

B-Engrossed
Senate Bill 13

Ordered by the House June 1
Including Senate Amendments dated March 14 and House Amendments
dated June 1

Printed pursuant to Senate Interim Rule 213.28 by order of the President of the Senate in conformance with pre-session filing rules, indicating neither advocacy nor opposition on the part of the President (at the request of Joint Legislative Committee on Information Management and Technology for Oregon Telecommunications Coordinating Council)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

Extends sunset on law requiring report by Public Utility Commission to Governor and Legislative Assembly on various matters relating to telecommunications industry. Requires commission to submit report biennially.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to telecommunications industry; creating new provisions; amending sections 2 and 3, chap-
3 ter 589, Oregon Laws 1999; and declaring an emergency.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1.** Section 3, chapter 589, Oregon Laws 1999, is amended to read:

6 **Sec. 3.** [*This 1999 Act is*] **Sections 1 and 2, chapter 589, Oregon Laws 1999, are repealed June**
7 **30, [2005] 2008.**

8 **SECTION 2. If this 2005 Act does not become effective until after June 30, 2005, the**
9 **amendments to section 3, chapter 589, Oregon Laws 1999, by section 1 of this 2005 Act revive**
10 **section 2, chapter 589, Oregon Laws 1999. If this 2005 Act does not become effective until**
11 **after June 30, 2005, the amendments to section 3, chapter 589, Oregon Laws 1999, by section**
12 **1 of this 2005 Act operate retroactively to that date, and the operation and effect of section**
13 **2, chapter 589, Oregon Laws 1999, continues unaffected from June 30, 2005, to the effective**
14 **date of this 2005 Act and thereafter.**

15 **SECTION 3.** Section 2, chapter 589, Oregon Laws 1999, as amended by section 2, chapter 775,
16 Oregon Laws 2003, is amended to read:

17 **Sec. 2.** In order to ensure consistency with the federal Telecommunications Act of 1996 (P.L.
18 104-104), to enhance fair competition and to promote deregulation of the telecommunications indus-
19 try, the Public Utility Commission [*annually*] **biennially** shall submit a report to the Governor and
20 the Legislative Assembly or the Emergency Board on or before January 31 each odd-numbered year.
21 The report shall include information on:

- 22 (1) The status of competition in the telecommunications industry;
23 (2) Significant changes that have occurred in the telecommunications industry during the pre-
24 ceding 12 months;
25 (3) Statutes that inhibit or discourage competition in and deregulation of the telecommunications

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

1 industry;

2 (4) Specific actions taken by the commission to reduce the regulatory burden imposed on the
3 telecommunications industry, including telecommunications utilities and competitive telecommuni-
4 cations providers;

5 (5) Specific actions taken by the commission to maximize the opportunities for telecommuni-
6 cations utilities and competitive telecommunications providers to achieve pricing flexibility, includ-
7 ing rate rebalancing, exemption from regulation and streamlined regulations;

8 (6) Specific actions taken by the commission to:

9 (a) Minimize implicit sources of support; and

10 (b) Maximize explicit sources of support that are specific, sufficient, competitively neutral and
11 technologically neutral and that support telecommunications services for customers of telecommu-
12 nications providers in high-cost locations;

13 (7) Statutes that should be enacted, amended or repealed to enhance and respond to the com-
14 petitive telecommunications environment or promote the orderly deregulation of the telecommuni-
15 cations industry; [*and*]

16 (8) The number of public bodies, as defined by ORS 174.109, providing basic telecommunications
17 infrastructure so that private entities may use that infrastructure to provide advanced information
18 and communications services[.]; **and**

19 **(9) The availability of broadband services, the rates charged for broadband services, the**
20 **demand for broadband services and the usage of broadband services. The commission may**
21 **not impose reporting requirements on telecommunications utilities for the purpose of im-**
22 **plementing this subsection.**

23 **SECTION 4. This 2005 Act being necessary for the immediate preservation of the public**
24 **peace, health and safety, an emergency is declared to exist, and this 2005 Act takes effect**
25 **on its passage.**

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