

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas  
2 83rd General Assembly  
3 Regular Session, 2001  
4

As Engrossed: H4/10/01

# A Bill

Act 1769 of 2001  
HOUSE BILL 2426

5 By: Representatives Milligan, Agee, Bevis, Bolin, Cleveland, Cowling, Eason, Hathorn, Hickinbotham,  
6 Jackson, Jacobs, G. Jeffress, McMellon, Oglesby, Parks, Prater, Scroggin, Seawel, Stovall, Verkamp,  
7 Weaver, Wood  
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## For An Act To Be Entitled

10 AN ACT TO AUTHORIZE THE ARKANSAS PUBLIC SERVICE  
11 COMMISSION TO ESTABLISH A CALLING PLAN IN THE  
12 STATE; AND FOR OTHER PURPOSES.  
13  
14

### Subtitle

15 AN ACT TO AUTHORIZE THE ARKANSAS PUBLIC  
16 SERVICE COMMISSION TO ESTABLISH A  
17 CALLING PLAN IN THE STATE.  
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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23 SECTION 1. (a)(1) The Arkansas Public Service Commission shall, by  
24 regulation, establish calling plans in telephone exchanges in the state.

25 (2) The commission shall determine the size of exchanges that  
26 will be eligible for the calling plan.

27 (b)(1) The commission may establish end user charges for the plan in  
28 an amount not to exceed two dollars and fifty cents (\$2.50) per month per  
29 access line to be applied in the affected exchanges. In addition the  
30 commission may establish usage based charges or other end user charges as  
31 appropriate to fund the plan.

32 (2) The plan shall be funded by customer charges under  
33 subdivision (b)(1) and by the Arkansas Calling Plan Fund established by the  
34 act of 2001 Regular Session of the Arkansas General Assembly which was  
35 introduced as Senate Bill 935.

36 (c) The plan may vary among telephone exchanges based on factors

1 determined by the commission.

2 (d) In establishing the calling plan, the commission shall consider  
3 basic local exchange rates, calling scopes, the ability of customers to call  
4 the county seat, access to industry and business, the cost of providing the  
5 calling plan, and the availability of funding from the Arkansas Calling Plan  
6 Fund.

7 (e) The plan provided to different telephone exchanges may vary in  
8 minutes in the plan, and the cost to customers for the plan, and may be  
9 either mandatory or optional plans.

10 (f) Any mandatory plan shall be subject to approval by the customers  
11 of the exchanges that would be subject to the monthly end user charge  
12 associated with the proposed plan through a balloting process. A minimum of  
13 fifty-one percent (51%) of the ballots returned must be in favor of such  
14 proposed calling plan in order for the proposed calling plan to be  
15 implemented.

16 (g) Incumbent Local Exchange Carriers shall not be entitled to AUSF  
17 recovery for lost toll revenues associated with the implementation of these  
18 calling plans. In establishing such plans, the commission is required to  
19 ensure that all costs to Incumbent Local Exchange Carriers of implementing  
20 such plans, including but not limited to lost toll and access revenues,  
21 network and equipment costs, and costs incurred to terminate associated plan  
22 traffic, are fully compensated by the combination of end user charges and  
23 funds provided to each Incumbent Local Exchange Carrier from the Arkansas  
24 Calling Plan Fund. Lost toll revenues shall be determined by a two-month  
25 study of actual toll usage and revenues for traffic on the proposed route.

26  
27 SECTION 2. EMERGENCY CLAUSE. It is found the determined by the  
28 General Assembly that it is important that Arkansans have access to  
29 government, business, and to others; that there is a need to establish a  
30 calling plan in order to enable Arkansans to have better access to  
31 government, business, and others; that this act provides for such a plan; and  
32 that this act needs to become effective immediately so that the Arkansas  
33 Public Service Commission may begin the process of promulgating regulations.  
34 Therefore, an emergency is declared to exist and this act being immediately  
35 necessary for the preservation of the public peace, health and safety shall  
36 become effective on the date of its approval by the Governor. If the bill is

1 neither approved nor vetoed by the Governor, it shall become effective on the  
2 expiration of the period of time during which the Governor may veto the bill.  
3 If the bill is vetoed by the Governor and the veto is overridden, it shall  
4 become effective on the date the last house overrides the veto.

5 /s/ Milligan, et al.

8 APPROVED: 4/18/2001

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