

AMENDED IN ASSEMBLY APRIL 16, 2001

CALIFORNIA LEGISLATURE—2001–02 REGULAR SESSION

ASSEMBLY BILL

No. 1200

Introduced by Assembly Member Cardenas
(Coauthors: Assembly Members Briggs, Calderon, Diaz, Frommer,
Kelley, Pescetti, and Vargas)
(Coauthors: Senators Alarcon and Soto)

February 23, 2001

An act to add Section 706 to the Public Utilities Code, relating to public utilities.

LEGISLATIVE COUNSEL'S DIGEST

AB 1200, as amended, Cardenas. Public Utilities Commission.

Existing law authorizes the Public Utility Commission to supervise and regulate every public utility in the state and to do all things that are necessary and convenient in the exercise of that power and jurisdiction. Pursuant to its powers, the commission has issued orders and regulations.

This bill would require the commission to conduct a study as to the ways to amend, revise, and improve rules governing the handling of ~~informal~~ telecommunications matters by the commission. The bill would ~~expressly authorize the commission to revise the rules subject to the study without prior approval of the Legislature~~ *require the study to include an evaluation of whether the commission should regulate any service, except local exchange service, offered by incumbent local exchange carriers differently than it regulates any comparable service offered by competitive local exchange carriers.* The bill would require

the commission to submit a report on the study to the Legislature on or before May 1, 2002.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. The Legislature finds and declares as follows:

2 (a) The people of California benefit when telecommunications
3 providers are permitted to offer new, enhanced, and improved
4 services to telecommunications consumers on the most expedited
5 basis possible.

6 (b) Telecommunications consumers in California further
7 benefit by increased equity and fairness in the regulation and
8 oversight of California's competitive telecommunications
9 markets.

10 SEC. 2. Section 706 is added to the Public Utilities Code, to
11 read:

12 706. (a) The commission shall conduct a study as to the ways
13 to amend, revise, and improve rules governing the handling of
14 ~~informal~~ telecommunications matters by the commission. The
15 issues to be addressed shall include, but not be limited to, all of
16 the following:

17 ~~(1) How the commission's General Order No. 96-A relating to~~
18 ~~the filing and posting of schedules of rates, rules, and contracts~~
19 ~~should be revised to reflect major changes in telecommunications.~~

20 ~~(2) How timeframes for reviewing matters at the commission~~
21 ~~can be reduced.~~

22 ~~(3)~~

23 (1) How to ensure equity in application of the rules among
24 competitors so that no provider has an undue competitive
25 advantage. *This portion of the study shall include an evaluation of*
26 *whether the commission should regulate any service, except local*
27 *exchange service, offered by incumbent local exchange carriers*
28 *differently than it regulates any comparable service offered by*
29 *competitive local exchange carriers. If it is determined that any*
30 *service or category of services warrants differential regulatory*
31 *treatment, the study shall identify the basis on which differential*
32 *treatment is warranted and the nature of the differential treatment.*

1 (2) *How the commission can reduce the time for reviewing*
2 *matters, including, but not limited to, advice letters, applications,*
3 *complaints, rulemakings, and investigations.*

4 ~~(4)–~~

5 (3) How to ensure that new services can be brought to
6 customers as quickly as possible.

7 ~~(5)–~~

8 (4) How to provide more flexibility to utilities in providing
9 their services and meeting competition.

10 ~~(6)–~~

11 (5) What matters that are currently handled under an
12 application process should instead be handled under rules
13 governing informal filings.

14 ~~(b) The commission may revise the rules studied in subdivision~~
15 ~~(a) without prior approval of the Legislature.~~

16 ~~(c)–~~

17 (b) The commission shall submit a report on the study required
18 by subdivision (a) to the Legislature on or before May 1, 2002.

