

Fifty-sixth
Legislative Assembly
of North Dakota

HOUSE BILL NO. 1421

Introduced by

Representative Tollefson

1 A BILL for an Act to amend and reenact sections 49-02-01.1 and 49-21-08.1 of the North
2 Dakota Century Code, relating to universal telephone service; and to declare an emergency.

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 49-21-08.1 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, 49-21-08.1,
17 49-21-09, and 49-21-10, regarding rates, terms, and conditions of access services or
18 connection between facilities and transfer of telecommunications between two or more
19 telecommunications companies. Nothing in this section limits the authority of the commission
20 under chapter 49-03.1 or sections 49-04-05 and 49-04-06.

21 **SECTION 2. AMENDMENT.** Section 49-21-08.1 of the 1997 Supplement to the North
22 Dakota Century Code is amended and reenacted as follows:

23 **49-21-08.1. ~~(Effective until July 31, 1999)~~ Universal telephone service - Dialing**
24 **parity - IntraLATA equal access.** In order to continue to make available to all people of this

1 state modern and efficient telecommunications services at the most economic and reasonable
2 cost, the provisioning of dialing parity on an intraLATA basis, otherwise known as 1 + intraLATA
3 equal access, may not be required to be provided by any company providing local exchange
4 service.

5 **SECTION 3. EMERGENCY.** This Act is declared to be an emergency measure.