

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

H

1

HOUSE BILL 486

Short Title: College Telecomm. Services.

(Public)

Sponsors: Representatives Barnes and Hackney.

Referred to: Infrastructure.

March 8, 1989

A BILL TO BE ENTITLED

AN ACT TO PERMIT COLLEGES AND UNIVERSITIES TO PROVIDE CERTAIN
TELECOMMUNICATION SERVICES TO AFFILIATED ENTITIES ON
CONTIGUOUS AND NONCONTIGUOUS PROPERTY.

The General Assembly of North Carolina enacts:

Section 1. G.S. 62-110(d) reads as rewritten:

"(d) The Commission shall be authorized, consistent with the public interest and notwithstanding any other provision of law, to adopt procedures for the purpose of allowing shared use and/or resale of any telephone service provided to persons who occupy the same contiguous premises (as such term shall be defined by the Commission); provided, however, that there shall be no 'networking' of any services authorized under this section whereby two or more premises where such services are provided are connected, and provided further that the certificated local exchange telephone company shall be the only provider of access lines or trunks connecting such authorized service to the telephone network, and that the local service rates approved by the Commission for local exchange lines or trunks being shared or resold shall be fully compensatory and on a measured usage basis where facilities are available or on a message rate basis otherwise. Provided however, the Commission may permit or approve rates on bases other than measured or message for shared service whenever the service is offered to patrons of hospitals, nursing homes, rest homes, licensed retirement centers, members of clubs or students living in quarters furnished by educational institutions, or persons temporarily subleasing a residential premise. Provided further that any telephone services offered by nonprofit colleges and universities, and their affiliated medical centers, which are qualified under Sections 501 and 170 of the United

1 States Internal Revenue Code of 1986 or which are State-owned institutions shall be
2 considered shared services, and may be provided on both contiguous and noncontiguous
3 premises of the institutions, provided these services are offered to students or guests
4 housed in quarters furnished by the institutions, patrons of hospitals or medical centers
5 of the institutions, or persons or businesses affiliated with the institutions for the
6 purposes of providing professional, consulting, research, food, or other support services
7 to or for the institutions, their students, or patrons. Nothing in this section shall exempt
8 these colleges, universities, or affiliated medical centers from measured or message rate
9 pricing which is generally applicable to business customers, nor prohibit these
10 institutions from electing optional rates which include measured or message rate
11 services, but telephone services offered by these colleges, universities, and affiliated
12 medical centers shall nevertheless continue to be deemed shared services. The
13 Commission shall issue rules to implement the service authorized by this section,
14 considering the competitive nature of the offerings and, notwithstanding any other
15 provision of law, the Commission shall determine the extent to which such services
16 shall be regulated and, to the extent necessary to protect the public interest, regulate the
17 terms, conditions, and rates charged for such services and the terms and conditions for
18 interconnection to the local exchange network. The Commission shall require any
19 person offering telephone service under this subsection by means of a Private Branch
20 Exchange ('PBX') or key system to secure adequate local exchange trunks from the
21 local exchange telephone company to assure a quality of service equal to the quality of
22 service generally found acceptable by the Commission. Unless otherwise ordered by
23 the Commission for good cause shown by the company, the right and obligation of the
24 local exchange carrier to provide local service directly to any person located within its
25 certificated service area shall continue to apply to premises where shared or resold
26 telephone service is available, provided however, the Commission shall be authorized to
27 establish the terms and conditions under which such services should be provided.”

28 Sec. 2. This act is effective upon ratification.