

By: Nixon

H.B. No. 2776

A BILL TO BE ENTITLED

AN ACT

relating to the provision of voice communications in Texas.

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

SECTION 1. Section 54.251, Utilities Code, is amended to read as follows:

Sec. 54.251. PROVISION OF SERVICE.

(a) Except as provided by this section, Section 54.252, Section 54.253, and Section 54.254, a telecommunications utility that holds a certificate of convenience and necessity or a certificate of operating authority shall:

(1) offer all basic local telecommunications services to each customer in the utility's certificated area; and

(2) provide continuous and adequate service in that area.

(b) Except as specifically determined otherwise by the commission under this subchapter or Subchapter G, the holder of a certificate of convenience and necessity for an area has the obligations of a provider of last resort regardless of whether another provider has a certificate of operating authority or service provider certificate of operating authority for that area. Notwithstanding any other provision in this title, the provider of last resort obligation may be met using any technology available.

SECTION 2. This Act takes effect September 1, 2005.