

February 16, 1998

Mr. Speaker:

The Public Utilities and Technology Committee reports a favorable recommendation on **H.B. 115**, TELECOMMUNICATIONS AMENDMENTS, by Representative M. Stephens, with the following amendments:

1. Page 1, Line 17: After "applied to" delete "an incumbent telephone" and insert "a telecommunications corporation, including performance obligations pursuant to Section 251 of the Federal Telecommunications Act, regarding the"
2. Page 2, Line 15: After "terms;" delete "or"
3. Page 2, Line 16: After "tariff" insert "; or  
(e) the telecommunications carrier's obligations pursuant to Section 251 of the Federal Telecommunications Act"
4. Page 2, Line 22: After "upon the" delete "incumbent telephone" and insert "defendant telecommunications"
5. Page 2, Line 31: After "filed" insert ", unless the commission finds that extraordinary conditions exist that warrant postponing the hearing date"
6. Page 3, Line 2: After "(e)" delete "Unless the parties agree otherwise, the" and insert "The"
7. Page 3, Line 3: After "filed" insert "unless;  
(i) the commission finds that extraordinary conditions exist that warrant extending final action; or  
(ii) the parties agree to an extension of final action by the commission"
8. Page 3, Line 10: After "the" delete "incumbent telephone" and replace with "telecommunications"

*Bill Number*

*Action Class*

*Action Code*

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9. Page 3, Line 15: After "commission" delete "shall" and replace with "may"
10. Page 3, Line 16: After "order the" delete "party or the incumbent telephone" and replace with "telecommunications"
11. Page 3, Line 24: At the beginning of the line delete "part or incumbent telephone" and replace with "telecommunications"
12. Page 3, Lines 26-29: Delete lines 26 through 29
13. Page 3, Line 30: Delete "(iv)"
14. Page 4, Line 1: Delete "\$1,000,000" and insert "\$10,000" and delete "offense; and" and insert "day."
15. Page 4, Lines 2-4: Delete lines 2 through 4
16. Page 4, Lines 7-11 After "(b)" delete the remainder of lines 7 through 11 and insert "In determining the amount of the penalty or the amount agreed to in compromise, the commission shall consider the appropriateness of the penalty to the size of the violating party, the gravity of the violation, the good faith of the telephone corporation in attempting to achieve compliance after notification of the violation, and the impact of the violation to the establishment of competition."
17. Page 4, Lines 18-28: Delete lines 18 through 27  
RENUMBER ACCORDINGLY

Respectfully,

Beverly Ann Evans  
Committee Chair

Voting: 13-0-0

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