

2nd Sub. H.B. 115

TELECOMMUNICATIONS AMENDMENTS

SENATE FLOOR AMENDMENTS

MARCH 3, 1998 9:16 AM

Senator **Mansell** proposes the following amendments:

1. Page 1, lines 23-25
Lilac 2-27-98: After "elements" insert a period and delete the remainder of lines 23 through 25
2. Page 3, Lines 8-9
Lilac 2-27-98: After "finds that" delete "extraordinary conditions exist that warrant" and after "date" insert "is necessary to afford due process"
3. Page 3, Lines 13-14
Lilac 2-27-98: After "finds that" delete "extraordinary conditions exist that warrant" and after "action" insert "is necessary to afford due process"
4. Page 4, Lines 12a-12w
Lilac 2-27-98: Delete lines 12a through 12w and insert:
"(c) If considered appropriate by the commission, impose a penalty on the defendant telecommunications corporation:
(i) of up to \$4,000 per day if:
(A) the violation is of the duties imposed under Section 54-8b-2.2, Section 251 of the Federal Telecommunications Act, the interconnection service quality rules, or an order of the commission relating to interconnection;
(B) the violating telecommunications corporation is other than an incumbent telephone corporation with fewer than 50,000 access lines in this state; and
(C) the commission finds that the violation was willful; or
(ii) pursuant to Section 54-7-25.
(d) No penalty may be imposed for a technical violation, but only if the plaintiff telecommunications corporation demonstrates that it has incurred actual economic harm as a result of the violation."
5. Page 4a, Lines 12x-12ac
Lilac 2-27-98: Delete lines 12x through 12ac

6. Page 4a, Line 13

Lilac 2-27-98:

Delete "(5)" and insert "(4)"

7. Page 4a, Line 24

Lilac 2-27-98:

Delete "(6)" and insert "(5)"