

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

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HOUSE BILL 486
Committee Substitute Favorable 5/4/89

Short Title: College Telecomm. Services.

(Public)

Sponsors:

Referred to:

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~~ subsection 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 other than those referred to in subsection (e) of this section, nursing homes, rest homes, licensed retirement centers, members of clubs or students living in quarters furnished by educational institutions other than those referred to in subsection (e) of this section, or persons temporarily

1 subleasing a residential premise. The Commission shall issue rules to implement the
2 service authorized by this ~~section~~, subsection, considering the competitive nature of the
3 offerings and, notwithstanding any other provision of law, the Commission shall
4 determine the extent to which such services shall be regulated and, to the extent
5 necessary to protect the public interest, regulate the terms, conditions, and rates charged
6 for such services and the terms and conditions for interconnection to the local exchange
7 network. The Commission shall require any person offering telephone service under
8 this subsection by means of a Private Branch Exchange ('PBX') or key system to secure
9 adequate local exchange trunks from the local exchange telephone company to assure a
10 quality of service equal to the quality of service generally found acceptable by the
11 Commission. Unless otherwise ordered by the Commission for good cause shown by
12 the company, the right and obligation of the local exchange carrier to provide local
13 service directly to any person located within its certificated service area shall continue
14 to apply to premises where shared or resold telephone service is available, provided
15 however, the Commission shall be authorized to establish the terms and conditions
16 under which such services should be provided."

17 Sec. 2. G.S. 62-110 is amended by adding the following new section:

18 "(e) Notwithstanding subsection (d) of this section, the Commission may
19 authorize any telephone services provided to a nonprofit college or university, and its
20 affiliated medical centers, which is qualified under Sections 501 and 170 of the United
21 States Internal Revenue Code of 1986 or which is a State-owned institution, to be
22 shared or resold by that institution on both contiguous campus premises owned or
23 leased by the institution and noncontiguous premises owned or leased exclusively by the
24 institution, provided these services are offered to students or guests housed in quarters
25 furnished by the institution, patrons of hospitals or medical centers of the institution, or
26 persons or businesses providing educational, research, professional, consulting, food, or
27 other support services directly to or for the institution, its students, or guests. The
28 services of the certified local exchange telephone company, when provided to said
29 colleges, universities, and affiliated medical centers shall be rated in the same way as
30 those provided for shared service offered to patrons of hospitals, nursing homes, rest
31 homes, licensed retirement centers, members of clubs or students living in quarters
32 furnished by educational institutions as provided for in subsection (d) of this section.
33 The institutions regulated pursuant to this subsection shall not be prohibited from
34 electing optional services from the certificated local exchange telephone company
35 which include measured or message rate services. There shall be no 'networking' of any
36 services authorized under this subsection whereby two or more different institutions
37 where such services are provided are interconnected. The certified local exchange
38 telephone company shall be the only provider of access lines or trunks connecting such
39 authorized services to the telephone network. The Commission shall require such
40 institutions to secure adequate local exchange trunks from the certified local exchange
41 telephone company to assure a quality of service equal to the quality of service
42 generally found acceptable by the Commission. Unless otherwise ordered by the
43 Commission for good cause shown by the certified local exchange telephone company,
44 the right and obligation of the local exchange company to provide local service directly

1 to any person located within its certificated service area shall continue to apply to
2 premises where shared or resold telephone service is available under this subsection,
3 provided however, the Commission shall be authorized to establish the terms and
4 conditions under which such service should be provided. The Commission shall issue
5 rules to implement the services authorized by this subsection."

6 Sec. 3. This act is effective upon ratification.