

Adopted Rejected

# COMMITTEE REPORT

YES: 8  
NO: 2

**MR. SPEAKER:**

*Your Committee on Utilities and Energy, to which was referred House Bill 1112, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill **be amended** as follows:*

- 1 Page 1, between the enacting clause and line 1, begin a new
- 2 paragraph and insert:
- 3 "SECTION 1. IC 8-1-32.4-3.2 IS ADDED TO THE INDIANA
- 4 CODE AS A NEW SECTION TO READ AS FOLLOWS
- 5 [EFFECTIVE JULY 1, 2012]: **Sec. 3.2. As used in this chapter,**
- 6 **"communications service provider" has the meaning set forth in**
- 7 **IC 8-1-32.6-3."**
- 8 Page 4, delete lines 9 through 33, begin a new paragraph and insert:
- 9 **"(b) In a proceeding under this section; (a) The commission may**
- 10 **declare in accordance with IC 8-1-2-113 that an emergency exists and**
- 11 **in an area in Indiana that is not served by any communications**
- 12 **service provider offering voice service through any technology or**
- 13 **medium. If the commission declares an emergency under this**

1 **section, the commission may** issue any order necessary to protect the  
 2 health, safety, and welfare of affected ~~customers~~ **residents or**  
 3 **businesses** and to ~~may~~ expedite the ~~restoration or continuation~~  
 4 **availability** of local exchange **voice** service to the affected customers.  
 5 An order issued under this subsection may: (1) provide for the  
 6 temporary operation of the facilities based local exchange carrier's  
 7 facilities by any provider, including a provider that has not been issued  
 8 a certificate of territorial authority by the commission; (2) authorize  
 9 one (1) or more third parties to enter the premises of any abandoned  
 10 facilities; or (3) grant temporary waivers from quality of service  
 11 requirements for any provider: (A) providing service under subdivision  
 12 (1); or (B) designated as a successor provider by the commission under  
 13 subsection (c). (c) Except as provided in IC 8-1-32.6-8 or section 16 of  
 14 this chapter, the commission may act under section 14 of this chapter  
 15 to designate a successor provider in any proceeding under this section:  
 16 **residents or businesses.**

17 **(b) If the commission authorizes a communications service**  
 18 **provider to offer voice service under this section, the commission**  
 19 **shall permit the communications service provider to offer the voice**  
 20 **service through any available technology or medium determined**  
 21 **by the communications service provider."**

22 Page 4, line 42, delete "communications service providers" and  
 23 insert "ETC eligible communications service providers,".

24 Page 5, line 1, delete "(as defined in IC 8-1-32.6-3),".

25 Page 5, line 7, delete "2013," and insert "2014,".

26 Page 5, between lines 16 and 17, begin a new paragraph and insert:

27 **"(d) As used in this section, "ETC eligible communications**  
 28 **service provider" means a communications service provider that**  
 29 **provides, using any available technology or medium, the voice**  
 30 **telephony services described in 47 CFR 54.101, regardless of**

1       **whether the communications service provider has been designated**  
2       **as an eligible telecommunications carrier. "**

3       Renumber all SECTIONS consecutively.  
      (Reference is to HB 1112 as introduced.)

**and when so amended that said bill do pass.**

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Representative Lutz