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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-FIFTH
SESSION

HOUSE FILE No. 3327

February 21, 2008

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The bill was read for the first time and referred to the Committee on Commerce and Labor

1.1 A bill for an act
1.2 relating to telecommunications; modifying provisions relating to alternative
1.3 regulation plans; amending Minnesota Statutes 2006, section 237.766, by adding
1.4 a subdivision.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. Minnesota Statutes 2006, section 237.766, is amended by adding a
1.7 subdivision to read:

1.8 Subd. 4. **Joining an existing plan.** (a) A telephone company may elect to opt
1.9 into another company's plan if:

1.10 (1) the chosen plan is from a company that is larger than the electing company; or

1.11 (2) the chosen plan is from an affiliated company; and

1.12 (3) the plan is currently in effect.

1.13 (b) A telephone company electing to enter an existing plan in lieu of proposing a
1.14 new plan must operate under the terms of that plan for at least three years. If the original
1.15 term of the existing plan was longer than three years, then the adopting company must
1.16 operate under the plan for that longer period.

1.17 (c) A telephone company that desires to adopt an existing plan must give notice to
1.18 the commission at least 90 days prior to the proposed effective date of the adoption and to
1.19 its customers at least 60 days prior to the proposed effective date.

1.20 (d) The Department of Commerce or the Office of the Attorney General may file an
1.21 objection to a telephone company that has previously operated under a plan from electing
1.22 to opt into the plan of another company if the electing company is not in substantial
1.23 compliance with the service quality provisions or has not met the infrastructure obligations
1.24 of its plan.

2.1 (e) If a telephone company has not previously operated under an alternative
2.2 regulation plan, the rates for its price-regulated services must be capped for the first three
2.3 years at the rates in effect at the time of opt in, except for any plan provisions that address
2.4 exogenous changes.

2.5 Sec. 2. **EFFECTIVE DATE.**

2.6 Section 1 is effective the day following final enactment.