

## HOUSE BILL NO. HB0141

Telecommunication rates-2.

Sponsored by: Representative(s) Cooper, Luthi, McMurtrey  
and Petersen and Senator(s) Roberts and  
Vasey

A BILL

for

1 AN ACT relating to telecommunications; providing that the  
2 public service commission may authorize downward deviations  
3 from service rates as specified; and providing for an  
4 effective date.

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6 *Be It Enacted by the Legislature of the State of Wyoming:*

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8 **Section 1.** W.S. 37-15-401(a)(v), (vi) and by creating  
9 a new paragraph (vii) and 37-15-402 by creating new  
10 subsections (e) and (f) are amended to read:

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12 **37-15-401. Commission powers.**

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14 (a) In addition to the powers exercised pursuant to  
15 the provisions of W.S. 37-15-408, the commission has the  
16 power to:

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(v) Hold hearings on complaints, or for good cause, upon notice and subject to the provisions of the Wyoming Administrative Procedure Act;~~and~~

(vi) Regulate telecommunications companies only as provided for in this chapter;~~and~~ and

(vii) Conduct hearings upon petitions to deviate downward from a telecommunications service's total service long-run incremental cost pursuant to W.S. 37-14-402(e).

**37-15-402. Cost based pricing.**

(e) Upon petition by a telecommunications company that provides noncompetitive telecommunications service, the commission may authorize, after notice and hearing, a downward deviation from a service rate that recovers the service's total service long-run incremental cost of providing that service, as required by subsection (a) of this section, if the commission finds that the downward deviation is in the public interest.

1       (f) Any deviation granted by the commission under  
2 subsection (e) of this section shall expire after ten (10)  
3 years. The commission may reauthorize a downward deviation  
4 upon petition after notice and hearing. Should the  
5 commission refuse to reauthorize a deviation or if no  
6 reauthorization is requested, the existing price of  
7 deviated service may be increased to recover the service's  
8 total service long-run incremental cost in the same manner  
9 specified in subsection (b) of this section.

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11       **Section 2.** This act is effective July 1, 2004.

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(END)