

MAR 9 2005

COMMERCE, REGULATION & LABOR

HOUSE FILE 666
BY WHITAKER

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

A BILL FOR

1 An Act relating to competitive local exchange service providers.
2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HF 666

1 Section 1. Section 476.55, subsection 2, unnumbered
2 paragraph 1, if enacted by 2005 Iowa Acts, House File 277, is
3 amended to read as follows:

4 Notwithstanding section 476.1D, the board may receive a
5 complaint from a local exchange carrier that another local
6 exchange carrier has engaged in an activity that is
7 inconsistent with antitrust laws and the policies which
8 underlie them. For purposes of this subsection, "local
9 exchange carrier" means the same as defined in section 476.96
10 and includes a competitive local exchange service provider as
11 defined in section 476.96 and a city utility authorized
12 pursuant to section 388.2 to provide local exchange services.
13 If, after notice and opportunity for hearing, the board finds
14 that a local exchange carrier has engaged in an activity that
15 is inconsistent with antitrust laws and the policies which
16 underlie them, the board may order any of the following:

17 Sec. 2. Section 476.96, subsection 3, Code 2005, is
18 amended to read as follows:

19 3. "Competitive local exchange service provider" means any
20 person, including a municipal utility, that provides local
21 exchange services, other than a local exchange carrier or a
22 nonrate-regulated wireline provider of local exchange services
23 under an authorized certificate of public convenience and
24 necessity within a specific geographic area described in maps
25 filed with and approved by the board as of September 30, 1992,
26 and includes a successor, assignee, and affiliate of a
27 non-rate-regulated wireline provider of local exchange
28 services.

29 EXPLANATION

30 This bill relates to competitive local exchange service
31 providers. The bill provides that the definition of
32 competitive local exchange service provider shall include a
33 successor, assignee, and affiliate of a non-rate-regulated
34 wireline provider of local exchange services. The bill also
35 amends a provision in 2005 Iowa Acts, House File 277, if

1 enacted, to provide that a competitive local exchange service
2 provider may file a complaint regarding antitrust violations
3 committed by another local exchange carrier with the utility
4 board of the department of commerce.

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