

ATTACHMENT #2 CENTURY LINK
AMENDMENT

SB 346

11

Proposed CenturyLink Amendment
2/16/2016
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Revisor of Statutes Office

1 mobile radio services in that exchange;

2 (E) rates for lifeline services shall remain subject to price cap
3 regulation;

4 (F) up to and continuing until July 1, 2008, rates for the initial
5 residential local exchange access line and up to four business local
6 exchange access lines at one location shall remain subject to price cap
7 regulation. ~~On and after July 1, 2008, the local exchange carrier shall be~~

the greater of

8 authorized to adjust such rates without commission approval by not more
9 than the percentage increase in the consumer price index for all urban
10 consumers, as officially reported by the bureau of labor statistics of the
11 United States department of labor, or its successor index; in any one year
12 period and such rates shall not be adjusted below the price floor
13 established in subsection (k). Such rates shall not be affected by purchase
14 of one or more of the following: Call management services, intral ATA
15 long distance service or inter-ATA long distance service; and

or the amount necessary to maintain
the local rate floor as determined by
the federal communications
commission or its successor

16 (G) local exchange carriers shall offer a uniform price throughout
17 each such exchange for services subject to price deregulation, under this
18 subsection, including packages or bundles of services, except as provided
19 in subsection (1) or as otherwise approved by the commission.

20 (2) For the purposes of this subsection:

21 (A) Any entity providing voice service shall be considered as a local
22 telecommunications service provider regardless of whether such entity is
23 subject to regulation by the commission;

24 (B) a provider of local telecommunications service that requires the
25 use of a third party, unaffiliated broadband network or dial-up internet
26 network for the origination of local voice service shall not be considered a
27 local telecommunications service provider;

28 (C) telecommunications carriers offering only prepaid
29 telecommunications service shall not be considered entities providing local
30 telecommunications service.

31 (3) If the services of a local exchange carrier are classified as price
32 deregulated under this subsection, the carrier may thereafter adjust its rates
33 for such price deregulated services upward or downward as it determines
34 appropriate in its competitive environment, with tariffs for such services
35 deemed effective upon filing with the commission. Price deregulated
36 services shall be subject to the price floor in subsection (k), and shall not
37 be unreasonably discriminatory or unduly preferential within an exchange.

38 (4) The commission shall act upon a petition filed pursuant to
39 subsection (g)(1)(C) or (D) within 21 days, subject to an extension period
40 of an additional 30 days, and upon a good cause showing of the
41 commission in the extension order, or within such shorter time as the
42 commission shall approve. The commission shall issue a final order within
43 the 21-day period or within a 51-day period if an extension order has been

1 issued.

2 (5) The commission may resume price cap regulation of a local
3 exchange carrier, deregulated under this subsection upon finding, after a
4 hearing, that such carrier has: Violated minimum quality of service
5 standards pursuant to ~~subsection (1)~~ of K.S.A. 66-2002(l), and
6 amendments thereto; been given reasonable notice and an opportunity to
7 correct the violation; and failed to do so.

8 (6) The commission on July 1, 2006, and on each date that any
9 service is deregulated, shall record the rates of each service which has
10 been price deregulated in each exchange.

11 ~~(7) Prior to January 1, 2007, the commission shall determine the~~
12 ~~weighted, statewide average rate of nonwireless basic local~~
13 ~~telecommunications service as of July 1, 2006. Prior to January 1, 2007,~~
14 ~~and annually thereafter, the commission shall determine the weighted,~~
15 ~~average rate of nonwireless basic local telecommunications services in~~
16 ~~exchanges that have been price deregulated pursuant to subsection (9)(1)~~
17 ~~(B), (C) or (D). The commission shall report its findings on or before~~
18 ~~February 1, 2007, and annually thereafter to the governor, the legislature~~
19 ~~and each member of the standing committees of the house of~~
20 ~~representatives and the senate which are assigned telecommunications~~
21 ~~issues. The commission shall also provide in such annual report~~
22 ~~information on the current rates for services provided by all~~
23 ~~telecommunications carriers or other telecommunications service~~
24 ~~providers regardless of the technology used to provide service in price-~~
25 ~~deregulated exchanges, service offerings provided by all~~
26 ~~telecommunications carriers or other telecommunications service~~
27 ~~providers regardless of the technology used and available in price-~~
28 ~~deregulated exchanges and the number of competitors in price deregulated~~
29 ~~exchanges including, but not limited to, facilities-based carriers,~~
30 ~~commercial mobile radio service or broadband-based service providers.~~

31 ~~(8) For the purposes of this subsection:~~

32 (A) "Packages or bundles of services" means the offering of a local
33 telecommunications service with one or more of the following, subscribed
34 together, as one service option offered at one price, one or more call
35 management services, intraLATA long distance service, interLATA long
36 distance service, internet access, video services or wireless services.
37 Packages or bundles of services shall not include only a single residential
38 local exchange access line or up to four business local exchange access
39 lines at one location and intraLATA long distance service or interLATA
40 long distance service, or both;

41 (B) "local telecommunications service" means two-way voice service
42 capable of being originated and terminated within the exchange of the
43 local exchange telecommunications company seeking price deregulation of

(7)

1 residential customers, regardless of whether the entity provides local
2 service in conjunction with other services in that exchange area. One of
3 such nonaffiliated carriers or entities shall be required to be a facilities-
4 based carrier or entity and not more than one such nonaffiliated carriers or
5 entities shall be a provider of commercial mobile radio services in that
6 exchange.

7 (s) The commission shall require that for all local exchange carriers
8 all such price deregulated basic intralATA toll services be geographically
9 averaged statewide and not be priced below the price floor established in
10 subsection (k).

11 (t) Cost studies to determine price floors shall be performed as
12 required by the commission in response to complaints. In addition,
13 notwithstanding the exemption in subsection (b), the commission may
14 request information necessary to execute any of its obligations under the
15 act. In response to a complaint that a price deregulated service is priced
16 below the price floor set forth in subsection (k), the commission shall issue
17 an order within 60 days after the filing of the complaint unless the
18 complainant agrees to an extension.

19 (u) A local exchange carrier may petition for individual customer
20 pricing. ~~The commission shall respond expeditiously to the petition within~~
21 ~~a period of not more than 30 days subject to a 30-day extension.~~

22 (v) No audit, earnings review or rate case shall be performed with
23 reference to the initial prices filed as required herein.

24 (w) As required under K.S.A. 66-131, and amendments thereto, and
25 except as provided for in ~~subsection (e) of K.S.A. 66-2004(c)~~, and
26 amendments thereto, telecommunications carriers that were not authorized
27 to provide switched local exchange telecommunications services in this
28 state as of July 1, 1996, including cable television operators who have not
29 previously offered telecommunications services, must receive a certificate
30 of convenience based upon a demonstration of technical, managerial and
31 financial viability and the ability to meet quality of service standards
32 established by the commission. Any telecommunications carrier or other
33 entity seeking such certificate shall file a statement, which shall be subject
34 to the commission's approval, specifying with particularity the areas in
35 which it will offer service, the manner in which it will provide the service
36 in such areas and whether it will serve both business customers and
37 residential customers in such areas. Any structurally separate affiliate of a
38 local exchange carrier that provides telecommunications services shall be
39 subject to the same regulatory obligations and oversight as a
40 telecommunications carrier, as long as the local exchange carrier's affiliate
41 obtains access to any services or facilities from its affiliated local
42 exchange carrier on the same terms and conditions as the local exchange
43 carrier makes those services and facilities available to other

offer

without prior approval by the commission. In
response to a complaint that an individual
customer pricing agreement is priced below the
price floor set forth in subsection (k), the
commission shall issue an order within 60 days
after the filing of the complaint unless the
complainant agrees to an extension

