

Presentation to
Oregon Telecommunications Coordinating Council
February 28, 2002

A. Oregon Universal Service (OUS) Fund

(For more information, see PUC website at: www.puc.state.or.us, under Telecommunications link.)

Required by state law

ORS 759.425 requires PUC to establish and implement the OUS Fund

ORS 759.425(1) Within 12 months following September 1, 1999, the Public Utility Commission shall establish and implement a competitively neutral and nondiscriminatory universal service fund to ensure basic telephone service is available at a reasonable and affordable rate. The universal service fund shall conform to section 254 of the federal Telecommunications Act of 1996 (Public Law 104-104). The commission may delay implementation for rural telecommunications carriers, as defined in the federal Act, for up to six months after the date the Federal Communications Commission adopts a cost methodology for rural carriers.

Purpose is to:

- (1) Ensure basic telephone service is available at reasonable and affordable rates.
- (2) Encourage development of a fair and competitive telecommunications industry.

Definition of basic telephone service

- (1) PUC defines what is basic telephone service by rule.

ORS 759.400(1) "Basic telephone service" means local exchange telecommunications service defined as basic by rule of the Public Utility Commission.

- (2) PUC adopted rule defining basic telephone service (See Docket AR 368, Order No. 00-265)

860-032-0190

Definition of Basic Telephone Service

- (1) Purpose of rule. This rule defines the term "basic telephone service" pursuant to Ch. 1093, Laws of 1999 (SB 622), Section 23(1), as the term is used in Ch. 1093, Laws of 1999 (SB 622), Sections 23 through 38.
- (2) "Basic telephone service" means retail telecommunications service that is single party, has voice grade or equivalent transmission parameters and tone-dialing capability, provides local exchange calling, and gives customers access to but does not include:
 - (a) Extended area service (EAS);

- (b) Long distance service;
 - (c) Relay service for the hearing and speech impaired;
 - (d) Operator service such as call completion assistance, special billing arrangements, service and trouble assistance, and billing inquiry;
 - (e) Directory assistance; and
 - (f) Emergency 9-1-1 service, including E-9-1-1 where available.
- (3) The following are classified as basic telephone service, whether sold separately or in a package:
- (a) Residential single party flat rate local exchange service;
 - (b) Business single party flat rate local exchange service, also known as "simple" business service;
 - (c) Residential single party measured local exchange service, including local exchange usage;
 - (d) Business single party measured local exchange service, including local exchange usage;
 - (e) Private branch exchange (PBX) trunk service;
 - (f) Multiline or "complex" business service; and
 - (g) Public access line (PAL) service.
- (4) Services that are not considered basic telephone service include but are not limited to the following:
- (a) Integrated Services Digital Network (ISDN) service;
 - (b) Digital subscriber line service, also known as xDSL service;
 - (c) Frame relay service;
 - (d) Centrex-type service;
 - (e) Private line or dedicated point-to-point service;
 - (f) Packet switched service;
 - (g) Foreign exchange service;
 - (h) Multiparty service, such as two-party and four-party suburban service; and
 - (i) Custom calling features, such as call waiting and caller ID.

Basic telephone service prices

- (1) PUC establishes prices charged for basic telephone service by four large telecommunications utilities (Qwest, Verizon, United/Sprint, CenturyTel).
- (2) Small (under 50,000 lines) telecommunications utilities exempt.
- (3) Competitive providers not subject to price regulation.

Periodic PUC review

- (1) PUC must periodically review definition of basic telephone service.
- (2) PUC must periodically review benchmark and adjust as necessary.

ORS 759.425(2)(a) The Public Utility Commission shall establish the price a telecommunications utility may charge its customers for basic telephone service. The commission in its discretion shall periodically review and evaluate the status of telecommunications services in the state and designate the services included in basic telephone service. The commission in its discretion shall periodically review and adjust as necessary the price a telecommunications utility may charge for basic telephone service.

(b) The provisions of this subsection do not apply to the basic telephone service provided by a telecommunications utility described in ORS 759.040.

Distribution of support from OUS Fund

- (1) Provided to an eligible carrier for provision of basic telephone service.
- (2) Support formula

Cost of providing basic telephone service

LESS

Benchmark established by PUC (currently \$21.00 per month)

LESS

Federal support received by an eligible carrier

ORS 759.425(3)(a) The Public Utility Commission shall establish a benchmark for basic telephone service as necessary for the administration and distribution of the universal service fund. The universal service fund shall provide explicit support to an eligible telecommunications carrier that is equal to the difference between the cost of providing basic telephone service and the benchmark, less any explicit compensation received by the carrier from federal sources specifically targeted to recovery of local loop costs and less any explicit support received by the carrier from a federal universal service program.

Benchmark

- (1) Commission benchmark is \$21.00 per month.
- (2) Established in docket UM 731, Order No. 00-312.

Scope of OUS Support

- (1) Eventually, the OUS Fund will cover the entire state.
- (2) Currently, the OUS Fund covers incumbent territories of Qwest and Verizon.
- (3) PUC has designated Qwest and Verizon as eligible carriers. PUC has established standards for qualifying as an eligible carrier.
- (4) OUS Fund currently distributing \$47 million annually to Qwest (\$28 million) and Verizon (\$19 million) for provision of basic telephone service in high cost areas.
- (5) PUC is investigating expansion of the OUS Fund to cover remainder of state docket UM 1017 by adding areas served by small telecommunications utilities and telecommunications cooperatives. Preliminary information indicates expansion could increase size of fund by up to \$25 million, or a bit over 50 percent, to a total of \$72 million annually.

Source of Money for OUS Fund

- (1) Percentage surcharge on the sale of all retail telecommunications services sold in Oregon.
- (2) Telecommunications carriers pay the surcharge. Providers may pass through the surcharge to customers.
- (3) Surcharge is limited to intrastate services according to ruling of U S District Court.
- (4) Current surcharge is 5.5 percent. Could increase to about 8 percent with expansion beyond Qwest and Verizon service areas.
- (5) Cellular services are exempt, but may voluntarily participate if they wish to qualify as eligible carrier.

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ORS 759.425(5) The commission is authorized to establish a universal service fund, separate and distinct from the General Fund. The fund shall consist of all universal service surcharge moneys collected by telecommunications carriers and paid into the fund. The fund shall be used only for the purpose described in this section, and for payment of expenses incurred by the commission or a third party appointed by the commission to administer this section. All moneys in the fund are continuously appropriated to the commission to carry out the provisions of this section. Interest on moneys deposited in the fund shall accrue to the fund.

ORS 759.425(6) For purposes of this section, "retail telecommunications service" does not include radio communications service, radio paging service, commercial mobile radio service, personal communications service or cellular communications service.

ORS 759.425(7)(a) Notwithstanding subsection (6) of this section, a person who primarily provides radio communications service, radio paging service, commercial mobile radio service, personal communications service or cellular communications service may request designation as an eligible telecommunications carrier by the Public Utility Commission for purposes of participation in the universal service fund.

(b) In the event a person who primarily provides radio communications service, radio paging service, commercial mobile radio service, personal communications service or cellular communications service seeks designation as an eligible telecommunications carrier for purposes of participation in the universal service fund, the person shall provide written notice to the Public Utility Commission requesting designation as an eligible telecommunications carrier within 60 days of the date the commission establishes the fund. Upon receiving notice, the commission may designate the person as an eligible telecommunications carrier for purposes of participation in the fund.

(c) A person who primarily provides radio communications service, radio paging service, commercial mobile radio service, personal communications service or cellular communications service who fails to request designation as an eligible telecommunications carrier within 60 days of the date the universal service fund is established by the Public Utility Commission may not be designated as an eligible telecommunications carrier unless the person has contributed to the fund for at least one year immediately prior to requesting designation. [1999 c.1093 s.28]

B. ORS 759.410 PRICE CAP REGULATION

Telecommunications utilities may elect price cap regulation

- (1) Electing utility must pay into infrastructure account.
- (2) In exchange, obtains price cap regulation described in ORS 759.410.
- (3) Utility no longer subject to rate of return (i.e., profit) regulation.
- (4) This election is permanent.

ORS 759.405(1) A telecommunications carrier may elect to be subject to this section and ORS 759.410. The telecommunications carrier shall notify, in writing, the Public Utility Commission of its election. Such election shall be effective 30 days after the written notification is received by the Public Utility Commission. A telecommunications carrier that elects to be subject to this section and ORS 759.410 shall be subject to the infrastructure investment and price regulation requirements of this section and ORS 759.410 and shall not be subject to any other regulation based on earnings, rates or rate of return.

ORS 759.410(1) It is the intent of the Legislative Assembly that:

- (a) The State of Oregon cease regulation of telecommunications carriers on a rate of return basis;
- (b) Telecommunications carriers subject to rate of return regulation have the ability to opt out of rate of return regulation;
- (c) A telecommunications carrier that opts out of rate of return regulation under this section and ORS 759.405 shall be subject to price cap regulation and the carrier under price cap regulation shall continue to meet service quality requirements; and
- (d) Telecommunications carriers that opt out of rate of return regulation under this section and ORS 759.405 shall make payments to the state to support the use of advanced telecommunications services and to support deployment of advanced telecommunications services.

(2) A telecommunications carrier that elects to be subject to this section and ORS 759.405 shall be subject to price regulation as provided in this section and shall not be subject to any other retail rate regulation, including but not limited to any form of earnings-based, rate-based or rate of return regulation.

Qwest Corporation (Qwest)

- (1) Elected ORS 759.410 Price Cap Regulation on December 30, 1999.
- (2) Payment of \$120 million for infrastructure improvements.
- (3) No other telecommunications utility has elected.

Two types of regulated service

(1) *Basic telephone service*, defined by PUC in OAR 860-032-0190. Same definition must be used for both price cap regulation and Oregon Universal Service (OUS) Fund.

ORS 759.400(1) "Basic telephone service" means local exchange telecommunications service defined as basic by rule of the Public Utility Commission.

(2) Non-basic telephone service, any service other than basic.

Prices for basic telephone service

- (1) PUC must establish prices for basic telephone service.
- (2) Requirement applies to four large telecommunications utilities (Qwest, Verizon, United/Sprint, CenturyTel) whether elect price cap regulation or not.
- (3) For electing utility, PUC cannot consider utility's rate of return (profits) when establishing prices.
- (4) Small (under 50,000 lines) telecommunications utilities exempt, whether elect price cap regulation or not.

ORS 759.410(3) The price a telecommunications utility that elects to be subject to this section and ORS 759.405 may charge for basic telephone service shall be established by the Public Utility Commission under ORS 759.425. Subject to ORS 759.415, the regular tariff rate of intrastate switched access and retail telecommunications services regulated by the commission, other than basic telephone service, in effect on the date the carrier elects to be subject to this section and ORS 759.405 shall be the maximum price the telecommunications carrier may charge for that service.

Price caps for existing non-basic services

- (1) Permanent cap.
- (2) Cap is the price utility was charging at time of election.
- (3) Except, for Qwest PUC allowed to adjust price caps in one rate case, docket UT 125. See ORS 759.415.
- (4) New UT 125 rates, and therefore new caps, became effective January 1, 2002.

Price floors for existing non-basic services

- (1) PUC establishes price floors.
- (2) Floor equal to either: (a) cost of non-essential functions, or (b) price that electing carrier charges competitors for essential functions.
- (3) PUC determines which functions are essential or non-essential.
- (4) Note, there is no price floor requirement for basic telephone service.

ORS 759.410 (4) A telecommunications carrier that elects to be subject to this section and ORS 759.405 may adjust the price for a regulated retail telecommunications service between the maximum price established under this section and a price floor equal to the sum of the total service long run incremental cost of providing the service for the nonessential functions of the service and the price that is charged to other telecommunications carriers for the essential functions. Basic telephone service shall not be subject to a price floor.

New Service Prices

- (1) New services are services that electing utility introduces after the date of election.
- (2) New services are treated as non-basic.
- (3) No price cap.

- (4) Price floor for new services is same as floor for existing non-basic services for first four years.
- (5) After four years, price floor is cost.

ORS 759.410(5) The price for a new regulated retail telecommunications service introduced by a telecommunications carrier within four years after the date the carrier elects to be subject to this section and ORS 759.405 shall be subject to a price floor test by the commission to ensure that the service is not priced below the sum of the total service long run incremental cost of providing the service for the nonessential functions of the service and the price that is charged to other telecommunications carriers for the essential functions. Beginning on the date four years after September 1, 1999, the price of a new telecommunications service shall be subject to a price floor test by the commission to ensure that the service is not priced below the total service long run incremental cost of providing the service, without regard to whether the service is considered essential or nonessential.

Service Packages

- (1) Electing utility may package together any of its retail telecommunications services.
- (2) Also may package telecommunications services with non-telecommunications services (e.g., may package internet service with basic telephone service).
- (3) Electing utility must allow separate purchase of regulated services at or below the maximum price of the package.
- (4) Price of a package may not be less than sum of the price floors for regulated retail telecommunications services in the package.
- (5) Price of a package comprised entirely of regulated retail telecommunications services may not exceed sum of the price caps for individual services in package.
- (6) Price of a package comprised of regulated and unregulated retail telecommunications services may not exceed sum of price caps for individual regulated services and retail prices for individual unregulated services.

ORS 759.410(6) A telecommunications carrier that elects to be subject to this section and ORS 759.405 may package and offer any of its retail telecommunications services with any other service at any price, provided the following conditions apply:

- (a) Any regulated telecommunications service may be purchased separately at or below the maximum price.
- (b) The price of the package is not less than the sum of the price floors of each regulated retail telecommunications service included in the package.
- (c) The price of a package that is comprised entirely of regulated retail telecommunications services does not exceed the sum of the maximum prices for each of the services.
- (d) The price of a package comprised of regulated and unregulated retail telecommunications services does not exceed the sum of the maximum prices established under this section for regulated services and the retail price charged by the carrier for the individual unregulated services in the package. A telecommunications carrier subject to regulation under this section shall provide

notice to the commission within 30 days of a change in the price of an unregulated telecommunications service contained in the package.

PUC notification

- (1) For non-basic services, electing utility required to notify PUC when changes price of price-capped service, introduces new regulated service, or introduces new package.
- (2) Notice must be filed with PUC within 30 days following effective date of the change or introduction.
- (3) For basic telephone service, electing utility follows standard tariff filing procedures in ORS 759.175 through ORS 759.190 (e.g., 30 days advance notice, suspension for investigation).

ORS 759.410(8)(a) Notice of a price change authorized under subsection (4) of this section, of the introduction of a new regulated telecommunications service or of the packaging of services, must be given to the commission within 30 days following the effective date of the price change, new service or packaged service. Notice of a new regulated telecommunications service shall indicate the retail price charged by the carrier for the service.

PUC enforcement

- (1) PUC authorized to investigate price for price capped services, as well as packages and new regulated services.
- (2) If PUC determines electing utility has violated price requirements or other applicable law, PUC may order the utility back into compliance.

ORS 759.410(8)(b) The commission may investigate any price change authorized under subsection (4) of this section, the price of a new regulated telecommunications service or the price of a package of services to determine that the price complies with the provisions of this section and any other applicable law. If the commission determines that the price of the service or package of services does not comply with the provisions of this section or other applicable law, the commission may order the telecommunications carrier to take such action as the commission determines necessary to bring the price into compliance with this section or other applicable law.

Deregulation of services

- (1) An electing utility may petition for deregulation of a service.
- (2) Service deregulation is governed by ORS 759.030.
- (3) PUC required to deregulate a telecommunications service if PUC determines that competition exists.
- (4) Once a service is deregulated, PUC no longer regulates prices, terms, and conditions for the service.

ORS 759.410(7) Nothing in this section or ORS 759.405 is intended to limit the ability of a telecommunications carrier to seek deregulation of telecommunications services under ORS 759.030.

C. SERVICE QUALITY REGULATION

(For more information, see PUC website at: www.puc.state.or.us, under Telecommunications link.)

ORS 759.450 Legislative policy

- (1) Every telecommunications carrier to meet minimum service quality standards on a non-discriminatory basis.
- (2) Covers retail and wholesale services.

759.450(1) It is the intent of the Legislative Assembly that every telecommunications carrier and those telecommunications utilities and competitive telecommunications providers that provide wholesale services meet minimum service quality standards on a nondiscriminatory basis.

PUC must determine standards for retail services

- (1) PUC had service quality rules for telecommunications utilities prior to ORS 759.450.
- (2) PUC has changed its rules to add competitive providers. See docket AR 375, Order No. 00-303. Note, actual rules not included due to length. Rules may be viewed on PUC website.

ORS 759.450(2) The Public Utility Commission shall determine minimum service quality standards that relate to the provision of retail telecommunications services to ensure safe and adequate service. Except as provided in subsections (8) and (9) of this section, minimum service quality standards adopted under this section shall apply to all telecommunications carriers. The commission by rule shall review and revise the minimum service quality standards as necessary to ensure safe and adequate retail telecommunications services.

ORS 759.450(3) The minimum service quality standards for providing retail telecommunications services adopted by the commission shall relate directly to specific customer impact indices including but not limited to held orders, trouble reports, repair intervals and carrier inquiry response times. In adopting minimum service quality standards, the commission shall, for each standard adopted, consider the following:

- (a) General industry practice and achievement;
- (b) National data for similar standards;
- (c) Normal operating conditions;
- (d) The historic purpose for which the telecommunications network was constructed;
- (e) Technological improvements and trends; and
- (f) Other factors as determined by the commission.

PUC may determine standards for wholesale services

- (1) PUC has open docket for wholesale service standards. See docket AR 324. This docket is currently inactive.
- (2) FCC recently opened docket on this subject.

ORS 749.450(4) Consistent with the federal Telecommunications Act of 1996 (Public Law 104-104), as amended and in effect on September 1, 1999, the commission may establish minimum service quality standards related to providing wholesale, interconnection, transport and termination services provided by a telecommunications carrier and those telecommunications utilities and competitive telecommunications providers that provide wholesale telecommunications services.

PUC enforcement

- (1) First step must be a service improvement plan.
- (2) If carrier fails to meet its service improvement plan, PUC may seek fines in state court under ORS 759.990.
- (3) PUC does not have independent authority to impose penalties.
- (4) Another statute (Section 30, chapter 1093, Oregon Laws 1999) grants to PUC authority to impose penalties on a utility that elects price cap regulation. See below.

ORS 759.450(5) The commission shall require a telecommunications carrier, telecommunications utility or competitive telecommunications provider that is not meeting the minimum service quality standards to submit a plan for improving performance to meet the standards. The commission shall review and approve or disapprove the plan. If the carrier, utility or provider does not meet the goals of its improvement plan within six months or if the plan is disapproved by the commission, penalties may be assessed against the carrier, utility or provider on the basis of the carrier's, utility's or provider's service quality measured against the minimum service quality standards and, if assessed, shall be assessed according to the provisions of ORS 759.990.

ORS 759.450(6) Prior to commencing an action under this section and ORS 759.990, the commission shall allow a telecommunications carrier, telecommunications utility or competitive telecommunications provider an opportunity to demonstrate that a violation of a minimum service quality standard is the result of the failure of a person providing telecommunications interconnection service to meet the person's interconnection obligations.

ORS 759.450(7) Total annual penalties imposed on a telecommunications utility under this section shall not exceed two percent of the utility's gross intrastate revenue from the sale of telecommunications services for the calendar year preceding the year in which the penalties are assessed. Total annual penalties imposed on a competitive telecommunications provider under this section shall not exceed two percent of the provider's gross revenue from the sale of telecommunications services in this state for the calendar year preceding the year in which the penalties are imposed.

Exemptions

- (1) Radio common carriers (i.e., cellular carriers) and telecommunications cooperatives are fully exempt.
- (2) Small telecommunications utilities (under 50,000 lines) are except from any PUC standard that would require the utility to measure inquiry response time.

ORS 759.450(8) The provisions of this section do not apply to:

- (a) Radio communications service, radio paging service, commercial mobile radio service, personal communications service or cellular communications service; or
- (b) A cooperative corporation organized under ORS chapter 62 that provides telecommunications services.

ORS 759.450(9) Telecommunications utilities and groups of affiliated telecommunications utilities that serve fewer than 50,000 access lines in Oregon are exempt from any minimum service quality standard adopted under this section that would require the utility or group to measure carrier inquiry response time. [1999 c.1093 s.29; 2001 c.95 s.1]

Section 30 standards for electing utilities

- (1) Legislature created retail service quality standards for a utility that elects price cap regulation under ORS 759.405. See Section 30, chapter 1093, Oregon Laws 1999.
- (2) These standards are repealed January 1, 2004. See Section 41, chapter 1093, Oregon Laws 1999.
- (3) Under Section 30 standards, PUC has authority to impose penalties for poor service quality.
- (4) For year 2000, PUC imposed \$725,000 penalty.
- (5) For year 2001, PUC is considering penalty of \$255,000.

Sec. 30. (1) In addition to the minimum service quality standards established by the Public Utility Commission under section 29 of this 1999 Act [759.450], a telecommunications carrier that elects to be subject to sections 24 and 25 of this 1999 Act [759.405 and 759.410] shall be subject to the retail telecommunications service quality standards and associated penalties for noncompliance established in this section. Retail telecommunications service quality standards and associated penalties are as follows:

(a)(A) Held orders. A customer request for access line telephone service shall be considered a held order if the service is not installed due to facility reasons within five business days of the date the service is scheduled to be installed, unless a different date is agreed to by the customer and the telecommunications carrier. The average monthly number of held orders shall not exceed 6.25 per 1,000 inward orders and shall be calculated as a monthly average for each quarterly period. A penalty of \$20,000 per held order per quarterly period in excess of the standard may be assessed.

(B) As used in this paragraph, "access line" means a dial tone line that provides basic exchange services extending from the carrier's switching equipment to a point of termination at the premises of the carrier's end use customer.

(b) Held orders over 30 days. The number of held orders for primary basic telephone service held for facility reasons in excess of 30 business days shall not exceed 20 percent of the total held order standard for each quarterly period. A penalty of \$10,000 per held order in excess of the standard may be assessed.

(c) Trouble report rate. A wire center shall not have more than four trouble reports per 100 access lines per month calculated as a monthly average for each quarterly period, excluding those trouble reports beyond the control of the telecommunications carrier. A penalty of \$25,000 per wire center may be assessed for each month of noncompliance with this standard.

(d) Network blockage. Of all properly dialed calls, 98 percent shall not experience blockage during any normal busy hour, excluding blockage that is beyond the

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control of the telecommunications carrier. A penalty of \$10,000 per wire center may be assessed for each month of noncompliance with this standard.

(e) Trouble reports cleared. Of all trouble reports, 90 percent shall be cleared within 48 hours. A penalty of \$15,000 per month may be assessed for each month of noncompliance with this standard, except that a penalty shall not be assessed if the telecommunications carrier has met this standard on an overall basis for the annual period.

(f) Repair center access. Of calls to a telecommunications carrier's repair center or centers, 80 percent shall be answered in 20 seconds or less. A penalty of \$15,000 per month may be assessed for each month of noncompliance with this standard.

(g) Sales office access. Of calls to a telecommunications carrier's sales office or offices, 75 percent shall be answered in 20 seconds or less. A penalty of \$15,000 per month may be assessed for each month of noncompliance with this standard.

(2) The service quality standards established in this section and section 29 of this 1999 Act apply to normal operating conditions and do not establish a level of performance to be achieved during periods of emergency, catastrophe, natural disaster, severe storm or other events affecting large numbers of telecommunications customers. The service quality standards shall not apply to extraordinary or abnormal conditions of operation such as those conditions resulting from work stoppage or slowdown, civil unrest or other events for which the telecommunications carrier reasonably may not have been expected to accommodate. To the extent such conditions affect the performance of a telecommunications carrier, it shall be the responsibility of the telecommunications carrier to separately document the duration and magnitude of each occurrence.

(3) A telecommunications carrier subject to this section shall report to the commission quarterly the carrier's performance relative to each of the minimum service quality standards.

(4) Penalties for a violation of the service quality standards established under this section shall be imposed by order following complaint as provided under ORS 756.500 to 756.610. Any complaint filed under this section shall be filed within 90 days of each anniversary of the date the telecommunications carrier became subject to regulation under sections 24 and 25 of this 1999 Act. Penalties imposed under this section shall be:

(a) Paid in the form of bill credits to the telecommunications carrier's customers in a manner approved by the commission; or

(b) Directed by the commission to targeted investments by the telecommunications carrier to address specific issues of service quality.

(5)(a) Total combined annual penalties imposed on a telecommunications utility under this section and sections 29 and 38 of this 1999 Act [759.450 and 759.455] shall not exceed two percent of the utility's gross intrastate revenue from the sale of telecommunications services in the calendar year preceding the year in which the penalties are assessed.

(b) Penalties imposed under section 29 of this 1999 Act shall be reduced by an amount equal to the penalty amount incurred by a telecommunications utility under this section, provided the penalties are imposed or incurred for violations resulting from the same incident. [1999 c.1093 s.30]

Sec. 41. Section 30 of this 1999 Act is repealed January 1, 2004. [1999 c.1093 s.41]