

(1) Notwithstanding anything in this chapter to the contrary, any telecommunications utility or alternative telecommunications utility may do any of the following:

(a) Retain on file with the commission tariffs already on file with the commission as of the effective date of this paragraph .... [LRB inserts date], showing the rates, tolls, and charges that the telecommunications utility or alternative telecommunications utility has established as of the effective date of this paragraph .... [LRB inserts date], for some or all of the services performed by the telecommunications utility or alternative telecommunications utility within the state or for any service in connection therewith or performed by any telecommunications utility or alternative telecommunications utility controlled or operated by the telecommunications utility or alternative telecommunications utility.

(b) Withdraw or change the rates, terms, or conditions of a tariff on file with the commission, except that the telecommunications utility or alternative telecommunications utility may not increase its intrastate switched access rates if it chooses to withdraw its tariff for intrastate switched access services.

(c) File with the commission new tariffs showing the rates, tolls, and charges that the telecommunications utility or alternative

telecommunications utility has established, as provided in the tariff filings, for some or all of the services performed by the telecommunications utility or alternative telecommunications utility within the state or for any service in connection therewith or performed by any telecommunications utility or alternative telecommunications utility controlled or operated by the telecommunications utility or alternative telecommunications utility. If a telecommunications utility or alternative telecommunications utility files a new tariff under this paragraph, all of the following apply:

1. The new tariff shall become effective on the date specified in the tariff, unless the commission suspends the operation of the new tariff upon serving a written notice of the suspension on the telecommunications utility or alternative telecommunications utility within 10 days after the date of filing. The notice shall include a statement of the reason upon which the commission believes the tariff may be modified under subd. 2.

2. The commission may modify, only to the extent permitted by ss. 196.203 and 196.50 (2) (i) and (j), the new tariff after an opportunity for a hearing.

3. If the commission does not conduct a hearing under subd. 2., the commission shall issue its final order within 60 days after issuing the notice of suspension under subd. 1. If the commission conducts a hearing, the

commission shall issue its final order within 120 days after issuing the notice of suspension under subd. 1. If a final order is not issued within the time limits specified in this subdivision, the new tariff becomes effective as filed.

(2) Nothing in this section shall give the commission jurisdiction over the rates or terms and conditions of any service that is not subject to a tariff under sub. (1).

(3) Every telecommunications utility or alternative telecommunications utility that files a tariff with the commission under sub. (1) shall include all terms and conditions that apply to the services specified in the tariff and the rates charged or to be charged.

(4) A telecommunications utility or alternative telecommunications utility may withdraw a tariff for any service by providing notice to the commission.

(5) (a) Except as provided in par. (b), a proposed change in a tariff shall be effective at the time specified in the tariff as filed with the commission under sub. (1).

(b) No change in a tariff that constitutes an increase in intrastate switched access rates may be made unless the change is consistent with the public interest factors set forth in s. 196.03 (6) and does not violate s. 196.212 and the commission by order, after investigation and opportunity

for a hearing, approves the change.

(6) Nothing in this chapter prohibits a tariff for a service that permits a telecommunications utility or alternative telecommunications utility to enter into an individual contract with an individual customer for that tariffed service that includes rates, terms, and conditions that are different from those in the tariff.

(7) Except as provided in sub. (6), no telecommunications utility or alternative telecommunications utility may charge, demand, collect, or receive more or less compensation for any service for which a tariff is filed or retained on file under sub. (1) than is specified in the tariff, as may at the time be in force, or demand, collect, or receive any rate, toll, or charge for such service not specified in the tariff.

(8) A copy of the tariffs filed or retained on file under sub. (1) shall be made available to consumers in a form and place readily accessible to the public

(1) DEFINITIONS. In this section:

(a) "Affiliate" means any person, corporation, company, cooperative, unincorporated cooperative association, partnership, association, or other entity that is controlled by, or is under common control with, a

telecommunications provider or telecommunications utility.

(b) "Large incumbent local exchange carrier" means an incumbent local exchange carrier that, with any affiliates that are incumbent local exchange carriers operating in the state, in total had 150,000 or more access lines in use in this state as of January 1, 2010.

(c) "Nonincumbent" means a telecommunications provider that is not an incumbent local exchange carrier.

(d) "Small incumbent local exchange carrier" means an incumbent local exchange carrier that, with any affiliates that are incumbent local exchange carriers operating in the state, in total had fewer than 150,000 access lines in use in this state as of January 1, 2010.

**(2) REDUCTIONS FOR NONINCUMBENTS.** A nonincumbent shall reduce its intrastate switched access rates to no higher than the nonincumbent's rates for interstate switched access services as follows:

(a) Beginning on the effective date of this paragraph .... [LRB inserts date], the nonincumbent may not increase its intrastate switched access rates or charge intrastate switched access rates higher than the amount the nonincumbent charged for intrastate switched access services on January 1, 2011.

(b) No later than one year after the effective date of this paragraph ....

[LRB inserts date], the nonincumbent shall reduce its intrastate switched access rates by an amount equal to 50 percent of the difference between its intrastate switched access rates in effect prior to the reduction and its interstate switched access rates in effect prior to the reduction.

(c) No later than 2 years after the effective date of this paragraph .... [LRB inserts date], the nonincumbent shall further reduce its intrastate switched access rates by an amount equal to 50 percent of the difference between its intrastate switched access rates in effect prior to the reduction and its interstate switched access rates in effect prior to the reduction.

(d) No later than 3 years after the effective date of this paragraph .... [LRB inserts date], the nonincumbent shall reduce its intrastate switched access rates to mirror its interstate switched access rates in effect prior to the reduction and, beginning no later than that date, may not charge intrastate switched access rates that are higher than its interstate switched access rates.

**(3) REDUCTIONS FOR LARGE INCUMBENT LOCAL EXCHANGE CARRIERS.**

A large incumbent local exchange carrier shall reduce its intrastate switched access rates to no higher than the large incumbent local exchange carrier's rates for interstate switched access services as follows:

(a) Beginning on the effective date of this paragraph .... [LRB inserts date], the large incumbent local exchange carrier may not increase its

intrastate switched access rates or charge intrastate switched access rates higher than the amount it charged for intrastate switched access services on January 1, 2011.

(b) No later than one year after the effective date of this paragraph ... [LRB inserts date], the large incumbent local exchange carrier shall reduce its intrastate switched access rates by an amount equal to 25 percent of the difference between its intrastate switched access rates in effect prior to the reduction and its interstate switched access rates in effect prior to the reduction.

(c) No later than 2 years after the effective date of this paragraph ... [LRB inserts date], the large incumbent local exchange carrier shall further reduce its intrastate switched access rates by an amount equal to 33 percent of the difference between its intrastate switched access rates in effect prior to the reduction and its interstate switched access rates in effect prior to the reduction.

(d) No later than 3 years after the effective date of this paragraph ... [LRB inserts date], the large incumbent local exchange carrier shall further reduce its intrastate switched access rates by an amount equal to 50 percent of the difference between its intrastate switched access rates in effect prior to the reduction and its interstate switched access rates in effect prior to the

reduction.

(e) No later than 4 years after the effective date of this paragraph .... [LRB inserts date], the large incumbent local exchange carrier shall reduce its intrastate switched access rates to mirror its interstate switched access rates in effect prior to the reduction and, beginning no later than that date, may not charge intrastate switched access rates that are higher than its interstate switched access rates.

**(4) COMMISSION REVIEW LIMITED.** (a) Notwithstanding any other provision of this chapter, subs. (2) and (3) govern the rates that nonincumbents and large incumbent local exchange carriers may charge for intrastate switched access services. Except as required to enforce this section, the commission may not review or set the rates for intrastate switched access services of nonincumbents and large incumbent local exchange carriers.

(b) During the 3-year period beginning on the effective date of this paragraph .... [LRB inserts date], if a small incumbent local exchange carrier does not increase its intrastate switched access rates, the commission may not order a reduction in the small incumbent local exchange carrier's intrastate switched access rates.