

AMENDED IN ASSEMBLY APRIL 19, 2001

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, Goldberg, Havice, Kelley, Peseetti, Robert Pacheco, Pescetti, Strickland, and Vargas)

(Coauthors: Senators Alarcon, Polanco, 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: *telecommunications*.

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 telecommunications matters by the commission *without compromising the ability of the commission to protect consumers and to develop and maintain any competitive markets*. The bill would 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 *in a manner consistent with the duty of the*
6 *commission to protect ratepayers and the development and*
7 *maintenance of any competitive markets.*

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

12 (c) *In assessing the equity and fairness of its regulations, the*
13 *commission should take into account differences in the*
14 *competitiveness of telecommunications markets.*

15 SEC. 2. Section 706 is added to the Public Utilities Code, to
16 read:

17 706. (a) The commission shall conduct a study as to the ways
18 to amend, revise, and improve rules governing the handling of
19 telecommunications matters by the commission *without*
20 *compromising the ability of the commission to protect consumers*
21 *and to develop and maintain any competitive markets.* The issues
22 to be addressed shall include, but ~~not be~~ *are* limited to, all of the
23 following:

24 (1) How to ensure equity in application of the rules among
25 competitors so that no provider has an undue competitive
26 advantage. This portion of the study shall include an evaluation of
27 whether the commission should regulate any service, except local
28 exchange service, offered by incumbent local exchange carriers
29 differently than it regulates any comparable service offered by
30 competitive local exchange carriers. If it is determined that any



1 service or category of services warrants differential regulatory
2 treatment, the study shall identify the basis on which differential
3 treatment is warranted and the nature of the differential treatment.

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

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

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

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 shall submit a report on the study required
15 by subdivision (a) to the Legislature on or before May 1, 2002.

