

Introduced by

Representatives Tollefson, Glassheim

1 A BILL for an Act to amend and reenact section 49-02-01.1 of the North Dakota Century Code,
2 relating to public service commission jurisdiction over telecommunications service.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1. AMENDMENT.** Section 49-02-01.1 of the 1997 Supplement to the North
5 Dakota Century Code is amended and reenacted as follows:

6 **49-02-01.1. Jurisdiction of commission limited as to certain utilities.** Nothing in
7 this chapter or in chapter 49-21 authorizes the commission to make any order affecting rates,
8 contracts, services rendered, adequacy, or sufficiency of facilities, or the rules or regulations of
9 any public utility owned and operated by the state or by any city, county, township, or other
10 political subdivision of the state or any public utility, that is not operated for profit, that is
11 operated as a nonprofit, cooperative, or mutual telecommunications company or is a
12 telecommunications company having fewer than eight thousand local exchange subscribers.
13 However, any telecommunications utility that is operated as a nonprofit, cooperative, or mutual
14 telecommunications company or has fewer than eight thousand local exchange subscribers is
15 subject to sections 49-21-01.4 ~~and~~, 49-21-08, and 49-21-10.2 and is subject to subsection 6 of
16 section 49-02-02 and sections 49-21-01.2, 49-21-01.3, 49-21-06, 49-21-07, 49-21-09, and
17 49-21-10, regarding rates, terms, and conditions of access services or connection between
18 facilities and transfer of telecommunications between two or more telecommunications
19 companies. Nothing in this section limits the authority of the commission under chapter 49-03.1
20 or sections 49-04-05 and 49-04-06.