

SENATE BILL No. 450

By Committee on Utilities

1-25

9 AN ACT concerning telecommunications; relating to the federal univer-
10 sal service fund.

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

13 Section 1. As used in this act:

14 (a) "Competitive eligible telecommunications carrier" means a car-
15 rier designated by the state of Kansas or the federal communications
16 commission to receive moneys from the universal service fund to expend
17 throughout its service area. In order to receive this designation, the carrier
18 must offer services eligible for support from the federal universal service
19 fund through either its own facilities or a combination of its own facilities
20 and resale of another carrier's services.

21 (b) "High cost support" means the mechanism that provides support
22 to high cost rural areas in order to keep rates for these geographic areas
23 of the country comparable to rates in lower cost urban areas.

24 (c) "Incumbent local exchange carrier" means the dominant local tel-
25 ephone company within a geographic area as determined by the federal
26 communications commission.

27 Sec. 2. (a) The state corporation commission, in carrying out the pro-
28 visions of the federal telecommunications act of 1996, 47 U.S.C. 254 et
29 seq., and any rules, regulations or provisos of the federal communications
30 commission, shall not prohibit a competitive eligible telecommunications
31 carrier providing service in all or part of an incumbent local exchange
32 carrier's service area, from expending moneys received from the federal
33 universal service fund throughout such competitive eligible telecommu-
34 nications carrier's designated service area.

35 (b) The commission shall require competitive eligible telecommuni-
36 cations carriers to report their expenditures of federal universal service
37 fund moneys, including all forms of high-cost support and any support
38 expenditures in an incumbent local exchange carrier's service areas.

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