

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

**HOUSE BILL 658**

**45TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2001**

**INTRODUCED BY**

**Ben Lujan**

**AN ACT**

**RELATING TO TELECOMMUNICATIONS; AMENDING SECTION 63-9A-8.2  
NMSA 1978 (BEING LAWS 2000, CHAPTER 100, SECTION 4 AND ALSO  
LAWS 2000, CHAPTER 102, SECTION 4) TO CLARIFY THE  
APPLICABILITY OF THE PROVISIONS.**

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:**

**Section 1. Section 63-9A-8.2 NMSA 1978 (being Laws 2000,  
Chapter 100, Section 4 and also Laws 2000, Chapter 102,  
Section 4) is amended to read:**

**"63-9A-8.2. IDENTIFYING SUBSIDIES--RULES--PRICE CAPS.--**

**A. No later than December 31, 2000, the commission  
shall review existing rates for public telecommunications  
services offered by incumbent local exchange carriers with  
more than fifty thousand access lines and identify all  
subsidies that are included in the rates. The commission**

underscored material = new  
~~[bracketed material] = delete~~

underscored material = new  
[bracketed material] = delete

1 shall issue rules requiring that the identified subsidies  
2 appear on customer bills and establish a schedule not later  
3 than April 1, 2001 whereby implicit subsidies be eliminated  
4 through implementation of the state rural universal service  
5 fund or through revenue-neutral rate rebalancing or any other  
6 method consistent with the intent of the New Mexico  
7 Telecommunications Act.

8 B. No later than January 1, 2001, the commission  
9 shall adopt rules that:

10 (1) establish consumer protection and quality  
11 of service standards;

12 (2) ensure adequate investment in the  
13 telecommunications infrastructure in both urban and rural  
14 areas of the state;

15 (3) promote availability and deployment of  
16 high-speed data services in both urban and rural areas of the  
17 state;

18 (4) ensure the accessibility of  
19 interconnection by competitive local exchange carriers in both  
20 urban and rural areas of the state; and

21 (5) establish an expedited regulatory process  
22 for considering matters related to telecommunications services  
23 that are pending before the commission.

24 C. No later than April 1, 2001, but in no case  
25 prior to the adoption of the rules required in Subsection B of

. 136112. 2

underscored material = new  
[bracketed material] = delete

1 this section, the commission shall eliminate rate of return  
2 regulation of incumbent telecommunications carriers with more  
3 than fifty thousand access lines and implement an alternative  
4 form of regulation that includes reasonable price caps for  
5 basic residence and business local exchange services.

6 D. Rules adopted pursuant to this section shall  
7 not be applied to incumbent rural telecommunications carriers  
8 as that term is defined in Subsection I of Section 63-9H-3  
9 NMSA 1978. "