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Overview

House File 1665 prohibits state regulation of two advanced telecommunications technologies, Voice-over-Internet Protocol (VoIP) and Internet Protocol-enabled service with certain limited exceptions. Providers using those technologies are subject only to:

- (1) requirements to collect and remit to the state customer surcharges for 911 emergency service and other state programs to which all voice service providers contribute;
- (2) requirements to provide access to 911 service and to report on the provision of those services to the commission;
- (3) the authority of the Minnesota Public Utilities Commission's jurisdiction over intrastate switched access rates and dispute resolution regarding intercarrier compensation;
- (4) the authority of the commission and local units of government with respect to the use of public rights-of-way; and
- (5) procurement policies or work rules of state and local governments in relation to the protection of intellectual property.

Section

1 [237.01] Subd. 10. Voice-over-Internet protocol. Definition.

Section

2 [237.01] **Subd. 11. Internet protocol-enabled service.** Definition.

3 [237.037] **Voice-over-Internet protocol service and Internet protocol-enabled service.**

Subd. 1. Regulation prohibited. Prohibits any regulation by a state agency of any aspect of VoIP or IP-enabled service, except as provided in this section.

Subd. 2. VoIP regulation. Specifies that, to the extent allowed under federal law, VoIP service is subject to Minnesota's surcharges for 911 emergency service, telecommunications access Minnesota (TAM, which provides devices to persons with communication disabilities to enable them to use a telecommunications service), and the telephone assistance plan (TAP, which subsidizes the phone bills of low-income persons). Requires VoIP providers to comply with federal requirements to provide access to 911 service and to report annually to the commission how that is accomplished.

Subd. 3. Relation to other law. Specifies that nothing in this section affects:

- the Minnesota Public Utilities Commission's jurisdiction over intrastate access rates and terms, dispute resolutions with respect to intercarrier compensation, wholesale telecommunications services; or
- the authority of local units of government with respect to the regulation of public rights-of way.

Subd. 4. Exemption. Specifies that any IP-enabled video service, including cable TV video service, is not regulated by the state.

Subd. 5. Preservation of existing landline telephone service. Specifies that obligations of a telephone company to offer non-VOIP landline service is not affected by this section.