196.37 (4) of the statutes is amended to read:

11 196.37 (4) This section does not apply to rates, tolls or charges of a
12 telecommunications cooperative, an unincorporated telecommunications
13 cooperative association, or a small telecommunications utility ~~except as provided in~~
14 ~~s. 196.205 or 196.215 (2).~~.”.

15 **8.** Page 10, line 4: delete that line.

16 **9.** Page 10, line 4: after that line insert:

17 “38m. Page 28, line 22: delete that line and substitute “196.19, 196.21, 196.22,
18 196.49, 196.52, 196.58, and 196.60,”.

19 **10.** Page 10, line 8: delete “not exempt from s. 196.03” and substitute “exempt
20 from s. 196.37”.

21 **11.** Page 10, line 9: delete “50,000”.

22 **12.** Page 10, line 10: delete “and less than”.

23 **13.** Page 10, line 10: delete “is not exempt” and substitute “is exempt”.

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

LRBa2177/1dn

MDK:j:...

nwn

Date

Rep. Hebl:✓

This amendment is a companion to SA1 to SA2 to SB-469.✓

Mark D. Kunkel
Senior Legislative Attorney
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E-mail: mark.kunkel@legis.wisconsin.gov

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

LRBa2177/1dn
MDK:nwn:jf

April 14, 2010

Rep. Hebl:

This amendment is a companion to SA1 to SA2 to SB-469.

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