

HOUSE BILL NO. _____

Telecommunications-universal service.

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

A BILL

for

1 AN ACT relating to telecommunications; increasing
2 assistance under the telephone assistance program for low
3 income persons; modifying state universal service fund
4 provisions; providing for additional funding of the
5 telephone assistance program; and providing for an
6 effective date.

7

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

9

10 **Section 1.** W.S. 37-2-301(b) (i), 37-2-303(a) and
11 37-15-501 are amended to read:

12

13 **37-2-301. Telephone assistance program creation;**
14 **discount.**

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1 (b) The discount provided by the telephone assistance
2 program shall be the greater of:

3

4 (i) Until December 31, 2004, three dollars and
5 fifty cents (\$3.50) per month for each eligible subscriber.
6 On and after January 1, 2005, thirteen dollars and fifty
7 cents (\$13.50) per month for each eligible subscriber; or

8

9 **37-2-303. Reimbursement for discounts.**

10

11 (a) The commission shall authorize an additional
12 monthly charge not to exceed twenty cents (\$.20), for each
13 residential access line and each business access line not
14 to exceed one hundred (100) lines per customer to fully
15 reimburse providers of local exchange services for
16 discounts given eligible subscribers under the telephone
17 assistance program. To the extent the additional monthly
18 charge under this subsection is insufficient to fully
19 reimburse providers of local exchange services for the
20 discounts under this article, those providers shall receive
21 any remaining funds necessary for full reimbursement from
22 payments authorized under W.S. 37-15-501(g). The additional
23 monthly charge authorized under this subsection shall not
24 be imposed on eligible subscribers.

1

2 **37-15-501. Universal service fund created;**
3 **contributions; administration.**

4

5 (a) There is hereby established the universal service
6 fund within the special revenue fund to be administered in
7 accordance with this section. The fund shall be
8 administered by the commission. All telecommunications
9 companies shall contribute to the universal service fund.
10 The dates for contributions to the fund and disbursements
11 from the fund shall be set by the commission, after notice
12 and opportunity for hearing, as necessary to accomplish the
13 objectives of the fund as specified in subsections (c) ~~and~~
14 ~~(d)~~ through (g) of this section. The costs of administering
15 the fund may be included in determining required
16 contributions.

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18 (b) The commission shall after notice and opportunity
19 for hearing, designate the method by which the
20 contributions shall be calculated, collected and
21 distributed in order to achieve the goals set forth in W.S.
22 37-15-102 and this section. The commission shall authorize
23 an additional monthly charge to customers, in the amount
24 specified by the commission, to recover each contributor's

1 required payment to the universal service fund. Any charge
2 related to mobile telecommunications service shall only
3 apply if the customer's place of primary use is in this
4 state as provided by the Mobile Telecommunications Sourcing
5 Act, 4 U.S.C. §§ 116 to 126. The provisions of the Mobile
6 Telecommunications Sourcing Act shall apply to this
7 subsection.

8
9 (c) The commission shall administer the monies in the
10 universal service fund to assist only those eligible
11 residential subscribers under W.S. 37-2-301 and customers
12 of telecommunications companies located in areas of this
13 state with relatively high rates for essential services.
14 The commission, after notice and opportunity for hearing,
15 shall determine a reasonable amount and a fair method of
16 distributing monies in accordance with subsections (d)
17 through (g) of this section. The commission may authorize
18 a credit to customer bills, in the amount specified by the
19 commission, to reflect distributions received by the local
20 exchange company from the universal service fund. The
21 commission shall ensure that the method shall promote the
22 emergence of competition in providing local exchange
23 service.

24

1 (d) Until December 31, 2004, in accordance with the
2 method of distribution determined by the commission, a
3 telecommunications company shall receive funds under this
4 section to the extent that its local exchange rates, after
5 consideration of any contributions from the federal
6 universal service fund, exceed one hundred thirty percent
7 (130%) of the weighted statewide average local exchange
8 rates. Funds received under this subsection shall be in
9 addition to funds for which the telecommunications company
10 may be eligible under subsection (g) of this section.

11
12 (e) For the period beginning January 1, 2005 and
13 ending December 31, 2006, in accordance with the method of
14 distribution determined by the commission, a
15 telecommunications company shall receive funds under this
16 section only for each of its customer's single line
17 residential service to the extent that the rate for that
18 single line residential service, after consideration of any
19 contributions from the federal universal service fund,
20 exceeds one hundred thirty-five percent (135%) of the
21 weighted statewide average local exchange rate for single
22 line residential service. Funds received under this
23 subsection shall be in addition to funds for which the

1 telecommunications company may be eligible under subsection
2 (g) of this section.

3
4 (f) On and after January 1, 2007, in accordance with
5 the method of distribution determined by the commission, a
6 telecommunications company shall receive funds under this
7 section only for each of its customer's single line
8 residential service to the extent that the rate for that
9 single line residential service, after consideration of any
10 contributions from the federal universal service fund,
11 exceeds one hundred forty percent (140%) of the weighted
12 statewide average local exchange rate for single line
13 residential service. Funds received under this subsection
14 shall be in addition to funds for which the
15 telecommunications company may be eligible under subsection
16 (g) of this section.

17
18 (g) In accordance with the method of distribution
19 determined by the commission, a telecommunications company
20 shall also receive funds under this section to the extent
21 that the additional monthly charge authorized under W.S.
22 37-2-303(a) is insufficient to fully reimburse providers of
23 local exchange services for the discounts provided under
24 W.S. 37-2-301. Telecommunications companies not receiving

1 full reimbursement under W.S. 37-2-303(a) shall receive
2 remaining funds necessary for full reimbursement from funds
3 collected pursuant to this section.

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5 ~~(e)~~(h) The operation of the universal service fund
6 may be suspended by the commission, based upon a public
7 interest finding, after notice and an opportunity for a
8 hearing, that the fund is not then serving its intended
9 purpose.

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11 ~~(f)~~(j) The commission's decisions under this section
12 shall be subject to the provisions of the Wyoming
13 Administrative Procedure Act.

14

15 **Section 2.** This act is effective July 1, 2004.

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(END)