

By: Dutton

H.B. No. 2344

Substitute the following for H.B. No. 2344:

By: King of Parker

C.S.H.B. No. 2344

A BILL TO BE ENTITLED

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AN ACT

relating to the access charges of certain telecommunications utilities.

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

SECTION 1. Section 52.155(a), Utilities Code, is amended to read as follows:

(a) A telecommunications utility that holds a certificate of operating authority or a service provider certificate of operating authority may not charge a higher amount for originating or terminating intrastate switched access than the prevailing rates charged by the holder of the certificate of convenience and necessity or the holder of a certificate of operating authority issued under Chapter 65 in whose territory the call originated or terminated unless:

(1) the commission specifically approves the higher rate; or

(2) subject to commission review, the telecommunications utility establishes statewide average composite originating and terminating intrastate switched access rates based on a reasonable approximation of traffic originating and terminating between all holders of certificates of convenience and necessity in this state; or

(3) for all access customers other than the holder of the certificate of convenience and necessity in whose territory the

1 charge is incurred, and any affiliates thereof, the
2 telecommunications utility shall not charge more than the highest
3 rates charged by holders of certificates of convenience and
4 necessity that have comparable numbers of access lines in this
5 state, except that all switched access traffic exchanged with the
6 holder of a certificate of convenience and necessity, and any
7 affiliates thereof, will be charged rates mirroring that holder's
8 then prevailing intrastate switched access rates.

9 SECTION 2. This Act takes effect September 1, 2007.