

1-1 By: Carona S.B. No. 984
1-2 (In the Senate - Filed February 28, 2011; March 8, 2011,
1-3 read first time and referred to Committee on Business and Commerce;
1-4 March 31, 2011, reported adversely, with favorable Committee
1-5 Substitute by the following vote: Yeas 9, Nays 0; March 31, 2011,
1-6 sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 984 By: Carona

1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to the elimination of certain tariff filing requirements
1-11 for telecommunications providers.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. Subchapter A, Chapter 52, Utilities Code, is
1-14 amended by adding Section 52.007 to read as follows:

1-15 Sec. 52.007. TARIFF REQUIREMENTS RELATING TO PROVIDERS NOT
1-16 SUBJECT TO RATE OF RETURN REGULATION. (a) This section applies
1-17 only to a telecommunications provider that is not subject to rate of
1-18 return regulation under Chapter 53.

1-19 (b) A telecommunications provider:

1-20 (1) may, but is not required to, maintain on file with
1-21 the commission tariffs, price lists, or customer service agreements
1-22 governing the terms of providing service;

1-23 (2) may make changes in its tariffs, price lists, and
1-24 customer service agreements in relation to services that are not
1-25 subject to regulation without commission approval; and

1-26 (3) may cross-reference its federal tariff in its
1-27 state tariff if the provider's intrastate switched access rates are
1-28 the same as the provider's interstate switched access rates.

1-29 (c) A telecommunications provider may withdraw a tariff,
1-30 price list, or customer service agreement not required to be filed
1-31 or maintained with the commission under this section if the
1-32 telecommunications provider:

1-33 (1) files written notice of the withdrawal with the
1-34 commission; and

1-35 (2) notifies its customers of the withdrawal and posts
1-36 the current tariffs, price lists, or generic customer service
1-37 agreements on the telecommunications provider's Internet website.

1-38 (d) The commission may not require a telecommunications
1-39 provider to withdraw a tariff, price list, or customer service
1-40 agreement.

1-41 (e) This section does not affect the authority of the
1-42 commission to regulate wholesale services, or administer or enforce
1-43 Chapter 56 or any other applicable regulation permitted or required
1-44 under this title.

1-45 SECTION 2. This Act takes effect September 1, 2011.

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