

State of Arkansas
76th General Assembly
Regular Session, 1987
By: Senator Walters

SENATE BILL 84

"AN ACT TO PROVIDE THE PUBLIC SERVICE COMMISSION WITH AUTHORITY TO DETERMINE NEED FOR TELEPHONE SERVICE BEYOND THE AUTHORIZED TERRITORY SERVED BY A PUBLIC TELEPHONE COMPANY, AND TO AUTHORIZE THE COMMISSION TO ORDER SAID PUBLIC TELEPHONE COMPANY TO EXTEND ITS SERVICE AREA TO INCLUDE ANY DESIGNATED AREA DETERMINED BY THE COMMISSION TO BE IN NEED OF SUCH SERVICE; AND FOR OTHER PURPOSES."

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. When it is determined by the Arkansas Public Service Commission, upon complaint by one or more residents of this State requesting telephone service in an area outside the authorized service area of any public telephone company regulated by the Commission, that, in fact, such service is not available to said resident(s), the Commission may:

(a) Compel service to be rendered by a public telephone company in an area to be determined and designated by the Commission; and

(b) Condition the subsequent provision of service on the payment of such contribution in aid of construction as may be appropriate pursuant to the Company's last approved tariff.

SECTION 2. The Commission may allocate territory under this Act only following notice and hearing.

SECTION 3. If any provision of this Act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the Act which can be given effect without the invalid provision or application, and to this end the provisions of this Act are declared to be severable.

SECTION 4. All laws and parts of laws in conflict with this Act are hereby repealed.

SECTION 5. EMERGENCY. It is hereby found and determined by the General Assembly that an urgent need exists for laws empowering the Arkansas Public Service Commission to assure adequate telephone service to all residents within the State of Arkansas. Therefore, an emergency is hereby declared to exist and this Act being necessary for the preservation of the public peace, health and safety shall be in full force and effect from and after its passage and approval.

