

107TH CONGRESS
1ST SESSION

H. R. 3142

To establish a separate process for State commission evaluation of rural and small telephone company exemptions, suspensions, and modifications, with respect to advanced telecommunications capabilities.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 16, 2001

Mr. RADANOVICH introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To establish a separate process for State commission evaluation of rural and small telephone company exemptions, suspensions, and modifications, with respect to advanced telecommunications capabilities.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Rural Exemption En-
5 hancement Act of 2001”.

1 **SEC. 2. PROCEDURE FOR LIFTING SPECIAL PROVISIONS**
2 **FOR RURAL AND SMALL CARRIERS.**

3 Section 251(f) of the Communications Act of 1934
4 (47 U.S.C. 251(f)) is amended by adding at the end the
5 following new paragraph:

6 “(3) SEPARATE DETERMINATIONS WITH RE-
7 SPECT TO ADVANCED TELECOMMUNICATIONS CAPA-
8 BILITIES.—

9 “(A) SEPARATION FROM VOICE SERVICE
10 DETERMINATIONS.—The provisions of para-
11 graph (1) and (2) shall not be applied to grant
12 or withdraw an exemption from, or suspension
13 or modification of, a requirement or require-
14 ments with respect to an advanced tele-
15 communications capability as part of a deter-
16 mination to grant or withdraw an exemption
17 from, or suspension or modification of, a re-
18 quirement or requirements with respect to voice
19 communications services. Any bona fide request
20 for interconnection, services, or network ele-
21 ments with regard to an advanced telecommuni-
22 cations capability shall be made separately from
23 a request with regard to voice telecommuni-
24 cations services. A requesting carrier shall sepa-
25 rately demonstrate to a State commission that
26 the request with regard to advanced tele-

1 communications capability meets the require-
2 ments found in paragraph (1) or (2), as the
3 case may be.

4 “(B) DEFINITION.—As used in this sub-
5 section, the term ‘advanced telecommunications
6 capability’ has the meaning given such term in
7 section 706(c)(1) of the Telecommunications
8 Act of 1996.”.

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