

By: Telford

H.B. No. 3357

A BILL TO BE ENTITLED

1 AN ACT

2 relating to investigation by the Public Utility Commission of Texas
3 of financial solvency of a privately-held incumbent local exchange
4 company.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

6 SECTION 1. Subchapter B, Chapter 52, Utilities Code, is
7 amended by adding Section 52.061 to read as follows:

8 Sec. 52.061. FINANCIAL SOLVENCY OF A PRIVATELY-HELD
9 INCUMBENT LOCAL EXCHANGE COMPANY. (a) This section applies only
10 to an investor-owned incumbent local exchange company that is not
11 owned, directly or indirectly, in whole or in part, through
12 publicly-traded stock, and that has at least 300,000 access lines
13 in this state.

14 (b) The commission's authority includes the power, at any
15 time during usual business hours, to obtain from an incumbent local
16 exchange company relevant information the commission determines is
17 convenient and necessary to investigate whether the incumbent local
18 exchange company is or is likely to become financially insolvent.

19 (c) In investigating whether an incumbent local exchange
20 company is or is likely to become financially insolvent, the
21 commission may:

22 (1) hold a hearing;

23 (2) issue a subpoena to compel the attendance of a
24 witness and the production of a document;

1 (3) make findings of fact with respect to whether the
2 incumbent local exchange company is or is likely to become
3 financially insolvent; and

4 (4) enter any order necessary to protect the public
5 interest.

6 SECTION 2. This Act takes effect September 1, 2003.