

**2011 Jr1 DRAFTING REQUEST**

**Assembly Amendment (AA-SB13)**

Received: **05/11/2011**

Received By: **mkunkel**

Wanted: **As time permits**

Companion to LRB:

For: **Sandy Pasch (608) 266-7671**

By/Representing: **Frederic Ludwig**

May Contact:

Drafter: **mkunkel**

Subject: **Public Util. - telco**

Addl. Drafters:

Extra Copies:

Submit via email: **YES**

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

Carbon copy (CC:) to:

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**Pre Topic:**

No specific pre topic given

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**Topic:**

Include reduced monthly service rates for low income customers in definition of essential telecommunications services

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**Instructions:**

See attached

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**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>
/?							
/1	mkunkel 05/11/2011	kfollett 05/11/2011	jfrantze 05/11/2011	_____	ggodwin 05/11/2011	ggodwin 05/11/2011	
	mkunkel 05/11/2011	kfollett 05/11/2011	mduchek 05/11/2011	_____			

FE Sent For:

<END>

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FE Sent For:

<END>



State of Wisconsin  
2011 - 2012 LEGISLATURE  
January 2011 Special Session



LRBa0981/1

MDK: *kj*

ASSEMBLY AMENDMENT ,  
TO SENATE BILL 13

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

2 **1.** Page 37, line 16: after "2010" insert ", and includes reduced monthly service  
3 rates for low-income customers".

4 (END)

**Kunkel, Mark**

**From:** Kunkel, Mark  
**Sent:** Wednesday, May 11, 2011 1:10 PM  
**To:** Ludwig, Frederic  
**Subject:** RE: Lifeline amendment

*Per Frederic  
- and reference to  
Lifeline  
anyway.  
- MOK*

Lifeline is included under the bill's definition of "essential telecommunications services."

Here's how:

The bill defines "essential telecommunications service" as services or functionalities listed in 47 CFR 54.101 (a) as of Jan. 1, 2010.

47 CFR 54.101 (a) lists services and functionalities, including 54.101 (a) (9), which is "Toll limitation for qualifying low-income consumers. Toll limitation for qualifying low-income consumers is described in subpart E of this part."

The referenced subpart E includes both the Lifeline and Link Up programs.

So, I don't think the amendment is necessary, but give me a call if you have questions.

-- Mark

---

**From:** Ludwig, Frederic  
**Sent:** Wednesday, May 11, 2011 12:31 PM  
**To:** Kunkel, Mark  
**Subject:** Lifeline amendment

Hi Mark,

What services are all included within "essential telecommunications services?" My boss is in caucus and wanted me to have an amendment drafted that, practically speaking, would maintain funding for Lifeline. Assuming "essential telecommunications services" covers that? If so, can you think of a way to craft an amendment that would take care of what she's looking to accomplish?

Fred

--  
Fred Ludwig  
**Office of Representative Sandy Pasch**  
608.266.7671 o  
888.534.0022 tf  
608.282.3622 f

Unofficial Text (See Printed Volume). Current through date and Register shown on Title Page.

## Chapter PSC 160

### UNIVERSAL SERVICE SUPPORT FUNDING AND PROGRAMS

PSC 160.01	Scope and purpose.	PSC 160.091	Qualifications for providers receiving universal service funding for high rate assistance credits.
PSC 160.02	Definitions.	PSC 160.092	Alternative universal service protection plans.
PSC 160.03	Essential telecommunications services.	PSC 160.10	Rate shock mitigation.
PSC 160.031	Essential data transmission capability.	PSC 160.11	Assistance to institutions.
PSC 160.035	Advanced service capabilities.	PSC 160.115	Medical telecommunications equipment program.
PSC 160.04	Toll blocking.	PSC 160.125	Funding to promote access to telecommunications services.
PSC 160.05	Universal service fund programs.	PSC 160.13	Designation of eligible telecommunications carriers.
PSC 160.06	Eligibility for low-income programs.	PSC 160.14	Intralata toll service provider of last resort.
PSC 160.061	Link-Up America program.	PSC 160.15	Identification of charges caused by universal service funding liability.
PSC 160.062	Lifeline program.	PSC 160.16	Fund administrator.
PSC 160.063	Outreach for low-income assistance programs.	PSC 160.17	Fund budget and assessment rates.
PSC 160.07	Special needs certification.	PSC 160.18	Collection of universal service fund monies.
PSC 160.071	Service and equipment pricing for individuals with special needs.	PSC 160.181	Use audit.
PSC 160.073	Public interest pay telephones.	PSC 160.19	Universal service fund council.
PSC 160.075	Responsibility for pay telephone usability.		
PSC 160.08	Telecommunications customer assistance program.		
PSC 160.09	High rate assistance credits.		

**PSC 160.01 Scope and purpose. (1) PURPOSE.** Chapter PSC 160 is designed to effectuate and implement s. 196.218, Stats., and parts of other sections of the Wisconsin statutes, authorizing the commission to establish a universal service fund and programs to further the goal of providing a basic set of essential telecommunications services and access to advanced service capabilities to all customers of the state.

**(2) SCOPE AND EXCEPTION.** (a) The requirements of ch. PSC 160 shall be observed by the telecommunications providers subject to the jurisdiction of the commission as indicated in this chapter, except insofar as any exemption may be made by the commission. Except as otherwise expressly provided by law, s. 196.218, Stats., and the requirements of this chapter apply to telecommunications providers certified under s. 196.203 (2), Stats.

(b) Nothing in this chapter shall preclude special and individual consideration being given to exceptional or unusual situations and upon due investigation of the facts and circumstances involved, the adoption of requirements as to individual providers or services that may be lesser, greater, other or different than those provided in this chapter.

**(3) DISPUTES.** Disputes not resolved between the affected parties regarding assessment or support amounts or the eligibility to receive or the liability to pay under this chapter shall be referred to the commission for resolution.

**(4) ENFORCEMENT.** The manner of enforcing ch. PSC 160 is prescribed in ss. 196.218, 196.499 (17) and 196.66, Stats., and includes such other means as provided in statutory sections administered by the commission.

**(5) ORDERS.** The commission may issue orders it deems necessary to assist in the implementation or interpretation of this chapter. Except for declaratory rulings under s. 227.41, Stats., which require the opportunity for a hearing, and commission determinations not subject to judicial review under ss. 227.52 and 227.53, Stats., orders shall be issued only after notice and an opportunity for comment by interested parties including the universal service fund council.

**History:** Cr. Register, April, 1996, No. 484, eff. 5-1-96; am. (2) (a) and (5), Register, April, 2000, No. 532, eff. 5-1-00.

**PSC 160.02 Definitions.** The definitions in s. 196.01, Stats., apply in this chapter. In addition, in this chapter:

**(1g) "Calculated charge"** means the charge calculated by converting a per call charge into a per minute charge. The conversion to a per minute charge shall be accomplished by dividing the per call charge by the telecommunications provider's average residential call duration. If there are multiple per call charges within

one local calling area, the weighted average shall be used as the per call charge.

**(1m) "Contributory provider"** means a telecommunications provider that pays monies to the universal service fund.

**(2) "Disability"** means a physical or sensory impairment that limits or curtails an individual's access to or usage of telecommunications services. "Disability" includes a speech, vision or hearing impairment and motion impairments that limit an individual's ability to handle telecommunications equipment.

**(3) "Emergency service numbers"** mean 9-1-1 where available and fire, emergency medical services, law enforcement, and poison center emergency numbers where 9-1-1 is not available.

**(4g) "Federal high cost program"** means any program established by the federal communications commission under 47 CFR 54 subpt. D.

**(4m) "Institutions"** means:

(a) Not-for-profit schools, which includes each school in a school district as defined by s. 115.01 (3), Stats., private schools as defined by s. 115.001 (3r), Stats., charter schools as defined by s. 118.40, Stats., colleges and universities as defined by s. 36.05 (13), Stats., and technical college districts as defined by s. 38.01 (5), Stats.

(b) Public libraries.

(c) ~~Not-for-profit hospitals.~~

**(5) "Lifeline"** means the program that provides reduced monthly service rates for low-income customers.

**(6) "Link-Up"** means the program that waives service connection charges for low-income customers.

**(7) "Local exchange service provider"** means any commercial mobile radio service provider that has been designated as an eligible telecommunications carrier under s. PSC 160.13, or a telecommunications utility or any other provider of basic local exchange service or standard business lines and usage.

**(8) "Low-income"** means a household that receives benefits from one or more of the following programs:

(a) Wisconsin works under ss. 49.141 to 49.161, Stats.

(b) Medical assistance under 42 USC 1395.

(c) Supplemental security income under 42 USC 1381 to 1385c.

(d) Food stamps under 7 USC 2011 to 2029.

(e) The low income household energy assistance program under s. 16.27, Stats.

(f) The Wisconsin homestead tax credit under ss. 71.51 to 71.55, Stats.