

**ASSEMBLY BILL**

**No. 2213**

---

---

**Introduced by Assembly Member Fuentes**

February 18, 2010

---

---

An act to amend Sections 871.5, 872, and 878 of the Public Utilities Code, relating to telecommunications.

LEGISLATIVE COUNSEL'S DIGEST

AB 2213, as introduced, Fuentes. Moore Universal Telephone Service Act.

The Moore Universal Telephone Service Act established the Universal Lifeline Telephone Service (ULTS) program in order to provide low-income households with access to affordable basic residential telephone service.

This bill would replace the definition of “residential” in the Moore Universal Telephone Service Act with a definition of “household” and would make conforming changes.

Existing law requires that a lifeline telephone service subscriber be provided with one single party line at his or her principal place of residence.

This bill would instead require that a lifeline telephone service subscriber be provided with one lifeline subscription, as defined by the commission, at his or her principal place of residence.

Existing law makes any public utility, as defined, and any corporation other than a public utility, that violates the Public Utilities Act, or that fails to comply with any part of any order, decision, rule, direction, demand, or requirement of the commission, guilty of a crime.

Because the provisions of this bill are within the act and require action by the commission to implement its requirements, a violation of these

provisions would impose a state-mandated local program by expanding the definition of a crime.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. The Legislature finds and declares all of the
- 2 following:
- 3 (a) Ensuring that all state residents have access to affordable,
- 4 reliable, and high-quality basic local telephone service is a
- 5 longstanding policy of the state.
- 6 (b) To help achieve this policy, the Legislature enacted the
- 7 Moore Universal Telephone Service Act that created a lifeline
- 8 class of telephone service for low-income citizens.
- 9 (c) Technologies beyond traditional landline telephones are now
- 10 available in California and could be used to offer low-income
- 11 citizens access to affordable, reliable, and high-quality basic
- 12 telephone service.
- 13 (d) If alternative technologies are used to provide lifeline
- 14 telephone services, the technologies should provide voice
- 15 telecommunications services at the same level of reliability and
- 16 quality as traditional landline services and provide the same level
- 17 of access to emergency and community services as traditional
- 18 landline services.
- 19 (e) In Decision 06-08-030, the Public Utilities Commission
- 20 established a uniform regulatory framework for the large- and
- 21 mid-sized incumbent local exchange carriers that granted those
- 22 telephone corporations broad pricing freedoms concerning almost
- 23 all telecommunications services, new telecommunications products,
- 24 bundles of services, promotions, and contracts.
- 25 (f) In developing new lifeline rates after the uniform regulatory
- 26 framework decision, the commission must ensure that low-income
- 27 ratepayers continue to have access to affordable telephone services.

1 SEC. 2. Section 871.5 of the Public Utilities Code is amended  
2 to read:

3 871.5. The Legislature finds and declares all of the following:

4 (a) The offering of high quality basic telephone service at  
5 affordable rates to the greatest number of citizens has been a  
6 longstanding goal of the state.

7 (b) The Moore Universal Telephone Service Act has been, and  
8 continues to be, an important means for achieving universal service  
9 by making basic ~~residential~~ telephone service affordable to  
10 low-income ~~citizens~~ *households* through the creation of a lifeline  
11 class of service.

12 (c) Every means should be employed by the commission and  
13 telephone corporations ~~operating within service areas which furnish~~  
14 ~~lifeline telephone service~~ to ensure that every ~~person~~ *household*  
15 qualified to receive lifeline telephone service is informed of and  
16 is afforded the opportunity to subscribe to that service.

17 (d) The furnishing of lifeline telephone service is in the public  
18 interest and should be supported fairly and equitably by every  
19 telephone corporation, and the commission, in administering the  
20 lifeline telephone service program, should implement the program  
21 in a way that is equitable, nondiscriminatory, and without  
22 competitive consequences for the telecommunications industry in  
23 California.

24 SEC. 3. Section 872 of the Public Utilities Code is amended  
25 to read:

26 872. As used in this article, ~~“residential”~~ *“household”* means  
27 ~~a residential use dwelling that is the principal place of residence~~  
28 ~~of the lifeline telephone service subscriber,~~ and excludes any  
29 industrial, commercial, ~~and every other category of end use or~~  
30 ~~other nonresidential building.~~

31 SEC. 4. Section 878 of the Public Utilities Code is amended  
32 to read:

33 878. A lifeline telephone service subscriber shall be provided  
34 with ~~one single party line lifeline subscription, as defined by the~~  
35 ~~commission,~~ at his or her principal place of residence, and no other  
36 member of that subscriber’s family or household who maintains  
37 residence at that place is eligible for lifeline telephone service.

38 An applicant for lifeline telephone service may report only one  
39 address in this state as the principal place of residence.

1     SEC. 5. No reimbursement is required by this act pursuant to  
2 Section 6 of Article XIII B of the California Constitution because  
3 the only costs that may be incurred by a local agency or school  
4 district will be incurred because this act creates a new crime or  
5 infraction, eliminates a crime or infraction, or changes the penalty  
6 for a crime or infraction, within the meaning of Section 17556 of  
7 the Government Code, or changes the definition of a crime within  
8 the meaning of Section 6 of Article XIII B of the California  
9 Constitution.

O