
SENATE BILL 6622

State of Washington

55th Legislature

1998 Regular Session

By Senator Finkbeiner; by request of Utilities & Transportation Commission

Read first time . Referred to Committee on .

1 AN ACT Relating to the implementation of the federal
2 telecommunications act of 1996, P.L. 104-104 (110 Stat. 56); adding new
3 sections to chapter 80.36 RCW; and creating a new section.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** (1) The commission shall establish a program
6 for the advancement of universal telecommunications service. The
7 purpose of the universal service program is to benefit all
8 telecommunications ratepayers in the state by providing for specific,
9 sufficient, competitively neutral, and technologically neutral support
10 for basic telecommunications services for customers of
11 telecommunications companies in high-cost locations.

12 (2) The commission shall establish the level of support that all
13 telecommunications carriers are to provide, make assessments on the
14 carriers to provide that support, designate those telecommunications
15 carriers serving high-cost locations that are eligible to receive
16 support for the benefit of their customers in those locations, and make
17 all necessary rules for administration of the program. The commission
18 may delegate to the commission secretary or other staff the authority

1 to resolve disputes or make other decisions necessary to the
2 administration of the program.

3 (3) All transfers of money necessary to provide the support shall
4 be outside the state treasury and not be subject to appropriation. The
5 commission may contract with an independent program administrator
6 subject to the direction and control of the commission and may
7 authorize the establishment of an account or accounts in independent
8 financial institutions should that be necessary for administration of
9 the program. The expenses of the independent program administrator
10 shall be authorized by the commission and shall be paid out of
11 contributions by the telecommunications carriers participating in the
12 program. The commission may require the carriers participating in the
13 program, as part of their contribution, to pay into the public service
14 revolving fund the costs of the commission attributable to supervision
15 and administration of the program.

16 (4) The commission shall audit, or contract with the administrator
17 or other person to audit, telecommunications carriers that receive
18 support under the program to ensure that they are using that support
19 only for the purposes of the program.

20 (5) The commission shall coordinate administration of the program
21 with any federal universal service program and may administer the
22 federal fund in conjunction with the state program if so authorized by
23 federal law.

24 (6) The definitions in this subsection apply throughout this
25 section unless the context clearly requires otherwise.

26 (a) "Telecommunications carrier" has the same meaning as defined in
27 47 U.S.C. Sec. 153(44).

28 (b) "Basic telecommunications services" includes those services
29 defined by the commission by rule and includes at a minimum:

- 30 (i) Single-party service;
- 31 (ii) Voice grade access to the public switched network;
- 32 (iii) Support for local usage;
- 33 (iv) Dual tone multifrequency signaling (touch-tone);
- 34 (v) Access to emergency services (911);
- 35 (vi) Access to operator services;
- 36 (vii) Access to interexchange services;
- 37 (viii) Access to directory assistance; and
- 38 (ix) Toll limitation services.

1 (c) "High-cost location" means a location where the cost of
2 providing telecommunications services is greater than a set revenue
3 benchmark established by the commission by rule.

4 NEW SECTION. **Sec. 2.** The utilities and transportation commission
5 shall report to the legislature by January 1, 1999, on the status of
6 implementation of the program, and may make recommendations for
7 revisions to this act.

8 NEW SECTION. **Sec. 3.** The commission is authorized to take
9 actions, conduct proceedings, and enter orders as permitted or
10 contemplated for a state commission under the federal
11 telecommunications act of 1996, P.L. 104-104 (110 Stat. 56). The
12 commission may establish by rule fees to be paid by persons seeking
13 commission action under the federal act, and by parties to proceedings
14 under that act, to offset in whole or part the commission's expenses in
15 implementing the act.

16 NEW SECTION. **Sec. 4.** Sections 1 and 3 of this act are each added
17 to chapter 80.36 RCW.

18 NEW SECTION. **Sec. 5.** If any provision of this act or its
19 application to any person or circumstance is held invalid, the
20 remainder of the act or the application of the provision to other
21 persons or circumstances is not affected.

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