THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL
No. 1112 Session of 2020

INTRODUCED BY PHILLIPS-HILL, MARTIN, MENSCH, STEFANO, BARTOLOTTA, BREWSTER, ARNOLD, BAKER, GORDNER, VOGEL, DINNIMAN, SCAVELLO, PITTMAN AND MASTRIANO, APRIL 30, 2020

REFERRED TO CONSUMER PROTECTION AND PROFESSIONAL LICENSURE, APRIL 30, 2020

AN ACT

Amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, in alternative form of regulation of telecommunications services, further providing for additional powers and duties of commission.

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

Section 1. Section 3019(c) of Title 66 of the Pennsylvania Consolidated Statutes is amended to read:

§ 3019. Additional powers and duties.

* * *

(c) [(Reserved).] Streamlined regulations for telecommunications carriers.--

(1) Notwithstanding any other provisions of this title and subject to paragraph (2), the commission, within 30 days after the effective date of this paragraph and by order published on the commission's publicly accessible Internet website and served upon all certificated telecommunications carriers, shall permanently waive its regulations at 52 Pa.
Code Ch. 53 (relating to tariffs for noncommon carriers), §§ 53.57 (relating to definitions), 53.58 (relating to offering of competitive services), 53.59 (relating to cost support requirements and effective filing dates for tariff filings of noncompetitive services), 53.60 (relating to supporting documentation for promotional offerings, joint or bundled service packages, and toll services) and 53.85 (relating to paper billing fees), as well as all provisions of 52 Pa. Code Chs. 63 (relating to telephone service) and 64 (relating to standards and billing practices for residential telephone service).

(2) The waiver of regulations under paragraph (1) shall not apply to the following provisions of 52 Pa. Code:

(i) Section 63.37 (relating to operation of the Telecommunications Relay Service System and Relay Service Fund).

(ii) Chapter 63L (relating to universal services).

(iii) Chapter 63O (relating to abbreviated procedures for review and approval of transfer of control for telecommunications public utilities).

(iv) Section 64.23 (relating to Standardizing LEC responses to customer contacts alleging unauthorized charges added to the customer's bill (cramming) and unauthorized changes to the customer's long distance carrier (slamming)).

(3) The regulations specified in paragraph (2) and any other commission regulations shall remain in effect subject to the commission's authority to alter, amend, waive or rescind the regulations according to applicable law.

(4) The commission shall promptly rescind the
regulations waived under paragraph (1).

(5) With the exception of the regulations specified in paragraph (2), every three years after the effective date of this paragraph, the commission shall undertake a review of all regulations applicable to telecommunications carriers and shall rescind regulations that are no longer necessary or in the public interest. The commission shall not promulgate any new regulation applicable to the telecommunications carriers if the number of voice subscriptions subject to the commission's jurisdiction is less than 10% of the total voice subscriptions in this Commonwealth, including, but not limited to, mobile wireless and Voice over Internet Protocol subscriptions. If the commission promulgates any new regulation applicable to telecommunications carriers, then the new regulation must be supported by factual findings and determinations, based on an evidentiary record, demonstrating need for the regulation given the competitive market for telecommunications services and that the benefits of the regulation outweigh the cost to comply with and enforce the regulation.

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Section 2. This act shall take effect in 60 days.