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### FISCAL IMPACT REPORT

SPONSOR: Jennings DATE TYPED: 2/21/01 HB \_\_\_\_\_  
 SHORT TITLE: Amend Telecommunications Act SB 263/aSJC  
 ANALYST: Valenzuela

#### APPROPRIATION

| Appropriation Contained |      | Estimated Additional Impact |      | Recurring or Non-Rec | Fund Affected |
|-------------------------|------|-----------------------------|------|----------------------|---------------|
| FY01                    | FY02 | FY01                        | FY02 |                      |               |
|                         | NFI  |                             |      |                      |               |
|                         |      |                             |      |                      |               |

(Parenthesis ( ) Indicate Expenditure Decreases)

#### SOURCES OF INFORMATION

LFC Files  
 Public Regulation Commission

#### SUMMARY

##### Synopsis of the SJC amendment

The Senate Judiciary Committee (SJC) amendment to the original bill eliminates subsections (D) and (E) from Section 6 of the New Mexico Telecommunications Act [Section 63-9A-6 NMSA 1978]. These subsections outline the non-competition exemption and criteria for telecommunications providers with fewer than 100,000 access lines. The effect of the amendment is to eliminate the exemption altogether. The original bill allowed the PRC to grant a variance to the exemption.

##### Synopsis of Original Bill

Senate Bill 263 amends the New Mexico Telecommunications Act by adding a new section and clarifying the section on the certificate of public convenience and necessity. The clarification amendment allows the Public Regulation Commission (PRC) to grant a variance to a local exchange carrier to provide local exchange service in the service area of an incumbent local exchange carrier (“ILEC”) with less than 100,000 access lines. The new section provides for the PRC to grant a variance to a local exchange carrier to provide service to a person that has requested service from the ILEC and has not received or will not receive service from the ILEC.

#### FISCAL IMPLICATIONS

Though the bill does not contain an appropriation, it could have a minor impact on the PRC because of an increased workload for those carriers who wish to provide service at the request of consumers.

MFV/njw