

SENATE BILL No. 1330

May 15, 2002, Introduced by Senators PETERS, BYRUM, DE BEAUSSAERT, YOUNG, KOIVISTO, MILLER and SMITH and referred to the Committee on Technology and Energy.

A bill to amend 1991 PA 179, entitled
"Michigan telecommunications act,"
by amending section 305 (MCL 484.2305), as amended by 1995
PA 216.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 305. (1) A provider of basic local exchange service
2 shall not do any of the following:

3 (a) Discriminate against another provider by refusing or
4 delaying access service to the local exchange.

5 (b) Refuse or delay interconnections or provide inferior
6 connections to another provider.

7 (c) Degrade the quality of access service provided to
8 another provider.

9 (d) Impair the speed, quality, or efficiency of lines used
10 by another provider.

1 (e) Develop new services to take advantage of planned but
2 not publicly known changes in the underlying network.

3 (f) Refuse or delay a request of another provider for infor-
4 mation regarding the technical design, equipment capabilities and
5 features, geographic coverage, and traffic patterns of the local
6 exchange network.

7 (g) Refuse or delay access service or be unreasonable in
8 connecting another provider to the local exchange whose product
9 or service requires novel or specialized access service
10 requirements.

11 (h) Upon a request, fail to fully disclose in a timely
12 manner all available information necessary for the design of
13 equipment that will meet the specifications of the local exchange
14 network.

15 (i) Discriminate against any provider or any party who
16 requests the information for commercial purposes in the dissemi-
17 nation of customer proprietary information. A provider shall
18 provide without unreasonable discrimination or delay telephone
19 directory listing information and related services to persons
20 purchasing telephone directory listing information to the same
21 extent and in the same quality as provided to the provider,
22 affiliates of the provider, or any other listing information
23 purchaser.

24 (j) Refuse or delay access service by any person to another
25 provider.

1 (k) Sell, lease, or otherwise transfer an asset to an
2 affiliate for an amount less than the fair market value of the
3 asset.

4 (l) Buy, lease, or otherwise acquire an asset from an affil-
5 iate of the provider for an amount greater than the fair market
6 value of the asset.

7 (m) Bundle unwanted services or products for sale or lease
8 to another provider.

9 (n) Perform any act that has been prohibited by this act or
10 an order of the commission.

11 (o) Sell services or products, extend credit, or offer other
12 terms and conditions on more favorable terms to an affiliate of
13 the provider than the provider offers to other providers.

14 (p) Discriminate in favor of an affiliated burglar and fire
15 alarm service over a similar service offered by another
16 provider.

17 (Q) SELL OR DISTRIBUTE INFORMATION REGARDING CUSTOMER TELE-
18 COMMUNICATION USAGE WITHOUT THE CUSTOMER'S PRIOR WRITTEN CONSENT.

19 (2) A provider of cellular telecommunication services shall
20 not do either of the following:

21 (a) Unreasonably provide services, extend credit, or offer
22 other terms and conditions on more favorable terms to an affili-
23 ate of the provider or to its retail department that sells to end
24 users than the provider offers to other providers.

25 (b) Unreasonably use rates or proceeds from providers,
26 directly or indirectly, to subsidize or offset the costs of

1 cellular service offered by the provider, or an affiliate of the
2 provider, to other providers or to end-users.

3 (3) Until a provider has complied with section 304a, the
4 provider of a rate regulated service shall not provide that serv-
5 ice in combination with an unregulated service in section 401 or
6 an unbundled or resold service under section 357 at a price that
7 does not exceed the total service long run incremental cost of
8 each service.