

March 12, 1957.

House File 523

By SWISHER.

Passed House, Date..... Passed Senate, Date.....  
 Vote: Ayes..... Nays..... Vote: Ayes..... Nays.....  
 Approved.....

## A BILL FOR

An Act to provide for the regulation of telegraph and telephone companies and the rates, services, financing and general practices in rendering public service of telegraph and telephone lines and companies by the Iowa state commerce commission.

*Be It Enacted by the General Assembly of the State of Iowa:*

1 Section 1. This Act shall be known as the "Act to  
 2 regulate telegraph and telephone companies."

1 Sec. 2. Section four hundred seventy-four point ten  
 2 (474.10), Code 1954, is hereby amended by inserting in  
 3 line two (2) thereof after the word "all" the words  
 4 "telegraph and telephone lines and companies and".

1 Sec. 3. All telegraph and telephone lines and companies  
 2 which serve or hold themselves out to serve the public or  
 3 which operate under chapter four hundred eighty-eight (488)  
 4 of the Code are hereby declared to be common carriers of  
 5 intelligence or communications common carriers for hire,  
 6 and the terms "carrier" and "carriers", wherever the same,  
 7 or any word equivalent thereof, shall appear in the Code and  
 8 can be applicable to the business of communications carrier,  
 9 shall be held to include and to apply to said lines and  
 10 companies.

1 Sec. 4. The Iowa state commerce commission shall have  
 2 the same powers to investigate and regulate the business of  
 3 communications common carriers for hire as it has to investi-

4 gate and regulate the business of carriers by rail and by  
5 motor trucks and busses and otherwise, and all authority  
6 heretofore given to the said commission to investigate and  
7 to regulate railroad and other carrier freight rates and  
8 passenger fares and practices shall be fully applicable to  
9 the regulation of telegraph and telephone practices, rates  
10 and charges pertaining to both local and long distance and  
11 single and multiple company connections, interchanges of  
12 services and practices. All commission and court procedures  
13 heretofore applicable in respect to carriers by rail and by  
14 motor truck and bus and other utilities under the jurisdic-  
15 tion of the commerce commission shall be equally applicable  
16 hereafter to the regulation of telegraph and telephone  
17 lines to the end that the public shall receive reasonably  
18 adequate telephone and telegraph services at regulated and  
19 reasonable rates.

1 Sec. 5. Section four hundred seventy-nine point one  
2 (479.1), Code 1954, is hereby amended by inserting after  
3 the word "to" in line two (2) thereof the words "common  
4 carriers of intelligence," and by striking from lines nine  
5 (9), ten (10) and eleven (11) thereof the words "engaged  
6 in this state in the transportation of passengers or  
7 property by railroad therein".

1 Sec. 6. Section four hundred eighty-eight point one  
2 (488.1), Code 1954, is amended by adding at the end thereof,  
3 the sentence: "All such persons, firms and corporations  
4 shall be subject to regulation by the Iowa state commerce  
5 commission and shall be under duties to render to all patrons  
6 and members of the public desiring to be patrons, reasonably

7 adequate and convenient service at fair and reasonable rates  
8 as regulated by the Iowa state commerce commission."

1 Sec. 7. Chapter four hundred eighty-eight (488), Code  
2 1954, is amended by adding at the end thereof a section to  
3 read as follows:

4 "Whenever connection between the lines or facilities  
5 of two or more communication companies is demanded under  
6 chapter four hundred eighty-eight (488) of the Code, in  
7 order to permit the interchange of telephone or other  
8 communications between the systems of such companies and  
9 the companies concerned cannot agree as to the terms and  
10 conditions under which such connections shall be made or  
11 communications shall be interchanged, or whenever two or  
12 more such companies, whose lines or facilities are connected  
13 so as to permit an interchange of telephone or other communi-  
14 cations between their systems, cannot agree as to the terms  
15 and conditions of continuing such interchange of telephone  
16 or other communications, then the Iowa commerce commission  
17 upon complaint in writing by any such company involved or  
18 upon its own initiative, after hearing upon reasonable  
19 notice, may, if it finds the connection is reasonable and  
20 in the public interest, order such connection established  
21 or continued and telephone or other communications inter-  
22 changed between the companies concerned, and the commission  
23 by order shall determine the terms and conditions as are  
24 just and reasonable under which such telephone or other  
25 communications shall be interchanged."

1 Sec. 8. The code editor is authorized and directed  
2 to make all changes necessary in the Code 1954 to bring

3 all parts of it into harmony with the foregoing, including  
4 particularly chapters *four hundred seventy-four (474)*, *four*  
5 *hundred seventy-five (475)*, *four hundred seventy-seven (477)*,  
6 *four hundred seventy-nine (479)* and *four hundred eighty-*  
7 *eight (488)*

1     Sec 9   If any part of this Act is decided to be  
2 unconstitutional and void, such decision shall not affect  
3 the validity of the remaining parts of this Act unless the  
4 part held void is indispensable to the operation of the  
5 remaining parts. The legislature hereby declares that it  
6 would have added those parts of this Act which are valid  
7 and omitted any parts which may be unconstitutional if it  
8 had been advised of such unconstitutionality at the time  
9 of passage of this Act.

EXPLANATION OF HOUSE FILE 523

This bill will provide for regulation of telegraph and telephone companies by the Iowa state commerce commission.