

CHAPTER 89

PUBLIC UTILITIES

SENATE BILL 13-194

BY SENATOR(S) Steadman, Harvey, Jahn, Lambert, Lundberg, Marble, Morse;
also REPRESENTATIVE(S) Gerou.

AN ACT

**CONCERNING A REPEAL OF A TELEPHONE ASSISTANCE PROGRAM FOR LOW-INCOME INDIVIDUALS,
AND, IN CONNECTION THEREWITH, REDUCING AN APPROPRIATION.**

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. In Colorado Revised Statutes, **repeal** article 3.4 of title 40.

SECTION 2. In Colorado Revised Statutes, 40-3-106, **amend** (1) (a) as follows:

40-3-106. Advantages prohibited - graduated schedules - consideration of household income and other factors - definitions. (1) (a) Except when operating under paragraph (c) or (d) of this subsection (1), ~~or pursuant to article 3.4 of this title, no~~ A public utility, as to rates, charges, service, or facilities, or in any other respect, shall NOT make or grant any preference or advantage to ~~any~~ A corporation or person or subject ~~any~~ A corporation or person to any prejudice or disadvantage. ~~No~~ A public utility shall NOT establish or maintain any unreasonable difference as to rates, charges, service, facilities, or ~~in any respect, either~~ between localities or ~~as between any class of service.~~ The commission ~~has the power to~~ MAY determine any question of fact arising under this section.

SECTION 3. In Colorado Revised Statutes, 40-15-503.5, **amend** (1) (c) as follows:

40-15-503.5. Financial assurance. (1) The commission may require regulated telecommunications service providers to post a bond or provide other security as a condition of obtaining a certificate, registration, or operating authority, whichever instrument or instruments apply. In setting the amount of the bond or security, the commission may consider the following criteria:

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

(c) The history of the provider's statutory payment obligations, including those to the Colorado high cost support mechanism, ~~the Colorado telephone low-income assistance program~~, the Colorado telephone relay system, and the Colorado fixed utility fund.

SECTION 4. Appropriation - adjustments to 2013 long bill. (1) For the implementation of this act, appropriations made in the annual general appropriation act to the department of human services for the fiscal year beginning July 1, 2013, for the cash funds appropriation from the low-income telephone assistance fund created in section 40-3.4-108 (2) (a), Colorado Revised Statutes, for administration of the low-income telephone assistance program in the special purpose welfare programs subdivision of the office of self sufficiency, is decreased by \$118,272 and 1.5 FTE.

(2) For the implementation of this act, appropriations shown in the annual general appropriation act to the department of regulatory agencies for the fiscal year beginning July 1, 2013, for the informational cash funds appropriation from the low-income telephone assistance fund created in section 40-3.4-108 (2) (a), Colorado Revised Statutes, for the public utilities commission, is decreased by \$725,548.

SECTION 5. Wind up - satisfying obligations of low-income telephone assistance fund. Notwithstanding the repeal of article 3.4 of title 40, Colorado Revised Statutes, the low-income telephone assistance fund continues until July 1, 2013, to satisfy remaining financial obligations of the fund. In winding up the Colorado telephone low-income assistance program, the public utilities commission may use the moneys in the fund to make disbursement to the carriers, pay administrative expenses of the department of human services, and offset costs of ending the program. On July 1, 2013, the treasurer shall transfer the remainder of the moneys in the fund to the general fund.

SECTION 6. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: April 1, 2013