

House Bill 2097

Ordered printed by the Speaker pursuant to House Rule 12.00A (5). Pre-session filed (at the request of House Interim Committee on Agriculture and Natural Resources for Oregon Telecommunications Association)

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 **as introduced**.

Provides that Public Utility Commission may exempt telecommunications utility, cooperative corporation or municipality from carrier of last resort obligations if commission finds that other telecommunication utility or competitive telecommunications provider has entered into exclusive agreement to provide local exchange telecommunications service to four or more residences within territory allocated to telecommunications utility, cooperative corporation or municipality.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to carrier of last resort obligations; amending ORS 759.506; and declaring an emergency.

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

4 **SECTION 1.** ORS 759.506 is amended to read:

5 759.506. (1) The purpose of establishing allocated territories under ORS 759.500 to 759.570 is to
6 ensure that telecommunications utilities, cooperative corporations and municipalities certified by the
7 Public Utility Commission to provide local exchange telecommunications service:

8 (a) Provide adequate and safe service to the customers of this state; and

9 (b) Serve all customers in an adequate and nondiscriminatory manner.

10 (2) The obligations described in this section may be referenced as carrier of last resort obli-
11 gations.

12 **(3) The commission, upon petition from a telecommunications utility, a cooperative cor-
13 poration or a municipality, shall exempt the telecommunications utility, cooperative corpo-
14 ration or municipality from the obligations described in this section if the commission finds
15 that another telecommunications utility or competitive telecommunications provider has
16 entered into an exclusive agreement with another person to provide local exchange tele-
17 communications service to four or more residences situated within territory the commission
18 has allocated to the telecommunications utility, cooperative corporation or municipality un-
19 der ORS 759.500 to 759.570.**

20 **(4) An exemption granted under subsection (3) of this section applies only to obligations
21 that would otherwise be due under this section to customers who receive local exchange
22 telecommunications service from the other telecommunications utility or competitive tele-
23 communications provider under the terms of an exclusive agreement.**

24 **SECTION 2. This 2009 Act being necessary for the immediate preservation of the public
25 peace, health and safety, an emergency is declared to exist, and this 2009 Act takes effect
26 on its passage.**

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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.