



**ASSEMBLY AMENDMENT 4,
TO 2009 ASSEMBLY BILL 696**

April 19, 2010 – Offered by Representatives SMITH and ZEPNICK.

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

2 **1.** Page 2, line 8: after “utilities,” insert “telecommunications provider of last
3 resort obligations,”.

4 **2.** Page 29, line 19: after that line insert:

5 “**SECTION 88m.** 196.503 of the statutes is created to read:

6 **196.503 Telecommunications provider of last resort obligations. (1)**

7 DEFINITIONS. In this section:

8 (a) “Basic voice service” means the provision to residential and small business
9 customers of 2–way voice communication within a local calling area. “Basic voice
10 service” includes extended community calling and extended area service. “Basic
11 voice service” does not include the offering of Internet access service or any
12 discretionary or optional services that may be provided to a residential or small
13 business customer.

1 (b) “Incumbent local exchange carrier” has the meaning given in 47 USC 251
2 (h).

3 (c) “Small business customer” means a business having 3 or fewer telephone
4 numbers assigned to it.

5 **(2) INCUMBENT LOCAL EXCHANGE CARRIER OBLIGATIONS.** (a) Notwithstanding any
6 other provision in this chapter, and except as provided in sub. (3), an incumbent local
7 exchange carrier shall make basic voice service available to all residential and small
8 business customers within a local exchange area in which it operates as an
9 incumbent local exchange carrier. In making basic voice service available to a
10 customer under this paragraph, an incumbent local exchange carrier shall provide
11 the customer the ability to utilize a dial-up Internet access service or an equivalent
12 service and an incumbent local exchange carrier may, but is not required to, offer
13 Internet access service or any discretionary or optional services in a bundle or a
14 package.

15 (b) An incumbent local exchange carrier may satisfy its obligations under par.
16 (a) through an affiliate and through the use of interconnected voice over Internet
17 protocol service or any available technology or mode.

18 **(3) WAIVERS.** (a) An incumbent local exchange carrier may apply to the
19 commission for a waiver from compliance with sub. (2) (a) in a local exchange area.

20 (b) The commission shall grant a waiver requested under par. (a) for a local
21 exchange area if any of the following are satisfied:

22 1. The commission finds that the incumbent local exchange carrier
23 demonstrates that the waiver is in the public interest or that effective competition
24 exists for basic voice service in the local exchange.

