H HOUSE DRH10787-LM-129 (03/19) D

| Short Title: | Consumer Choice and Investment Act of 2009. | (Public) |
|--------------|---|----------|
| Sponsors: | Representatives Holliman and Brubaker (Primary Sponsors). | |
| Referred to: | | |

A BILL TO BE ENTITLED

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 AN ACT ESTABLISHING THE CONSUMER CHOICE AND INVESTMENT ACT OF 2009.

Whereas, the technology used to provide communications services has evolved and continues to evolve at an ever-increasing pace; and

Whereas, the resulting competition between traditional telephone service providers, cable companies offering communications services, voice-over Internet protocol (VoIP) providers, wireless communications service providers, and other communications service providers promotes and continues to promote additional consumer choices for these services; and

Whereas, traditional telephone service providers remain subject to certain antiquated statutory and regulatory restrictions that do not apply to other communications service providers; and

Whereas, this disparity may deprive consumers of traditional telephone companies of the full range of timely and competitive options and offerings that otherwise would be available to them; and

Whereas, the General Assembly finds that relaxing certain restrictions for traditional telephone companies will relieve consumers of unnecessary costs and burdens, encourage investment, and promote timely deployment of more innovative offerings at more competitive prices for customers; and

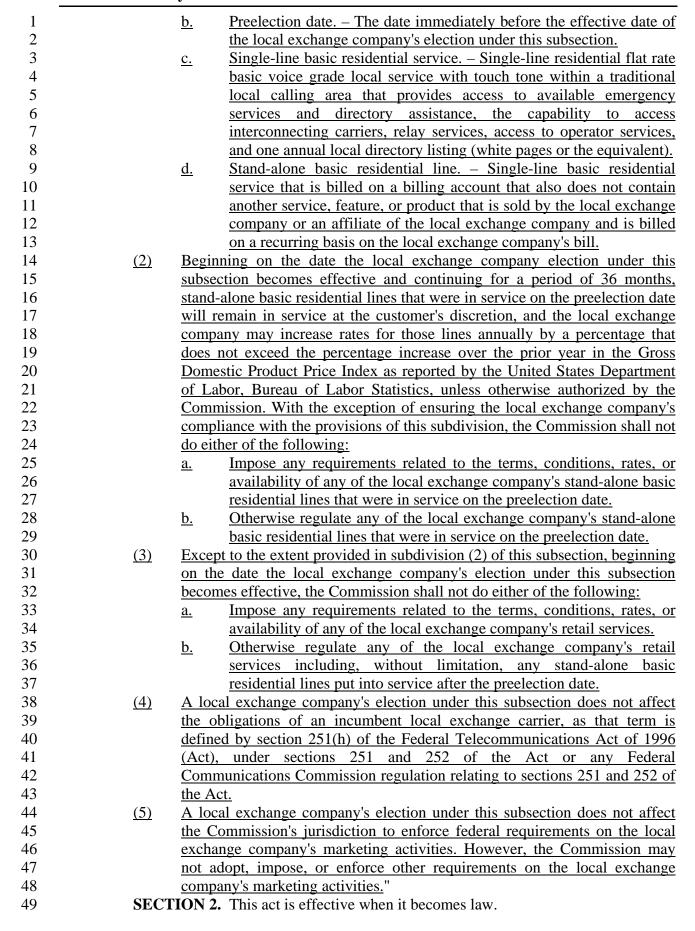
Whereas, in order to make the full range of competitive options and offerings available to consumers of communications services while maintaining inflation-based price controls for those existing customers who currently receive and wish to continue receiving only stand-alone basic residential lines from traditional telephone companies, the General Assembly hereby enacts the "Consumer Choice and Investment Act of 2009"; Now, therefore,

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 62-133.5 is amended by adding a new subsection to read as follows:

- "(h) Notwithstanding any other provision of this Chapter, a local exchange company that is subject to rate of return regulation pursuant to G.S. 62-133 or subject to another form of regulation authorized by this section may elect to have the rates, terms, and conditions of its services determined as provided in this subsection.
 - (1) Definitions. The following definitions apply in this subsection:
 - <u>a.</u> <u>Local exchange company. The same meaning as provided in G.S. 62-3(16a).</u>





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