



State of Wisconsin
2009 - 2010 LEGISLATURE

LRBa1955/1
MDK:cjs:ph

**ASSEMBLY AMENDMENT 1,
TO ASSEMBLY AMENDMENT 3,
TO 2009 ASSEMBLY BILL 696**

March 30, 2010 – Offered by Representatives ZEPNICK and ZIGMUNT.

1 At the locations indicated, amend the amendment as follows:

2 **1.** Page 1, line 7: after that line insert:

3 “4g. Page 8, line 11: after that line insert:

4 “**SECTION 5m.** 196.01 (12w) of the statutes is created to read:

5 196.01 (**12w**) (a) “Wholesale telecommunications service” means, except as
6 provided in par. (b), a service that satisfies all of the following:

7 1. The service is provided by a telecommunications provider to another
8 telecommunications provider other than an affiliated interest, as defined in s. 196.52

9 (1).

10 2. The service is subject to regulation by the commission under this chapter.

11 3. The service is subsequently used in the provision of a telecommunications
12 service to retail end user customers.

1 (b) “Wholesale telecommunications service” does not include switched access
2 service.”.

3 4r. Page 8, line 21: after that line insert:

4 “**SECTION 6m.** 196.016 of the statutes is created to read:

5 **196.016 Relationship to certain federal telecommunications law.**

6 Except as provided in s. 196.50 (2) (j) 2. and 3., nothing in this chapter is intended
7 to either reduce or expand the scope and application of the federal
8 Telecommunications Act of 1996, P.L. 104–104, including the jurisdiction and
9 authority granted to the commission thereunder and the commission may take any
10 action that the commission is authorized to take under that federal act.”.

11 **2.** Page 6, line 7: delete the material beginning with “, and except that” and
ending with “196.37” on line 9.

12 **3.** Page 6, line 18: delete the material beginning with that line and ending with
“sub. (3)” on line 19 and substitute “in this paragraph”.

13 **4.** Page 6, line 21: delete “only”.

14 **5.** Page 6, line 22: after “(4m)” insert “(a)”.

15 **6.** Page 6, line 23: after “sub. (3).” insert “The commission may impose a
provision of this chapter specified in sub. (4m) (b) or (c) if required by the public
interest.”.

16 **7.** Page 7, line 10: after that line insert:

17 “16m. Page 20, line 14: after “provision” insert “of this chapter specified in sub.
18 (4m) (a)”.”.

19 **8.** Page 7, line 12: after that line insert:

20 “17m. Page 21, line 1: after “(4m)” insert “(a)”.”.

1 **9.** Page 7, line 15: after that line insert:

2 “20m. Page 21, line 5: after that line insert:

3 “(b) The commission may, with respect only to switched access services, impose
4 s. 196.03 (1) or (6) or 196.37 on an alternative telecommunications utility.

5 (c) The commission may, with respect only to wholesale telecommunications
6 service, impose s. 196.03 (1) or (6), 196.219 (4), 196.28, or 196.37, on an alternative
7 telecommunications utility certified under sub. (2) (a) or (c).

8 (d) An alternative telecommunications utility certified pursuant to s. 196.50 (2)
9 (j) 1. a. shall be subject, with respect only to wholesale telecommunications services,
10 to all provisions in pars. (a) and (c).”.”.

11 **10.** Page 7, line 19: before “196.025 (6)” insert “196.016,”.

12 **11.** Page 7, line 20: before “196.025 (6)” insert “196.016,”.

13 **12.** Page 8, line 21: after that line insert:

14 “**SECTION 71g.** 196.219 (2m) of the statutes is repealed.”.

15 **13.** Page 9, line 5: after that line insert:

16 “32m. Page 27, line 7: delete that line and substitute:

17 “**SECTION 74m.** 196.28 (4) of the statutes is amended to read:

18 196.28 (4) This section does not apply to rates, tolls or charges of a
19 telecommunications cooperative, an unincorporated telecommunications
20 cooperative association, or a small telecommunications utility ~~except as provided in~~
21 ~~s. 196.205 or 196.215 (2).~~”.”.

22 **14.** Page 9, line 8: after that line insert:

23 “33m. Page 27, line 18: delete that line and substitute:

24 “**SECTION 77m.** 196.37 (4) of the statutes is amended to read:

1 196.37 (4) This section does not apply to rates, tolls or charges of a
2 telecommunications cooperative, an unincorporated telecommunications
3 cooperative association, or a small telecommunications utility ~~except as provided in~~
4 ~~s. 196.205 or 196.215 (2).~~”.”.

5 **15.** Page 10, line 3: delete lines 3 and 4 and substitute:

6 “37m. Page 28, line 21: delete lines 21 and 22 and substitute “exempt from all
7 provisions of ch. 201 and is exempt from ss. 196.02 (2); 196.03, except with respect
8 to wholesale telecommunications services; 196.05; 196.06; 196.07; 196.09; 196.10;
9 196.12; 196.13; 196.19; 196.20; 196.21; 196.22; 196.28, except with respect to
10 wholesale telecommunications services; 196.37, except with respect to wholesale
11 telecommunications services; 196.49; 196.52; 196.58; 196.60;”.”.

12 **16.** Page 10, line 5: delete “196.78, and 196.79,” and substitute “196.78; and
196.79;”.

13 **17.** Page 10, line 8: delete “196.03 and” and substitute “196.03; and except
that”.

14 **18.** Page 11, line 2: delete “The granting” and substitute “Except as provided
in subds. 4. and 5., the granting”.

15 **19.** Page 11, line 6: delete the material beginning with “s. 196.203” and ending
with “s. 196.203 (3)” on line 7 and substitute “this paragraph”.

16 **20.** Page 11, line 10: delete “only”.

17 **21.** Page 11, line 11: after “(4m)” insert “(a)”.

18 **22.** Page 11, line 13: after “196.206,” insert “and except as provided in subds.
4. and 5.,”.

