

A BILL TO BE ENTITLED

AN ACT

relating to the elimination of certain tariff filing requirements for telecommunications providers.

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

SECTION 1. Subchapter A, Chapter 52, Utilities Code, is amended by adding Section 52.007 to read as follows:

Sec. 52.007. TARIFF REQUIREMENTS RELATING TO PROVIDERS NOT SUBJECT TO RATE OF RETURN REGULATION. (a) This section applies only to a telecommunications provider that is not subject to rate of return regulation under Chapter 53.

(b) A telecommunications provider:

(1) may, but is not required to, maintain on file with the commission tariffs, price lists, or customer service agreements governing the terms of providing service;

(2) may make changes in its tariffs, price lists, and customer service agreements in relation to services that are not subject to regulation without commission approval; and

(3) may cross-reference its federal tariff in its state tariff if the provider's intrastate switched access rates are the same as the provider's interstate switched access rates.

(c) A telecommunications provider may withdraw a tariff, price list, or customer service agreement not required to be filed or maintained with the commission under this section if the telecommunications provider:

1 (1) files written notice of the withdrawal with the
2 commission; and

3 (2) notifies its customers of the withdrawal and posts
4 the current tariffs, price lists, or generic customer service
5 agreements on the telecommunications provider's Internet website.

6 (d) The commission may not require a telecommunications
7 provider to withdraw a tariff, price list, or customer service
8 agreement.

9 (e) This section does not affect the authority of the
10 commission to regulate wholesale services or administer or enforce
11 Chapter 56 or any other applicable regulation permitted or required
12 under this title.

13 SECTION 2. This Act takes effect September 1, 2011.