

CHAPTER 134

PUBLIC UTILITIES

HOUSE BILL 05-1203

BY REPRESENTATIVE(S) Riesberg, and McFadyen;
also SENATOR(S) Veiga.

AN ACT

CONCERNING THE EQUITABLE DISTRIBUTION BY THE PUBLIC UTILITIES COMMISSION OF HIGH COST SUPPORT MECHANISM FUNDING TO ELIGIBLE PROVIDERS.

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

SECTION 1. 40-15-102, Colorado Revised Statutes, is amended BY THE ADDITION OF THE FOLLOWING NEW SUBSECTIONS to read:

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

(6.5) "DISTRIBUTED EQUITABLY" MEANS THAT DISTRIBUTION BY THE COMMISSION OF HIGH COST SUPPORT MECHANISM FUNDING TO ELIGIBLE PROVIDERS SHALL BE ACCOMPLISHED USING REGULATORY PRINCIPLES THAT ARE NEUTRAL IN THEIR EFFECT, THAT DO NOT FAVOR ONE CLASS OF PROVIDERS OVER ANOTHER, AND THAT DO NOT CAUSE ANY ELIGIBLE TELECOMMUNICATIONS PROVIDER TO EXPERIENCE A REDUCTION IN ITS HIGH COST SUPPORT MECHANISM SUPPORT REVENUE REQUIREMENT BASED UPON COMMISSION RULES THAT ARE NOT APPLICABLE TO OTHER TELECOMMUNICATIONS PROVIDERS.

(19.3) "NONDISCRIMINATORY AND COMPETITIVELY NEUTRAL BASIS" MEANS THAT DECISIONS BY THE COMMISSION CONCERNING THE DISTRIBUTION OF HIGH COST SUPPORT MECHANISM FUNDING TO ELIGIBLE PROVIDERS SHALL BE MADE USING REGULATORY PRINCIPLES THAT ARE NEUTRAL IN THEIR EFFECT, THAT DO NOT FAVOR ONE CLASS OF PROVIDERS OVER ANOTHER, AND THAT DO NOT RESULT IN THE IMPOSITION OF REGULATORY REQUIREMENTS OR COSTS ON ONE CLASS OF ELIGIBLE PROVIDERS THAT ARE NOT IMPOSED ON OTHERS.

SECTION 2. Effective date - applicability. This act shall take effect July 1,

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

2005, and shall apply to the distribution of high cost support mechanism funding occurring on or after said date.

SECTION 3. 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: May 4, 2005