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Overview

House File 1066 allows a local exchange carrier to request the Minnesota Public Utilities Commission to examine competitive market conditions in a local calling area in which the carrier provides service, and, if certain competitive criteria specified in the bill are met, allows the carrier to be subject to less restrictive regulatory provisions.

Section

1 [237.025] Competitive market regulation.

Subd. 1. Definitions.

Subd. 2. Petition. Lists the information that must be included in a petition to the Minnesota Public Utilities Commission by a local exchange carrier seeking to be regulated under this section in a local calling area.

Subd. 3. Process; objection; review. Provides that a petition is deemed approved if no objections to it are filed within 20 days of its filing with the commission. The commission shall make a final determination on the petition's merits within 120 days of its filing.

Subd. 4. Competitive criteria. Specifies market criteria that must be met in a local calling area in order for the commission to approve a local exchange carrier being regulated under this section, including the local exchange carrier's market share, the

Section

number and type of competitors present, the absence of significant barriers to entry, and the inability of a single provider to deter competition.

Subd. 5. Market regulation. Specifies the regulatory provisions to which a local exchange carrier approved to be regulated under this section is subject. All regulatory plans and price and service provisions to which the local exchange carrier is subject terminate on the day regulation under this section is effective.

Subd. 6. Relation to other law. Provides that the provisions of this section do not affect the commission's jurisdiction over intrastate access rates and terms, dispute resolution with respect to intercarrier compensation or wholesale telecommunications services, and authority with respect to public rights-of-way.

Subd. 7. Re-examining applicability of competitive criteria. Authorizes the commission, on its own motion or upon petition, to examine whether the competitive criteria in subdivision 4 continue to be met in a local calling area in which a petition under this section was previously approved. If they are not, the commission may determine the appropriate level of regulation.