

# HOUSE BILL No. 1557

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 8-1-2-128; IC 8-1-2-129.

**Synopsis:** Universal telecommunications service. Requires the utility regulatory commission (IURC) to adopt rules to preserve and expand universal telecommunications service throughout Indiana. Provides that the rules adopted must: (1) designate certain telecommunications services as universal services that should be available in all regions at just, reasonable, and comparable rates; (2) identify certain geographic areas as underserved areas; and (3) be consistent with federal universal service regulations. Establishes a telecommunications universal service fund to provide financial assistance to telecommunications providers providing universal service to underserved areas.

**Effective:** July 1, 2003.

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## Liggett

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January 16, 2003, read first time and referred to Committee on Commerce and Economic Development.

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First Regular Session 113th General Assembly (2003)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2002 Regular or Special Session of the General Assembly.

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## HOUSE BILL No. 1557



A BILL FOR AN ACT to amend the Indiana Code concerning utilities and transportation.

*Be it enacted by the General Assembly of the State of Indiana:*

1 SECTION 1. IC 8-1-2-128 IS ADDED TO THE INDIANA CODE  
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
3 1, 2003]: **Sec. 128. (a) As used in this section, "local exchange access  
4 service" means telephone exchange access lines or channels that  
5 provide local access to the local telecommunications network to  
6 effect the transfer of information.**

7 **(b) As used in this chapter, "local exchange carrier" means a  
8 telecommunications provider authorized by the commission to  
9 provide, among other services, local exchange access service.**

10 **(c) As used in this section, "universal service" means local  
11 exchange access service and other telecommunications services  
12 designated by the commission under rules adopted under this  
13 section as services that should be available to consumers in all  
14 regions of Indiana at just, reasonable, and comparable rates.**

15 **(d) The commission shall adopt rules under IC 4-22-2 to  
16 preserve and expand universal service that is equitable and  
17 nondiscriminatory.**



1 (e) Rules adopted by the commission under this section shall do  
2 the following:

3 (1) Designate certain telecommunications services as universal  
4 services that should be available to consumers in all regions  
5 of Indiana at just, reasonable, and comparable rates.

6 (2) Designate geographic areas as underserved areas that lack  
7 access or have only limited access to telecommunications  
8 services.

9 (3) Be consistent with the Federal Communications  
10 Commission's rules and regulations on universal service.

11 (4) Provide a competitively and technologically neutral  
12 funding mechanism to operate in coordination with federal  
13 universal service support mechanisms.

14 SECTION 2. IC 8-1-2-129 IS ADDED TO THE INDIANA CODE  
15 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
16 1, 2003]: **Sec. 129. (a) The telecommunications universal service  
17 fund is established for the purpose of providing funding for the  
18 provision of universal service throughout Indiana. The fund shall  
19 be administered by the commission.**

20 (b) The expenses of administering the fund shall be paid from  
21 money in the fund.

22 (c) The treasurer of state shall invest the money in the fund not  
23 currently needed to meet the obligations of the fund in the same  
24 manner as other public money may be invested. Interest that  
25 accrues from these investments shall be deposited in the fund.

26 (d) Money in the fund at the end of a state fiscal year does not  
27 revert to the state general fund.

28 SECTION 3. [EFFECTIVE JULY 1, 2003] (a) As used in this  
29 SECTION, "commission" refers to the Indiana utility regulatory  
30 commission created by IC 8-1-1-2.

31 (b) As used in this SECTION, "universal service" has the  
32 meaning set forth in IC 8-1-2-128(c), as added by this act.

33 (c) The commission shall adopt rules under IC 4-22-2 to  
34 preserve and expand universal service that is equitable and  
35 nondiscriminatory, as required by IC 8-1-2-128(d), as added by  
36 this act, not later than June 30, 2004.

37 (d) This SECTION expires January 1, 2005.

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