

By: Goodman

H.B. No. 2637

A BILL TO BE ENTITLED

AN ACT

relating to regulation by the Public Utility Commission of Texas of certain technology, including new or emerging technology.

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

SECTION 1. Subchapter A, Chapter 55, Utilities Code, is amended by adding Section 55.0145 to read as follows:

Sec. 55.0145. LIMITED REGULATION FOR NEW OR EMERGING TECHNOLOGIES. (a) The commission may not exercise jurisdiction over:

(1) advanced services, except as provided by Section 55.014;

(2) broadband services as defined by the Federal Communications Commission; or

(3) any service not commercially available on February 1, 1996.

(b) The commission may not exercise jurisdiction over information services, as defined by 47 U.S.C. Section 153(20), or Internet Protocol enabled services, as defined by the Federal Communications Commission, except:

(1) as reasonably necessary to provide access to emergency services, including access to 911 service and enhanced 911 service; and

(2) to determine the rights and obligations of any provider concerning the payment of switched network access rates or

1 other compensation for the use of another provider's facilities or
2 services.

3 (c) The commission may not impose requirements under
4 Subsection (b) that exceed the requirements of, or are otherwise
5 inconsistent with, federal law, including federal regulations.

6 SECTION 2. Chapter 62, Utilities Code, is repealed.

7 SECTION 3. This Act takes effect September 1, 2005.