

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 740 Session of  
2017

INTRODUCED BY AUMENT, REGAN, HUTCHINSON, YAW, BAKER, VULAKOVICH,  
WARD, ALLOWAY, BARTOLOTTA, LAUGHLIN, MENSCH, LANGERHOLC AND  
STEFANO, JUNE 5, 2017

REFERRED TO CONSUMER PROTECTION AND PROFESSIONAL LICENSURE,  
JUNE 5, 2017

AN ACT

1 Providing for rural telephone access and availability; and  
2 imposing duties on the Pennsylvania Public Utility Commission  
3 relating to the Universal Service Fund.

4 The General Assembly of the Commonwealth of Pennsylvania  
5 hereby enacts as follows:

6 Section 1. Short title.

7 This act shall be known and may be cited as the Rural  
8 Telephone Access and Availability Act.

9 Section 2. Declaration of policy.

10 The General Assembly finds and declares that the policy of  
11 the Commonwealth is to maintain the provision of landline  
12 telephone service to residents of this Commonwealth by  
13 supporting Federal and State universal service objectives that  
14 telecommunications services should be available to all consumers  
15 at reasonable rates.

16 Section 3. Definitions.

17 The following words and phrases when used in this act shall

1 have the meanings given to them in this section unless the  
2 context clearly indicates otherwise:

3 "Basic calling service." A landline telephone service that  
4 provides a residential customer with the ability to transmit and  
5 receive voice communications, including access to E-911 service.  
6 For purposes of this act only, the term does not include  
7 wireless service.

8 "Commission." The Pennsylvania Public Utility Commission.

9 "Fund." The Universal Service Fund identified under 52 Pa.  
10 Code Ch. 63 Subch. L (relating to universal service) and 47 CFR  
11 Pt. 54 (relating to universal service).

12 "Rural telecommunications carrier." As defined in 66 Pa.C.S.  
13 § 3012 (relating to definitions).

14 Section 4. Universal Service Fund.

15 (a) Term and obligations.--The fund shall remain in effect  
16 until December 31, 2021, on the same terms and conditions as  
17 provided under 52 Pa. Code Ch. 63 Subch. L (relating to  
18 universal service) and by commission orders issued prior to the  
19 effective date of this section. Through December 31, 2021, each  
20 rural telecommunications carrier:

21 (1) Shall provide basic calling service under 66 Pa.C.S.  
22 § 1501 (relating to character of service and facilities)  
23 throughout its certificated service territory pursuant to  
24 tariff and at a rate compliant with Federal requirements.

25 (2) Is prohibited from declaring as competitive a  
26 particular geographic area, exchange or group of exchanges  
27 under 66 Pa.C.S. § 3016(a) (relating to competitive services)  
28 pending a final order entered by the commission in the  
29 investigation under subsection (b).

30 (3) Shall file with the commission annual affidavits on

1 or before March 31 certifying that money received from the  
2 fund during the prior calendar year was utilized to maintain  
3 and operate facilities and provide basic calling service  
4 solely in this Commonwealth. The affidavit shall identify  
5 network investment and operating and maintenance expenses.

6 (b) Order and rulemaking.--The commission shall undertake an  
7 investigation and rulemaking to determine structure and duration  
8 of the fund, provided that any adjustment ordered to the fund  
9 includes corresponding adjustment to regulatory requirements on  
10 impacted rural telecommunications carriers. The commission's  
11 order shall be released no later than December 31, 2020, and  
12 shall become effective January 1, 2022.

13 (c) Annual reports.--The commission shall issue annual  
14 reports identifying fund disbursements as authorized by this  
15 act. The reports shall be published on the commission's publicly  
16 accessible Internet website.

17 Section 5. Effective date.

18 This act shall take effect in 60 days.