



2003 ASSEMBLY BILL 734

January 7, 2004 - Introduced by Representative GARD. Referred to Committee on Job Creation.

- 1 **AN ACT** *to amend* 196.195 (10); and *to create* 196.195 (5m) of the statutes;
2 **relating to:** partial deregulation of telecommunications services.

Analysis by the Legislative Reference Bureau

Under current law, a person may petition the Public Service Commission (PSC) to begin proceedings for determining whether to partially deregulate certain telecommunications services. The PSC may also begin such proceedings on its own motion. If the PSC makes certain findings regarding competition for such telecommunications services, the PSC may issue an order suspending specified provisions of law. Current law does not impose any deadlines on such proceedings.

This bill requires the PSC to complete the proceedings no later than 120 days after a person files a petition. In addition, if the PSC begins proceedings based on its own motion, the proceedings must be completed no later than 120 days after the PSC provides notice of its motion. If the PSC fails to complete the proceedings and, if appropriate, issue an order within the deadline, the bill provides for the suspension of any provisions of law that are specified in the petition or in the PSC's motion.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

- 3 **SECTION 1.** 196.195 (5m) of the statutes is created to read:

ASSEMBLY BILL 734

1 196.195 (5m) TIME LIMITATION ON COMMISSION ACTION. (a) No later than 120 days
2 after the filing of a petition under sub. (2) (a), the commission shall complete the
3 proceedings under subs. (2), (3), and (4), and, if appropriate, enter an order under
4 sub. (5). If the commission fails to complete the proceedings and, if appropriate, enter
5 an order before that deadline, the petition is considered to be granted without
6 condition by the commission and any provisions of law under sub. (5) that are
7 specified in the petition are considered to be suspended by the commission.

8 (b) No later than 120 days after the commission provides notice of its own
9 motion under sub. (2) (a), the commission shall complete the proceedings under subs.
10 (2), (3), and (4), and, if appropriate, enter an order under sub. (5). If the commission
11 fails to complete the proceedings and, if appropriate, enter an order before that
12 deadline, the motion is considered to be granted without condition by the commission
13 and any provisions of law under sub. (5) that are specified in the motion are
14 considered to be suspended by the commission.

15 **SECTION 2.** 196.195 (10) of the statutes is amended to read:

16 196.195 (10) REVOCATION OF DEREGULATION. If necessary to protect the public
17 interest, the commission, at any time by order, may revoke its order to suspend the
18 applicability of any provision of law suspended under sub. (5). This subsection does
19 not apply to any provision of law that is considered to be suspended under sub. (5m).

20 **SECTION 3. Initial applicability.**

21 (1) PARTIAL DEREGULATION OF TELECOMMUNICATIONS. The treatment of section
22 196.195 (5m) and (10) of the statutes first applies to proceedings initiated by
23 petitions filed with the public service commission, or by notices made on the public
24 service commission's own motion, on the effective date of this subsection.

25 **(END)**