

HOUSE BILL NO. HB0018

Telecommunications-internet protocol enabled services.

Sponsored by: Joint Corporations, Elections and Political
Subdivisions Interim Committee

A BILL

for

1 AN ACT relating to public utilities; exempting internet
2 protocol enabled services from regulation as specified;
3 providing a definition; and providing for an effective
4 date.

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6 *Be It Enacted by the Legislature of the State of Wyoming:*

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8 **Section 1.** W.S. 37-15-103(a) by creating a new
9 paragraph (xviii) and 37-15-104 by creating a new
10 subsection (c) are amended to read:

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12 **37-15-103. Definitions.**

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14 (a) As used in this chapter:

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1 (xviii) "Internet protocol enabled service" or
2 "IP enabled service" means any service, capability,
3 functionality or application using existing internet
4 protocol, or any successor internet protocol, that enables
5 an end user to send or receive a communication in existing
6 internet protocol format, or any successor internet
7 protocol format, utilizing a broadband connection at the
8 end user's location, regardless of whether the
9 communication is voice, data or video.

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11 **37-15-104. Services not regulated by this title.**

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13 (c) In addition to subsections (a) and (b) of this
14 section, and except as provided in this subsection,
15 telecommunications services does not include, and the
16 provisions of this title do not apply to internet protocol
17 enabled services. As to internet protocol enabled
18 services, nothing in this subsection affects or modifies:

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20 (i) Any applicable wholesale tariff;

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22 (ii) Any entity's obligations under sections 251
23 and 252 of the Federal Communications Act of 1934, 47

1 U.S.C. §§ 251 and 252, or any right granted to an entity by
2 those sections;

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4 (iii) Any commission authority to implement or
5 enforce any rights, duties or obligations of any party
6 related to wholesale services, including those under 47
7 U.S.C. § 251 or 252;

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9 (iv) Any commission jurisdiction over intrastate
10 switched access rates, terms and conditions including the
11 implementation of federal law with respect to intercarrier
12 compensation;

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14 (v) Any obligation for the provision of video or
15 cable service by any entity under applicable law;

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17 (vi) Any required assessments under or receipt
18 of funds pursuant to W.S. 37-15-501 and 37-15-502, and any
19 right, duty or obligation of any entity pursuant to those
20 sections;

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22 (vii) Any required assessment of 911 or E-911
23 emergency service taxes pursuant to W.S. 16-9-101 through
24 16-9-105;

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(viii) Any commission jurisdiction or authority pursuant to W.S. 37-15-401(a)(vii), including but not limited to commission jurisdiction or authority to address federal high cost fund or federal universal service fund issues;

(ix) Any required special fee pursuant to W.S. 16-9-209;

(x) Any required discount pursuant to W.S. 37-2-301 through 37-2-306; or

(xi) Service which actually receive monetary support pursuant to W.S. 37-15-501 and 37-15-502.

Section 2. This act is effective July 1, 2013.

(END)