

BILL ANALYSIS

Senate Research Center
82R18065 JXC-D

C.S.S.B. 984
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Business & Commerce
3/29/2011
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Tariffs are documents filed with the Public Utility Commission (PUC) that contain the rates, service descriptions and terms, and conditions for all intrastate telecommunications services provided by telecommunications companies. They detail how companies offer all products and services in Texas and can be thousands of pages in length and contain immense detail. Tariffs originated decades ago under rate of return regulation.

C.S.S.B. 984 creates a new Section 52.007, Utilities Code, giving telecommunication providers the option to maintain or withdraw tariffs, price lists, and customer service agreements and make changes to those documents without PUC approval. In addition, the bill allows companies to cross reference federal tariffs if intrastate switched access rates are the same as interstate rates. Furthermore, C.S.S.B. 984 gives companies the option to withdraw tariffs if written notice is provided to PUC and rates, terms, and conditions are posted on the provider's website or provided in a written notice to customers.

C.S.S.B. 984 amends current law relating to the elimination of certain tariff filing requirements for telecommunications providers.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter A, Chapter 52, Utilities Code, by adding Section 52.007, as follows:

Sec. 52.007. TARIFF REQUIREMENTS RELATING TO PROVIDERS NOT SUBJECT TO RATE OF RETURN REGULATION. (a) Provides that this section applies only to a telecommunications provider that is not subject to rate of return regulation under Chapter 53 (Rates).

(b) Provides that a telecommunications provider is:

- (1) authorized, but not required, to maintain on file with the Public Utility Commission (PUC) tariffs, price lists, or customer service agreements governing the terms of providing service;
- (2) authorized to make changes in its tariffs, price lists, and customer service agreements in relation to services that are not subject to regulation without PUC approval; and
- (3) authorized to cross-reference its federal tariff in its state tariff if the provider's intrastate switched access rates are the same as the provider's interstate switched access rates.

(c) Authorizes a telecommunications provider to withdraw a tariff, price list, or customer service agreement not required to be filed or maintained with PUC under this section if the telecommunications provider:

(1) files written notice of the withdrawal with PUC; and

(2) notifies its customers of the withdrawal and posts the current tariffs, price lists, or generic customer service agreements on the telecommunications provider's Internet website.

(d) Prohibits PUC from requiring a telecommunications provider to withdraw a tariff, price list, or customer service agreement.

(e) Provides that this section does not affect the authority of PUC to regulate wholesale services, or administer or enforce Chapter 56 (Telecommunications Assistance and Universal Service Fund) or any other applicable regulation permitted or required under this title.

SECTION 2. Effective date: September 1, 2011.