

HOUSE BILL NO. \_\_\_\_\_

Telecommunications-pricing methodology.

Sponsored by: Joint Corporations, Elections and Political Subdivisions Interim Committee

A BILL

for

1 AN ACT relating to telecommunications; providing for the  
2 submission and review of certain studies by  
3 telecommunications companies; requiring rulemaking;  
4 specifying requirements for rulemaking; and providing for  
5 an effective date.

6

7 *Be It Enacted by the Legislature of the State of Wyoming:*

8

9 **Section 1.** W.S. 37-15-402(a) is amended to read:

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11 **37-15-402. Cost based pricing.**

12

13 (a) Services provided by a telecommunications company  
14 that provides noncompetitive services shall be priced to  
15 ensure that the service's revenues from sale of the service  
16 recover the total service long-run incremental cost of

1 providing that service, except as provided in this section.  
2 Total service long-run incremental cost studies used by a  
3 telecommunications company shall be filed with the  
4 commission every three (3) years unless required by the  
5 commission more frequently. All total service long-run  
6 incremental cost studies required pursuant to this section  
7 shall be filed in the form required by commission rule and  
8 under protective order as a trade secret and shall be  
9 subject to commission review and approval.  
10 Telecommunications companies having fewer than thirty  
11 thousand (30,000) access lines in the state are exempt from  
12 the requirement to file cost studies every three (3) years,  
13 but do remain subject to the commission powers in W.S.  
14 37-15-401(a)(iv). A telecommunications company having fewer  
15 than thirty thousand (30,000) access lines in the state may  
16 utilize a reasonable total service long-run incremental  
17 cost study surrogate, in lieu of conducting its own study,  
18 based on cost studies as are available for comparable,  
19 including nonregulated, telecommunications companies in  
20 this state or other states. The commission shall by rule  
21 require the additional submission of total service long-run  
22 incremental cost studies for noncompetitive services as  
23 follows:

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1           (i) The commission shall adopt rules providing  
2 for the uniform application of total service long-run  
3 incremental cost study methodology for all  
4 telecommunications companies subject to the provisions of  
5 this section;

6  
7           (ii) The rules shall provide for:

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9           (A) The commission review of all total  
10 service long-run incremental cost studies approved by the  
11 commission prior to January 1, 2005;

12  
13           (B) A new filing for any study not  
14 previously meeting the uniform application of total service  
15 long-run incremental cost study methodology adopted by  
16 commission rule;

17  
18           (C) A timetable for the filings required  
19 under subparagraph (B) of this paragraph and for commission  
20 review and approval of the filings.

21  
22           **Section 2.**     The public service commission shall  
23 provide notice of the proposed adoption of rules pursuant  
24 to this act to the joint corporations, elections and

1 political subdivisions interim committee not later than  
2 October 1, 2004. Rules adopted by the commission pursuant  
3 to this act shall be effective July 1, 2005.

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5       **Section 3.** This act is effective immediately upon  
6 completion of all acts necessary for a bill to become law  
7 as provided by Article 4, Section 8 of the Wyoming  
8 Constitution.

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(END)