

Fifty-seventh  
Legislative Assembly  
of North Dakota

## HOUSE BILL NO. 1090

Introduced by

Industry, Business and Labor Committee

(At the request of the Public Service Commission)

1 A BILL for an Act to amend and reenact section 49-21-01.2 of the North Dakota Century Code,  
2 relating to filing fees and exemption from rate of return regulation for the provision of  
3 telecommunications service.

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

5 **SECTION 1. AMENDMENT.** Section 49-21-01.2 of the North Dakota Century Code is  
6 amended and reenacted as follows:

7 **49-21-01.2. Exemption - Rate regulation.** Except as provided for in this chapter and  
8 sections 49-02-01.1, 49-02-21, 49-02-22, and 49-04-02.1, telecommunications companies and  
9 all telecommunications services are exempt from the provisions of chapters 49-02, 49-04,  
10 49-05, and 49-06. Telecommunications companies and services are not subject to rate or rate  
11 of return regulation. Any telecommunications company may elect not to be subject to the  
12 provisions of this section and section 49-21-01.3, and to be subject to rate and rate of return  
13 regulation, by filing an election with the commission in writing. For telecommunications  
14 companies with over fifty thousand subscribers, the election not to be exempt from rate and rate  
15 of return regulation is a one-time, irrevocable election. Notwithstanding an election filed under  
16 this section, a telecommunications company is not obligated to pay any fee for filing a price  
17 schedule or tariff.