

CHAPTER 26

PUBLIC UTILITIES

HOUSE BILL 97-1024

BY REPRESENTATIVES Allen and Bacon;
also SENATORS Arnold and Bishop.

AN ACT

CONCERNING PRIVATE TELECOMMUNICATIONS NETWORKS, AND, IN CONNECTION THEREWITH,
AMENDING THE DEFINITION OF "PRIVATE TELECOMMUNICATIONS NETWORK", TO INCLUDE
COLLEGE-PROVIDED TELECOMMUNICATIONS SERVICES.

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

SECTION 1. 40-15-102 (23), Colorado Revised Statutes, 1993 Repl. Vol., is amended to read:

40-15-102. Definitions. As used in this article, unless the context otherwise requires:

(23) (a) "Private telecommunications network" means a system, including the construction, maintenance, or operation of such system, for the provision of telecommunications service, or any portion of such service, by a person or entity for the sole and exclusive use of such person or entity and not for resale, directly or indirectly.

(b) "Private telecommunications network" also includes:

(I) Any telecommunications service, the operation, facilities, or premises of which are or may be shared by energy utilities, used solely and exclusively by and for such utilities and not for resale, directly or indirectly; AND

(II) A TELECOMMUNICATIONS SERVICE OWNED OR LEASED BY A COLLEGE, AS DEFINED IN SECTION 23-3-103 (1), C.R.S., USED SOLELY AND EXCLUSIVELY BY AND FOR SUCH COLLEGE AND NOT FOR RESALE, DIRECTLY OR INDIRECTLY, FOR THE PURPOSE OF PROVIDING SERVICES TO:

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

(A) STUDENTS RESIDING IN HOUSING OWNED BY OR AFFILIATED WITH SUCH COLLEGE, STUDENTS REGISTERED AND ENROLLED AT SUCH COLLEGE, AND INVITED GUESTS OF SUCH STUDENTS; OR

(B) FACULTY, STAFF, OR CONCESSIONAIRES OF SUCH COLLEGE OR THE INVITED GUESTS OF SUCH FACULTY, STAFF, OR CONCESSIONAIRES.

(c) Construction, maintenance, or operation of a private telecommunications network shall not constitute the provision of public utility service, and such network shall not be subject to any of the provisions of THIS ARTICLE OR OF articles 1 to 7 of this title.

SECTION 2. 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: March 24, 1997