



WISCONSIN LEGISLATIVE COUNCIL INFORMATION MEMORANDUM

Comparison of Key Telecommunications Legislation

INTRODUCTION

This information memorandum compares key provisions of the following four legislative proposals relating to telecommunications:

- 2001 Senate Bill (SB) 408. This bill was introduced by Senator Robson and Representative Powers on January 30, 2002, and has not received a hearing.
- Senate Substitute Amendment (SSA) ___ [LRBs0339/4] to 2001 SB 451. SB 451 was introduced by Senator Jauch on February 20, 2002, and received a hearing on February 27, 2002. Senator Jauch has since made public this draft substitute amendment.
- Assembly Substitute Amendment (ASA) 1, as amended by Assembly Amendment (AA) 1 and AA 3, to 2001 Assembly Bill (AB) 889. AB 889 was introduced by Representatives Montgomery and Pettis on March 4, 2002, and received a hearing on March 5, 2002, followed by executive action. The Assembly Committee on Information Policy and Technology voted to recommend adoption of ASA 1, as amended by AA 1 and AA 3, to AB 889, but then failed to recommend passage of the amended bill.
- Telecommunications-related provisions of AA 1 to ASA 1 to AB 1 (the Budget Adjustment Bill) of the January 2002 Special Session, developed by the Assembly Republican Caucus (ARC) (ARC Provisions).

Two tables are attached to this memorandum. The first is an overview table that shows key subjects addressed by each proposal. The second is a table that briefly compares how the subjects are addressed by the proposals.

BACKGROUND

RATE-OF-RETURN VS. PRICE REGULATION

Traditionally, a public utility is regulated by limiting its “rate of return.” This regulated rate of return is an amount that the utility is authorized to earn on the value of its plant and equipment (capital expenses). The Public Service Commission (PSC) approves rates that the utility may charge its customers at a level that is designed to allow the utility to recover its operating expenses and earn its authorized rate of return.

1993 Wisconsin Act 496 established alternative methods of state regulation for telecommunications utilities that want to opt out of traditional rate-of-return regulation. One option a utility has is to propose an alternative regulation (“alt reg”) plan to the PSC for approval. Another option is to elect “price regulation,” which focuses on the rates charged to customers and does not limit the utility’s rate of return. Section 196.196, Stats., governs price regulation by setting initial rates and limiting increases to those rates by means of a price cap

increase formula. Currently, only Ameritech (Wisconsin Bell, Inc. d/b/a/ Ameritech Wisconsin) and Verizon (formerly GTE) have elected to be price-regulated. As applied to these two utilities, the price cap increase formula limits price increases for their basic local exchange residential and business services based on inflation, minus an offset intended to compensate for gains in productivity. PSC has statutory authority to decrease the offset by incentives or increase it by penalties for infrastructure investment and service quality performance.

**WHOLESALE TELECOMMUNICATIONS SERVICES
VS. RETAIL TELECOMMUNICATIONS SERVICES**

Several provisions of the proposals described in the following tables refer to wholesale services, as distinguished from retail services. The federal Telecommunications Act of 1996 restructured local telephone markets and, in particular, imposed a duty on incumbent local exchange carriers (ILECs) (i.e., incumbent

telecommunications utilities in Wisconsin's regulatory parlance) to share their networks with competing local exchange carriers (CLECs). A CLEC can access an ILEC's network by purchasing local telephone services at wholesale rates for resale to end-user customers, leasing elements of the ILEC's network, or interconnecting its own facilities with the ILEC's network. Services provided by an ILEC to a CLEC are referred to as "wholesale services" if the CLEC is not the end-user customer. "Retail services," on the other hand, are services provided by either ILECs or CLECs directly to their end-user customers.

This memorandum was prepared on March 14, 2002 by Mary Offerdahl, Staff Attorney, Legislative Council Staff. The information memorandum is not a policy statement of the Joint Legislative Council or its staff.

OVERVIEW TABLE

<p align="center">Subject</p> <p>“X” to the right indicates that the subject is addressed by the proposal above the “X.” Proposals may differ in how they address a subject. Page #'s are to related sections in the comparison table.</p>	<p align="center">SB 408</p>	<p align="center">SSA __ [LRBs0339/4] to SB 451</p>	<p align="center">ASA 1, as amended by AA 1 & AA 3, to AB 889</p>	<p align="center">ARC Budget Adjustment Provisions</p>
Competition Report by PSC – p. 4			X	
<p>Consumer Protection</p> <ul style="list-style-type: none"> ○ DATCP investigatory authority – p. 4 ○ Telecommunications marketing/trade practices administered by DATCP – p. 5 ○ Fresh look or encryption– p. 6 		X	X X X (AA 3)	X X X
<p>Cross-Subsidies</p> <ul style="list-style-type: none"> ○ Basic local residential service at rates below cost – p. 6 ○ Study request – p. 6 		X	X	
Restrictions on Local Governmental Units – p. 7			X	
<p>Sales Taxes on Telecommunications Services</p> <ul style="list-style-type: none"> ○ Prepaid calling cards – p. 7 ○ Wireless services – p. 8 				X X
<p>Service Quality</p> <ul style="list-style-type: none"> ○ Wholesale service quality – p. 8 ○ Retail service quality – p. 10 ○ Study request – p. 8 	X X	X X	X (AA 1) X (AA 1) X	
Telephone Numbers and Area Codes; PSC Oversight – p. 12			X	
<p>Wireless Service</p> <ul style="list-style-type: none"> ○ Wireless 911 Program – p. 12 ○ Number Portability – p. 13 			X X	X

COMPARISON TABLE

COMPETITION REPORT BY PSC

SB 408	No provision.
SSA __ [LRBs0339/4] to SB 451	No provision.
ASA 1, as amended by AA 1 and AA 3, to AB 889	Requires the PSC to add “competition for telecommunications services throughout the state” to the list of information on which it reports progress in its report on the status of investments in advanced telecommunications infrastructure. Authorizes the PSC to obtain any information it determines is necessary to prepare the report, and allows the PSC to withhold from public inspection information that would aid a competitor. [s. 196.196 (5) (f) 1.g. and 4.] Subjects wireless providers and long-distance telephone companies to the reporting requirement. [ss. 196.202 (2) (b) and 196.499 (1) (b)]
ARC Provisions	No provision.

CONSUMER PROTECTION

DATCP GENERAL INVESTIGATORY AUTHORITY

SB 408	No provision.
SSA __ [LRBs0339/4] to SB 451	No provision.
ASA 1, as amended by AA 1 and AA 3, to AB 889	Subjects any person served with a DATCP complaint, notice, order, or other authorized process to DATCP’s authority and jurisdiction, not to exceed that granted to courts. [s. 93.14 (1m)] Adds persons who fail to comply with a subpoena, order, or civil investigative demand to those persons who may be coerced to comply under s. 885.12, Stats. [s. 93.14 (3)] Eliminates the “engaged in business” limitation on persons who can be required by DATCP to file written responses to questions under DATCP investigation, and persons who must provide DATCP with access to documents relevant to matters under DATCP investigation. [s. 93.15 (1) and (2)]
ARC Provisions	Same provisions as those in ASA 1, as amended by AA 1 and AA 3, to AB 889.

TELECOMMUNICATIONS SERVICES MARKETING /TRADE PRACTICES ADMINISTERED BY DATCP

SB 408	No provision.
SSA __ [LRBs0339/4] to SB 451	<p><i>Cramming:</i> Prohibits a person from enrolling a customer in any telecommunications service that the customer did not affirmatively order unless required by law. Provides that a customer’s request for enrollment in a particular telecommunications service is a request only as to that service. [s. 100.207 (3) (a)]</p> <p><i>Slamming:</i> Prohibits a person from changing a customer’s selection of a telecommunications service provider unless the customer affirmatively requests such change. [s. 100.207 (3) (d)]</p> <p><i>Requests for Service:</i> Authorizes a customer to affirmatively request a telecommunications service orally, in writing, or by electronic means. Prohibits a person from providing a telecommunications service by an electronic means that simultaneously activates that service. [s. 100.207 (3m)]</p> <p><i>Remedies and penalties:</i> Provides that temporary injunctive relief may include an order requiring a telecommunications provider to deposit in an escrow account customer payments received or expected as a result of practices that may violate this section or ch. 196. [s. 100.207 (6) (b) 1.]</p> <p><i>Remedies and penalties:</i> Increases the forfeiture required of a person who violates this section from no more than \$5,000 for each offense to no more than \$10,000; provides that each day of violation constitutes a separate offense. [s. 100.207 (6) (c)]</p> <p><i>Remedies and penalties:</i> Provides that, in addition to other enforcement actions, DATCP may seek remedies or penalties in accordance with FCC rules relating to unauthorized carrier change. Requires that DATCP rules be consistent with FCC rules and remedies relating to unauthorized carrier change. [s. 100.207 (6) (g) and (7)]</p>
ASA 1, as amended by AA 1 and AA 3, to AB 889	<p><i>Definitions:</i> Adds ch. 196 definitions of “telecommunications provider” and “telecommunications service” and defines “telecommunications subscription” for purposes of this section. [s. 100.207 (1)]</p> <p><i>Billing for other services:</i> Prohibits a telecommunications provider from billing a customer for anything other than telecom services unless customer consent is confirmed. If customer consents, requires telecom provider to distinguish the billing for the other goods or services and provide a detailed itemized listing if requested by the customer. Requires DATCP to promulgate rules establishing requirements for compliance. [s. 100.207 (3g)]</p> <p><i>Service confirmation:</i> Prohibits a telecommunications provider from providing a telecommunications service unless customer consent is confirmed and the telecom</p>

	<p>provider informs the customer that consent may be withdrawn before the service is activated. Does not apply to basic local residential service, long-distance toll service or a telecommunications service that is provided as part of a “telecommunications subscription.” [s. 100.207 (3m)]</p> <p><i>Restrictions on contracts:</i> Prohibits a telecommunications provider from placing a clause in a customer’s contract that would apply the law of a state other than this state, unless the law of the other state is in conformity with that of this state. [s. 100.207 (5g)]</p> <p><i>Record requirements:</i> Requires a telecommunications provider to maintain each WI customer’s billing and collection record for five years from when record is made. [s. 100.207 (5m)]</p>
ARC Provisions	Same provisions as those in ASA 1, as amended by AA 1 and AA 3, to AB 889.

OTHER (FRESH LOOK AT CONTRACTS/ENCRYPTION PROHIBITED)

SB 408	Allows a non-wholesale customer to terminate, without penalty, certain contracts entered into with an LPTU if the customer enters into another contract with another telecommunications provider. [s. 196.194 (1) (b)]
SSA __ [LRBs0339/4] to SB 451	No provision.
ASA 1, as amended by AA 1 and AA 3, to AB 889	Prohibits a person who provides a broadcast service or a cable television service from transmitting from this state programming that is encrypted so that it may not be recorded by a recipient of the programming for the recipient’s personal use, unless the personal use is prohibited under federal law. [s. 100.2065]
ARC Provisions	No provision.

CROSS-SUBSIDIES FOR TELECOMMUNICATIONS UTILITIES

SB 408	No provision.
SSA __ [LRBs0339/4] to SB 451	Requests the Joint Legislative Council (JLC) to study statutory requirements regarding cross subsidization under s. 196.204, Stats., and whether any changes to those requirements would promote competition for telecommunications services in rural markets. Requests the JLC, if it undertakes such a study, to report its findings, conclusions and recommendations to the 2003 Legislature when it convenes. [SEC. 25 of the substitute amendment, nonstatutory]
ASA 1, as amended by AA 1 and AA 3, to AB 889	Authorizes PSC to approve basic local residential service by a telecommunications utility subject to alternative regulation at rates (possibly below the current minimum required price, the “total service long-run incremental cost”) that match a competitor’s rates. [s. 196.195 (12) (a) and (f)]
ARC Provisions	No provision.

RESTRICTIONS ON LOCAL GOVERNMENTAL UNITS

SB 408	No provision.
SSA __ [LRBs0339/4] to SB 451	No provision.
ASA 1, as amended by AA 1 and AA 3, to AB 889	<p>Requires a municipality to secure a “public convenience and necessity” declaration from the PSC before constructing a telecommunication utility if there is already a telecommunication utility operating in the municipality under an indeterminate permit. [s. 196.50 (4) (b)]</p> <p>Prohibits a local governmental unit from constructing or owning a telecommunications facility unless it leases, on a nondiscriminatory basis, the facility to a nongovernmental provider; submits to the PSC a financing plan and budget for constructing or owning the facility; obtains approval for the lease in a referendum; and complies with any other requirement established by the PSC. [s. 196.50 (4) (c) 1.]</p> <p>Exempts from the above prohibition, until five years after its effective date, telecom facilities owned or financed by a financial institution before its effective date. Also exempts telecommunications facilities leased to a local governmental unit, state agency, school district, or other specified public utility. [s. 196.50 (4) (c) 2. a. and b.]</p> <p>Authorizes the PSC to promulgate rules establishing additional requirements that a local governmental unit must satisfy before constructing or owning a telecommunications facility, if needed to protect against “unfair competitive advantage” the local government may gain from being a governmental entity. [s. 196.50 (4) (c) 3.]</p>
ARC Provisions	No provision.

SALES TAXES ON TELECOMMUNICATIONS SERVICES

PREPAID CALLING CARDS

SB 408	No provision.
SSA __ [LRBs0339/4] to SB 451	No provision.
ASA 1, as amended by AA 1 and AA 3, to AB 889	No provision.
ARC Provisions	Creates a sales and use tax exemption on telephone services obtained by using a prepaid telephone calling card, if the sales or use tax was paid on the purchase of the prepaid telephone calling card. [s. 77.54 (46m)]

WIRELESS SERVICES

SB 408	No provision.
SSA ___ [LRBs0339/4] to SB 451	No provision.
ASA 1, as amended by AA 1 and AA 3, to AB 889	No provision.
ARC Provisions	<p>Modifies the applicability of the sales tax to wireless services billed for after August 1, 2002, to apply if the customer’s place of primary use of the service is in Wisconsin, rather than if the service originates or terminates in the state, as determined by the wireless provider under the federal Mobile Telecommunications Sourcing Act. [ss. 77.52 (2) (a) 5. and (3m); 77.525; 77.72 (3) (b); and nonstatutory initial applicability]</p> <p>Creates a customer remedy mechanism under which a wireless service customer may request the wireless provider to verify and correct alleged errors in the amount of sales tax on the service or the place of primary use or taxing jurisdiction assigned to the service. [s. 77.523]</p>

SERVICE QUALITY

SERVICE QUALITY STUDY REQUEST

SB 408	No provision.
SSA ___ [LRBs0339/4] to SB 451	No provision.
ASA 1, as amended by AA 1 and AA 3, to AB 889	Requests the JLC to study the appropriate level of regulation of retail and wholesale telecommunications services, the quality of such services, and related enforcement issues, with a focus on making the transition toward deregulated markets for such services. [SEC. 35 (4) of the substitute amendment, nonstatutory]
ARC Provisions	No provision.

WHOLESALE SERVICE QUALITY

Wholesale Service Quality Standards and Enforcement

SB 408	<p>Defines “large price-regulated telecommunications utility” (LPTU) in such a way that only Ameritech fits the definition. [s. 196.01 (3j)]</p> <p>Creates wholesale service standards applicable to an LPTU (Ameritech) for service outages, response to orders with agreed delivery times and without agreed delivery times, repeat trouble reports, and order problems. Requires an LPTU that fails to</p>
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	meet these standards and has not structurally separated to make statutorily-set <i>payments to the wholesale customer.</i> [s. 196.197 (3) and (4) (b)]
SSA ___ [LRBs0339/4] to SB 451	<p>Defines LPTU in such a way that only Ameritech fits the definition. [s. 196.219 (3m) (a) 1.]</p> <p>Requires PSC to establish minimum wholesale service standards by order that require an LPTU (Ameritech) to provide wholesale services and related facilities in a timely manner, repair wholesale service outages in a timely manner, and minimize the frequency of trouble reports and repeat trouble reports. Provides that the order may require an LPTU that fails to comply with the order to make <i>payments to the PSC or to the affected telecommunications provider,</i> in amounts and according to schedules specified in the order. [s. 196.219 (3m) (b) and (c).]</p> <p>Requires a telecommunications utility that provides wholesale services to a telecommunications provider to provide the services on the same terms and conditions that the utility provides to itself or to any of its affiliates. [s. 196.219 (3m) (e)]</p>
ASA 1, as amended by AA 1 and AA 3, to AB 889	<p>Defines LPTU in such a way that only Ameritech fits the definition. [s. 196.219 (3m) (a) 1.]</p> <p>Requires PSC to establish by order wholesale service standards applicable to an LPTU (Ameritech) designed to facilitate provision of reasonable and nondiscriminatory wholesale services. [s. 196.219 (3m) (c) 2.]</p> <p>Authorizes the PSC to establish wholesale service standards applicable to a telecommunications utility with 50,000 to 500,000 access lines only if the PSC finds, after notice and opportunity for hearing, that the utility has engaged in a demonstrable pattern of poor wholesale service or has intentionally violated any state or federal law, rule, regulation, or order relating to wholesale service. [s. 196.219 (3m) (c) 3.]</p> <p>Authorizes PSC to require by order that a telecommunications utility that fails to comply with these standards make <i>payments to the PSC or to the affected telecommunications provider,</i> including payments made automatically upon the utility's filing of reports showing the failure to meet the standards. Requires that such payments made to the PSC be credited to the appropriation under s. 20.155 (1) (Lm). [s. 196.219 (3m) (c) 4.]</p>
ARC Provisions	No provision.

Interconnection, Collocation and Network Elements (ICNE) Services

SB 408	<p>Defines LPTU in such a way that only Ameritech fits the definition. [s. 196.01 (3j)]</p> <p>Requires an LPTU (Ameritech) to provide interconnection, collocation, and network elements to telecommunications providers in a manner that promotes the maximum development of competitive telecommunications service offerings in this state, and in a manner specified by a telecommunications provider if that manner is technically</p>
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	<p>feasible. Provides that a manner is presumed to be technically feasible if the LPTU or any of its affiliates offer or provide interconnection, collocation, and network elements in that manner in any jurisdiction. Requires PSC to issue a compliance plan specifying <i>payments to the wholesale customer</i> for noncompliance. [s. 196.1995 (2) to (5)]</p> <p>Requires an LPTU to structurally separate its wholesale and retail operations into separate affiliates if: (1) in any consecutive 24-month period after the effective date of the provision, the utility has three or more violations of specified requirements under state or federal law; (2) the PSC finds that, two years after the effective date of the provision, less than 50% of either the residential access lines or the business access lines in the LPTU's service territory receive local exchange service from another telecommunications provider; or (3) the PSC makes other specified findings regarding the market power of the LPTU or if the PSC finds that the LPTU's competitors are not able to obtain equal and reliable access to the LPTU's unbundled network elements or operational support systems. [s. 196.196 (7)]</p>
SSA ___ [LRBs0339/4] to SB 451	<p>Defines LPTU in such a way that only Ameritech fits the definition. [s. 196.1995 (1) (b)]</p> <p>Same provisions as those in SB 408 relating to s. 196.1995 (2) to (5). [s. 196.1995 (2) to (5)]</p>
ASA 1, as amended by AA 1 and AA 3, to AB 889	Requires a telecommunications utility with 50,000 or more access lines to provide wholesale services, including ICNE services, to telecommunications providers in a manner that promotes the maximum development of competitive telecommunications offerings in this state. [s. 196.219 (3m) (c) 1.]
ARC Provisions	No provision.

RETAIL SERVICE QUALITY

Retail Service Quality Standards and Enforcement

SB 408	<p>Defines LPTU in such a way that only Ameritech fits the definition. [s. 196.01 (3j)]</p> <p>Creates standards applicable to an LPTU (Ameritech) for disruptions of or failure to install local exchange service for an end-user customer, failure to keep appointments with an end-user customer, and printed directory mistakes and directory assistance mistakes with respect to an end-user customer. Requires an LPTU that fails to comply with the standards to issue statutorily-set <i>credits to the end-user customer</i>. [s. 196.196 (6)]</p> <p>Creates retail service standards applicable to an LPTU (Ameritech) for initiation of service, service outages, repeat trouble reports, missed repair appointments, and service center response times. Requires the PSC to directly assess statutorily-set <i>forfeitures</i> against an LPTU that fails to meet these standards and has not structurally separated. [s. 196.197 (2) and (4) (a)]</p>
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<p>SSA __ [LRBs0339/4] to SB 451</p>	<p>Defines LPTU in such a way that only Ameritech fits the definition. [s. 196.196 (6) (a) 3.]</p> <p>Creates standards applicable to an LPTU (Ameritech) for disruptions of or failure to install local exchange service for an end-user customer, or failure to keep appointments with an end-user customer. Requires an LPTU that fails to comply with the standards to issue statutorily-set <i>credits</i> to the end-user customer. Sunsets these provisions after three years from their effective date. [s. 196.196 (6) (b) to (g)]</p> <p>Authorizes the PSC to require an LPTU (Ameritech) that provides inadequate service or makes insufficient investment to forfeit no more than the dollar value of the decrease in rates that would result from applying a penalty mechanism of 10 percentage points and an incentive mechanism of zero percentage points under the provision relating to the price cap increase formula below. [s. 196.196 (7)]</p>
<p>ASA 1, as amended by AA 1 and AA 3, to AB 889</p>	<p>Defines LPTU in such a way that only Ameritech fits the definition. [s. 196.219 (3m) (a) 1.]</p> <p>Requires PSC to establish by order, no later than 90 days after the effective date but after notice and reasonable opportunity for hearing, retail service standards applicable to an LPTU (Ameritech). [s. 196.219 (3m) (b) 1.]</p> <p>Authorizes the PSC to establish retail service standards applicable to a telecommunications utility with 50,000 to 500,000 access lines only if the PSC finds that the utility has engaged in a demonstrable pattern of poor retail service that was not caused by poor wholesale service from a telecommunications utility, or has intentionally violated any state or federal law, rule, regulation, or order relating to retail service. Requires any such standards to expire three years after they are established, unless the PSC renews them. [s. 196.219 (3m) (b) 2. and 4.]</p> <p>Authorizes PSC to require by order that a price-regulated telecommunications utility that fails to comply with these standards make <i>payments to the PSC or issue credits to affected retail customers</i>. Requires that such payments made to the PSC be credited to the appropriation under s. 20.155 (1) (Lm). [s. 196.219 (3m) (b) 3.]</p>
<p>ARC Provisions</p>	<p>No provision.</p>

Adjustments to Price Cap Increase Formula

<p>SB 408</p>	<p>Increases the <i>penalty</i> mechanism in the price cap increase formula for inadequate service or insufficient investment by an LPTU (Ameritech) from a two-percentage point maximum increase in the percentage offset to the change in the gross domestic product price index, to a 10-percentage point maximum increase. [s. 196.196 (1) (c) 1.]</p>
<p>SSA __ [LRBs0339/4] to SB 451</p>	<p>Increases the <i>incentive</i> mechanism in the price cap increase formula, for a telecommunications utility with 500,000 access lines <i>or less</i> in use in this state at the time of electing to become price regulated, from a one- to a five-percentage point decrease in the percentage offset to the change in the gross domestic product price</p>

	index, to encourage infrastructure investment. [s. 196.196 (1) (c)]
ASA 1, as amended by AA 1 and AA 3, to AB 889	No provision.
ARC Provisions	No provision.

TELEPHONE NUMBERS AND AREA CODES; PSC OVERSIGHT

SB 408	No provision.
SSA __ [LRBs0339/4] to SB 451	No provision.
ASA 1, as amended by AA 1 and AA 3, to AB 889	Authorizes PSC to supervise and regulate telephone numbers and area codes to the extent authorized under federal law, and to withhold from public inspection information obtained from a telecom provider that would aid a competitor. Subjects wireless providers and long-distance telephone companies to such PSC supervision and regulation. [ss. 196.02 (13), 196.202 (2) (b), and 196.499 (1) (b)]
ARC Provisions	No provision.

WIRELESS SERVICE

For additional provisions that apply to wireless providers, see also:

- ***“Competition Report by PSC,”***
- ***“Sales Taxes on Telecommunications Services,” and***
- ***“Telephone Numbers and Area Codes; PSC Oversight.”***

STATEWIDE WIRELESS 911 PROGRAM

SB 408	No provision.
SSA __ [LRBs0339/4] to SB 451	No provision.
ASA 1, as amended by AA 1 and AA 3, to AB 889	<p>Creates a Wireless 911 Board attached to the Department of Commerce. Places 12 members on the Board: four legislators and eight members appointed by the governor (four representing wireless providers and four representing municipalities and public safety agencies). [s. 15.155 (5)]</p> <p>Creates a statewide wireless 911 program based on federal requirements and administered by the Wireless 911 Board, and creates related appropriations. [ss. 20.143 (3) and 146.70 (3m)]</p> <ul style="list-style-type: none"> • Funds the program with a \$0.50 per month surcharge on wireless bills, effective July 1, 2002. Authorizes the board to increase the surcharge in annual

	<p>increments of \$0.10 up to \$1.00 per month.</p> <ul style="list-style-type: none"> • Allocates, after payment of administrative expenses, 50% of surcharge revenues for grants to wireless providers and 50% for grants to local government wireless 911 “public safety answering points.” • Specifies grant eligible expenses, which are generally all of a wireless provider’s wireless 911 expenses and 50% of a local government’s specified expenses. • Sunsets the program five years after its creation. <p>Authorizes one FTE PR position for the Wireless 911 Board for the purpose of providing administrative services. [SEC. 35 (3) of the substitute amendment, nonstatutory]</p>
ARC Provisions	<p>Same provisions as those in ASA 1, as amended by AA 1 and AA 3, to AB 889, except for the following differences:</p> <ul style="list-style-type: none"> • Conditions a grant to a local government that has begun to implement wireless 911 emergency services on the local government providing the services within two years. • Clarifies the wireless providers’ grant-eligible expenses. • Delays the program sunset to 10 years after its creation.

NUMBER PORTABILITY

SB 408	No provision.
SSA __ [LRBs0339/4] to SB 451	No provision.
ASA 1, as amended by AA 1 and AA 3, to AB 889	Requires all wireless providers subject to specified Federal Communication Commission (FCC) requirements to provide number portability, as defined by the FCC, in all areas of the state, effective November 24, 2002. [s. 196.202 (6) and SEC. 37 of the substitute amendment, nonstatutory]
ARC Provisions	No provision.