

SENATE BILL No. 328

By Committee on Utilities

1-29

1 AN ACT concerning utilities; relating to the state corporation commission;
2 amending K.S.A. 2013 Supp. 66-2002 and repealing the existing
3 section.

4
5 *Be it enacted by the Legislature of the State of Kansas:*

6 Section 1. K.S.A. 2013 Supp. 66-2002 is hereby amended to read as
7 follows: 66-2002. The commission shall:

8 (a) Adopt a definition of "universal service" and "enhanced universal
9 service," pursuant to subsections (p) and (q) of K.S.A. 66-1,187, and
10 amendments thereto;

11 (b) authorize any requesting telecommunications carrier to provide
12 local exchange or exchange access service pursuant to subsection (a) of
13 K.S.A. 66-2003, and amendments thereto;

14 (c) on or before July 1, 1996, the commission shall initiate a
15 proceeding to adopt guidelines to ensure that all telecommunications
16 carriers and local exchange carriers preserve and enhance universal
17 service, protect the public safety and welfare, ensure the continued quality
18 of telecommunications services and safeguard the rights of consumers;

19 (d) review, approve and ensure compliance with network
20 infrastructure plans submitted by local exchange carriers pursuant to
21 K.S.A. 66-2005, and amendments thereto;

22 (e) review, approve and ensure compliance with regulatory plans
23 submitted by local exchange carriers pursuant to K.S.A. 66-2005, and
24 amendments thereto;

25 (f) on or before January 1, 1997, establish, pursuant to K.S.A. 66-
26 2006, and amendments thereto, the Kansas lifeline service program,
27 hereinafter referred to as the KLSP;

28 (g) initiate and complete a proceeding by January 1, 1997, to
29 establish a competitively neutral mechanism or mechanisms to fund: Dual
30 party relay services for Kansans who are speech or hearing impaired;
31 telecommunications equipment for persons with visual impediments; and
32 telecommunications equipment for persons with other special needs. This
33 funding mechanism or mechanisms shall be implemented by March 1,
34 1997;

35 (h) on or before January 1, 1997, establish the Kansas universal
36 service fund pursuant to K.S.A. 66-2008, and amendments thereto,

1 hereinafter referred to as the KUSF, and make various determinations
2 relating to the implementation of such fund;

3 (i) authorize all local exchange carriers to provide internet access as
4 outlined in K.S.A. 66-2011, and amendments thereto, and report on the
5 status of the implementation provisions to specified legislative
6 committees;

7 (j) review the federal act and adopt additional standards and
8 guidelines as necessary for enforcing slamming restrictions;

9 (k) commencing on June 1, 1997 and periodically thereafter, review
10 and, to the extent necessary, modify the definition of universal service and
11 enhanced universal service, and KUSF, taking into account advances in
12 telecommunications and information technology and services;

13 (l) on or before January 1, 1997, initiate and complete a proceeding to
14 establish minimum quality of service standards which will be equally
15 applicable to all local exchange carriers in the state; any local exchange
16 carrier violating such standards, for each occurrence, shall forfeit and pay
17 a penalty of not less than \$100, nor more than \$5,000; violations of such
18 standards shall be enforced in accordance with provisions of K.S.A. 66-
19 138 and 66-177, and amendments thereto;

20 (m) on January 1, 2000, prepare and submit a report to the legislature.
21 The report shall include an analysis of the manner in which the regulatory
22 framework has served to: Protect consumers; safeguard universal service;
23 ensure that consumers have reaped the benefits of competition; maximize
24 the use of market forces; and promote development of the
25 telecommunications infrastructure throughout the state. The commission
26 also shall recommend if and how the KUSF should be modified; ~~and~~

27 (n) report to the senate committee on utilities and the house
28 committee on utilities and telecommunications by January 15, 2014
29 concerning the status of the federal communications commission's further
30 notice of proposed rulemaking regarding Internet Protocol to Internet
31 Protocol interconnection in WC docket nos. 10-90 et al., including, but not
32 limited to, any final, non-appealable order issued in that proceeding
33 regarding obligations to interconnect for the exchange of voice traffic
34 regardless of the technology used to transmit that traffic that requires
35 implementation by the commission; *and*

36 (o) *initiate and complete a proceeding on or before April 1, 2015, to*
37 *study the integrated marketplace program. The proceeding shall focus*
38 *primarily on the day-ahead market implemented by the southwest power*
39 *pool on March 1, 2014, and such market's impact on Kansas rates and*
40 *ratepayers. The commission shall prepare and present a report detailing*
41 *the findings of the proceeding to the senate committee on utilities and the*
42 *house of representatives committee on energy and environment annually*
43 *for five years beginning on or before January 30, 2016.*

1 Sec. 2. K.S.A. 2013 Supp. 66-2002 is hereby repealed.

2 Sec. 3. This act shall take effect and be in force from and after its
3 publication in the statute book.