

HOUSE BILL No. 2424

By Committee on Utilities

3-5

AN ACT concerning telecommunications; relating to carrier of last resort in certain areas and KUSF funding therefor; amending K.S.A. 66-2009 and repealing the existing section.

Be it enacted by the Legislature of the State of Kansas:

Section 1. K.S.A. 66-2009 is hereby amended to read as follows: 66-2009. (a) ~~Local exchange carriers that provided switched local exchange services in the state prior to January 1, 1996, or their successors, shall serve as the carrier of last resort in their exchanges and shall be eligible to receive KUSF funding. However, with respect to the Hill City exchange area in which multiple carriers were certified prior to January 1, 1996, the commission's determination, subject to court appeals, shall determine which authorized carrier shall serve as carrier of last resort. Except as provided by subsection (c), the local exchange carrier serving as the carrier of last resort on the effective date of this act, or such local exchange carrier's successor, shall remain the carrier of last resort and shall be entitled to recover the costs of serving as carrier of last resort.~~

(b) ~~Beginning March 1, 1997,~~ The amount of KUSF funds owed to each qualifying telecommunications carrier, telecommunications public utility or wireless telecommunications service provider in the state, based upon the revenue requirements assigned to the funds for such qualifying utility, carrier or provider, shall be allocated by the fund administrator in equal monthly installments.

(c) *Any eligible telecommunications carrier designated as set out in subsection (b) of K.S.A. 66-2008, and amendments thereto, for the provision of local exchange or exchange access service in a local service area of any telecommunications public utility subject to price cap regulation shall serve as the carrier of last resort in such service area and shall be eligible to receive KUSF carrier of last resort funding whenever such carrier becomes the carrier for more than 50% of the total number of access lines eligible for KUSF support in such service area and offers to all the carrier's customers in such service area high speed digital service which provides upstream, from customer to provider, and downstream, from provider to customer, transmission of digital signals at a rate of at least 200 kilobits per second.*

1 Sec. 2. K.S.A. 66-2009 is hereby repealed.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.

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