Be it enacted by the Legislature of the State of Kansas:

Section 1. K.S.A. 2010 Supp. 66-2005 is hereby amended to read as follows: 66-2005. (a) Each local exchange carrier shall file a network infrastructure plan with the commission on or after January 1, 1997, and prior to January 1, 1998. Each plan, as a part of universal service protection, shall include schedules, which shall be approved by the commission, for deployment of universal service capabilities by July 1, 1998, and the deployment of enhanced universal service capabilities by July 1, 2003, as defined pursuant to subsections (p) and (q) of K.S.A. 66-1,187, and amendments thereto, respectively. With respect to enhanced universal service, such schedules shall provide for deployment of ISDN, or its technological equivalent, or broadband facilities, only upon a firm customer order for such service, or for deployment of other enhanced universal services by a local exchange carrier. After receipt of such an order and upon completion of a deployment plan designed to meet the firm order or otherwise provide for the deployment of enhanced universal service, a local exchange carrier shall notify the commission. The commission shall approve the plan unless the commission determines that the proposed deployment plan is unnecessary, inappropriate, or not cost effective, or would create an unreasonable or excessive demand on the KUSF. The commission shall take action within 90 days. If the commission fails to take action within 90 days, the deployment plan shall be deemed approved. This approval process shall continue until July 1, 2000. Each plan shall demonstrate the capability of the local exchange carrier to comply on an ongoing basis with quality of service standards to be adopted by the commission no later than January 1, 1997.

(b) In order to protect universal service, facilitate the transition to competitive markets and stimulate the construction of an advanced telecommunications infrastructure, each local exchange carrier shall file a regulatory reform plan at the same time as it files the network infrastructure plan required in subsection (a). As part of its regulatory reform plan, a local exchange carrier may elect traditional rate of return
regulation or price cap regulation. Carriers that elect price cap regulation shall be exempt from rate base, rate of return and earnings regulation and shall not be subject to the provisions of K.S.A. 66-136 and 66-127, and amendments thereto, except as otherwise provided in such sections. However, the commission may resume such regulation upon finding, after a hearing, that a carrier that is subject to price cap regulation has: violated minimum quality of service standards pursuant to subsection (l) of K.S.A. 66-2002, and amendments thereto; been given reasonable notice and an opportunity to correct the violation; and failed to do so. Regulatory reform plans also shall include:

(1) A commitment to provide existing and newly ordered point-to-point broadband services to: Any hospital as defined in K.S.A. 65-425, and amendments thereto; any school accredited pursuant to K.S.A. 72-1101 et seq., and amendments thereto; any public library; or other state and local government facilities at discounted prices close to, but not below, long-run incremental cost; and

(2) a commitment to provide basic rate ISDN service, or the technological equivalent, at prices which are uniform throughout the carrier's service area. Local exchange carriers shall not be required to allow retail customers purchasing the foregoing discounted services to resell those services to other categories of customers. Telecommunications carriers may purchase basic rate ISDN services, or the technological equivalent, for resale in accordance with K.S.A. 66-2003, and amendments thereto. The commission may reduce prices charged for services outlined in provisions (1) and (2) of this subsection, if the commitments of the local exchange carrier set forth in those provisions are not being kept.

(c) Subject to the commission's approval, all local exchange carriers shall reduce intrastate access charges to interstate levels as provided herein. Rates for intrastate switched access, and the imputed access portion of toll, shall be reduced over a three-year period with the objective of equalizing interstate and intrastate rates in a revenue neutral, specific and predictable manner. The commission is authorized to rebalance local residential and business service rates to offset the intrastate access and toll charge reductions. Any remaining portion of the reduction in access and toll charges not recovered through local residential and business service rates shall be paid out from the KUSF pursuant to K.S.A. 66-2008, and amendments thereto. Each rural telephone company shall adjust its intrastate switched access rates on March 1 of each odd-numbered year to match its interstate switched access rates, subject to the following:

(1) Any reduction of a rural telephone company's cost recovery due to reduction of its intrastate access revenue shall be recovered from the
KUSF;

(2) any portion of rural telephone company reductions in intrastate switched access rates which would result in an increase in KUSF recovery in a single year which exceeds .75% of intrastate retail revenues used in determining sums which may be recovered from Kansas telecommunications customers pursuant to subsection (a) of K.S.A. 66-2008, and amendments thereto, shall be deferred until March 1 of the next following odd-numbered year; and

(3) no rural company shall be required at any time to reduce its intrastate switched access rates below the level of its interstate switched access rates.

(d) Beginning March 1, 1997, each rural telephone company shall have the authority to increase annually its monthly basic local residential and business service rates by an amount not to exceed $1 in each 12-month period until such monthly rates reach an amount equal to the statewide rural telephone company average rates for such services. The statewide rural telephone company average rates shall be the arithmetic mean of the lowest flat rate as of March 1, 1996, for local residential service and for local business service offered by each rural telephone company within the state. In the case of a rural telephone company which increases its local residential service rate or its local business service rate, or both, to reach the statewide rural telephone company average rate for such services, the amount paid to the company from the KUSF shall be reduced by an amount equal to the additional revenue received by such company through such rate increase. In the case of a rural telephone company which elects to maintain a local residential service rate or a local business service rate, or both, below the statewide rural telephone company average, the amount paid to the company from the KUSF shall be reduced by an amount equal to the difference between the revenue the company could receive if it elected to increase such rate to the average rate and the revenue received by the company.

(e) For purposes of determining sufficient KUSF support, an affordable rate for local exchange service provided by a rural telephone company subject to traditional rate of return regulation shall be determined as follows:

(1) For residential service, an affordable rate shall be the arithmetic mean of residential local service rates charged in this state in all exchanges served by rural telephone companies and in all exchanges in rate groups 1 through 3 as of February 20, 2002, of all other local exchange carriers, weighted by the number of residential access lines to which each such rate applies, and thereafter rounded to the nearest quarter-dollar, subject to the following provisions:

(A) If a rural telephone company's present residential rate, including
any separate charge for tone dialing, is at or above such weighted mean, such rate shall be deemed affordable prior to March 1, 2007.

(B) If a rural telephone company's present residential rate, including any separate charge for tone dialing, is below such average: (i) Such rate shall be deemed affordable prior to March 1, 2003; (ii) as of March 1, 2003, and prior to March 1, 2004, a rate $2 higher than the company's present residential monthly rate, but not exceeding such weighted mean, shall be deemed affordable; (iii) as of March 1, 2004, and prior to March 1, 2005, a rate $4 higher than the company's present residential monthly rate, but not exceeding such weighted mean, shall be deemed affordable; and (iv) as of March 1, 2005, and prior to March 1, 2006, a rate $6 higher than the company's present residential monthly rate, but not exceeding such weighted mean, shall be deemed affordable.

(C) As of March 1, 2007, and each two years thereafter, an affordable residential service rate shall be the weighted arithmetic mean of local service rates determined as of October 1 of the preceding year in the manner hereinafter specified, except that any increase in such mean exceeding $2 may be satisfied by increases in a rural telephone company's residential monthly service rate not exceeding $2 per year, effective March 1 of the year when such mean is determined, with the remainder applied at the rate of $2 per year, but not to exceed the affordable rate.

(2) For single line business service at any time, an affordable rate shall be the existing rate or an amount $3 greater than the affordable rate for residential service as determined under provision (1) of this subsection, whichever is higher, except that any increase in the business service affordable rate exceeding $2 may be satisfied by increases in a rural telephone company's business monthly service rate not exceeding $2 per year, effective March 1 of the year when such rate is determined, with the remainder applied at the rate of $2 per year, but not to exceed the affordable rate.

(3) Any flat fee or charge imposed per line on all residential service or single line business service, or both, other than a fee or charge for contribution to the KUSF or imposed by other governmental authority, shall be added to the basic service rate for purposes of determining an affordable rate pursuant to this subsection.

(4) Not later than March 1, 2003, tone dialing shall be made available to all local service customers of each rural telephone company at no charge additional to any increase in the local service rate to become effective on that date. The amount of revenue received as of March 1, 2002, by a rural telephone company from the provision of tone dialing service shall be excluded from reductions in the company's KUSF support otherwise resulting pursuant to this subsection.
(5) A rural telephone company which raises one or more local service rates on application made after February 20, 2002, and pursuant to subsection (b) of K.S.A. 66-2007, and amendments thereto, shall have the level of its affordable rate increased by an amount equal to the amount of the increase in such rate.

(6) Upon motion by a rural telephone company, the commission may determine a higher affordable local residential or business rate for such company if such higher rate allows the company to provide additional or improved service to customers, but any increase in a rural telephone company's local rate attributable to the provision of increased calling scope shall not be included in any subsequent recalculation of affordable rates as otherwise provided in this subsection.

(7) A uniform rate for residential and single line business local service adopted by a rural telephone company shall be deemed an affordable rate for purposes of this subsection if application of such uniform rate generates revenue equal to that which would be generated by application of residential and business rates which are otherwise deemed affordable rates for such company under this subsection.

(8) The provisions of this subsection relating to the implementation of an affordable rate shall not apply to rural telephone companies which do not receive KUSF support. When recalculating affordable rates as provided in this subsection, the rates used shall include the actual rates charged by rural companies that do not receive KUSF support.

(f) For regulatory reform plans in which price cap regulation has been elected, price cap plans shall have three baskets: Residential and single-line business, including touch-tone; switched access services; and miscellaneous services. The commission shall establish price caps at the prices existing when the regulatory plan is filed subject to rate rebalancing as provided in subsection (c) for residential services, including touch-tone services, and for single-line business services, including touch-tone services, within the residential and single-line business service basket. The commission shall establish a formula for adjustments to the price caps. The commission also shall establish price caps at the prices existing when the regulatory plan is filed for the miscellaneous services basket. The commission shall approve any adjustments to the price caps for the miscellaneous service basket, as provided in subsection (g).

(g) On or before January 1, 1997, the commission shall issue a final order in a proceeding to determine the price cap adjustment formula that shall apply to the price caps for the local residential and single-line business and the miscellaneous services baskets and for sub-categories, if any, within those baskets. In determining this formula, the commission shall balance the public policy goals of encouraging efficiency and
promoting investment in a quality, advanced telecommunications network
in the state. The commission also shall establish any informational filing
requirements necessary for the review of any price cap tariff filings,
including price increases or decreases within the caps, to verify such caps
would not be exceeded by any proposed price change. The adjustment
formula shall apply to the price caps for the local residential and single-
line business basket after December 31, 1999, and to the miscellaneous
services basket after December 31, 1997. The price cap formula, but not
actual prices, shall be reviewed every five years.

(h) The price caps for the residential and single-line business service
basket shall be capped at their initial level until January 1, 2000, except
for any increases authorized as a part of the revenue neutral rate
rebalancing under subsection (c). The price caps for this basket and for
the categories in this basket, if any, shall be adjusted annually after
December 31, 1999, based on the formula determined by the commission
under subsection (g).

(i) The price cap for the switched access service basket shall be set
based upon the local exchange carrier's intrastate access tariffs as of
January 1, 1997, except for any revenue neutral rate rebalancing
authorized in accordance with subsection (c). Thereafter, the cap for this
basket shall not change except in connection with any subsequent
revenue neutral rebalancing authorized by the commission under
subsection (c).

(j) The price caps for the miscellaneous services basket shall be
adjusted annually after December 31, 1997, based on the adjustment
formula determined by the commission under subsection (g).

(k) A price cap is a maximum price for all services taken as a whole
in a given basket. Prices for individual services may be changed within
the service categories, if any, established by the commission within a
basket. An entire service category, if any, within the residential and
single-line business basket or miscellaneous services basket may be
priced below the cap for such category. Unless otherwise approved by the
commission, no service shall be priced below the price floor which will
be long-run incremental cost and imputed access charges. Access charges
equal to those paid by telecommunications carriers to local exchange
carriers shall be imputed as part of the price floor for toll services offered
by local exchange carriers on a toll service basis.

(l) A local exchange carrier may offer promotions within an
exchange or group of exchanges. All promotions shall be approved by the
commission and may not be unjust, unreasonably discriminatory or
unduly preferential.

(m) Unless the commission authorizes price deregulation at an
earlier date, intrastate toll services within the miscellaneous services
basket shall continue to be regulated until the affected local exchange
carrier begins to offer 1+ intraLATA dialing parity throughout its service
territory, at which time intrastate toll will be price deregulated, except
that prices cannot be set below the price floor.

(n) On or before July 1, 1997, the commission shall establish
guidelines for reducing regulation prior to price deregulation of price cap
regulated services in the miscellaneous services basket, the switched
access services basket, and the residential and single-line business basket.

(o) Subsequent to the adoption of guidelines pursuant to subsection
(n), the commission shall initiate a petitioning procedure under which the
local exchange carrier may request rate range pricing. The commission
shall act upon a petition within 21 days, subject to a 30-day extension.
The prices within a rate range shall be tariffed and shall apply to all
customers in a nondiscriminatory manner in an exchange or group of
exchanges.

(p) A local exchange carrier may petition the commission to
designate an individual service or service category, if any, within the
miscellaneous services basket, the switched access services basket or the
residential and single-line business basket for reduced regulation. The
commission shall act upon a petition for reduced regulation within 21
days, subject to an extension period of an additional 30 days, and upon a
good cause showing of the commission in the extension order, or within
such shorter time as the commission shall approve. The commission shall
issue a final order within the 21-day period or within a 51-day period if
an extension has been issued. Following an order granting reduced
regulation of an individual service or service category, the commission
shall act on any request for price reductions within seven days subject to
a 30-day extension. The commission shall act on other requests for price
cap adjustments, adjustments within price cap plans and on new service
offerings within 21 days subject to a 30-day extension. Such a change
will be presumed lawful unless it is determined the prices are below the
price floor or that the price cap for a category, if any, within the entire
basket has been exceeded.

(q) (1) Beginning July 1, 2006, price regulation of
telecommunications services in the residential and single-line business
service basket and the miscellaneous services basket for local exchange
carriers subject to price cap regulation shall be as follows:

(A) Packages or bundles of services shall be price deregulated
statewide, however the individual telecommunication service components
of such packages or bundles shall remain available for purchase on an
individual basis at prices subject to price cap regulation in any exchange
in which the standards in subsection (q)(1)(B), (C) or (D) have not been
met. If standards in subsection (q)(1)(B), (C) or (D) have been met, the
individual telecommunication service components of such packages or bundles shall remain available for purchase on an individual basis and prices for packages or bundles shall not exceed the sum of the highest prices of the ala carte components of the package or bundle;

(B) in any exchange in which there are 75,000 or more local exchange access lines served by all providers, rates for all telecommunications services shall be price deregulated;

(C) in any exchange in which there are fewer than 75,000 local exchange access lines served by all providers, the commission shall price deregulate all business telecommunications services upon a demonstration by the requesting local telecommunications carrier that there are two or more nonaffiliated telecommunications carriers or other entities, that are nonaffiliated with the local exchange carrier, providing local telecommunications service to business customers, regardless of whether the entity provides local service in conjunction with other services in that exchange area. One of such nonaffiliated carriers or entities shall be required to be a facilities-based carrier or entity and not more than one of such nonaffiliated carriers or entities shall be a provider of commercial mobile radio services in that exchange;

(D) in any exchange in which there are fewer than 75,000 local exchange access lines served by all providers, the commission shall price deregulate all residential telecommunications services upon a demonstration by the requesting local telecommunications carrier that there are two or more nonaffiliated telecommunications carriers or other entities, that are nonaffiliated with the local exchange carrier, providing local telecommunications service to residential customers, regardless of whether the entity provides local service in conjunction with other services in that exchange area. One of such nonaffiliated carriers or entities shall be required to be a facilities-based carrier or entity and not more than one of such nonaffiliated carriers or entities shall be a provider of commercial mobile radio services in that exchange;

(E) rates for lifeline services shall remain subject to price cap regulation;

(F) up to and continuing until July 1, 2008, rates for the initial residential local exchange access line and up to four business local exchange access lines at one location shall remain subject to price cap regulation. On and after July 1, 2008, the local exchange carrier shall be authorized to adjust such rates without commission approval by not more than the percentage increase in the consumer price index for all urban consumers, as officially reported by the bureau of labor statistics of the United States department of labor, or its successor index, in any one year period and such rates shall not be adjusted below the price floor established in subsection (k). Such rates shall not be affected by purchase
of one or more of the following: Call management services, intraLATA long-distance service or interLATA long-distance service (i) any price deregulated incumbent local exchange carrier shall provide a single residential local exchange access line, or up to four business local exchange access lines at one location, at the rate level in effect as of the date the price deregulation became effective, adjusted by not more than any increases in the telephone services index within the consumer price index for all urban consumers, as officially reported by the bureau of labor statistics of the United States department of labor, or its successor index, since the date the deregulation became effective, and such price deregulated incumbent shall not require a term commitment in order to receive such pricing; (ii) the price deregulated incumbent local exchange carrier shall make the service option described in subsection (q)(1)(F)(i) readily available within its service area and provide notice of such option to customers in a clear and prominent manner. Such customer notification shall occur every six months in the form of a bill page message providing an objective description of the service option, including a telephone number and website address where the customer may obtain additional information from the carrier, all in a form as approved by the commission; and (iii) a price deregulated incumbent local exchange carrier shall provide the commission with semiannual subscribership reports as of June 30 and December 31 that contain the number of its customers subscribing to the stand-alone service; and (G) local exchange carriers shall offer a uniform price throughout each such exchange for services subject to price deregulation, under this subsection, including packages or bundles of services, except as provided in subsection (1) or as otherwise approved by the commission. (2) For the purposes of this subsection: (A) Any entity providing voice service shall be considered as a local telecommunications service provider regardless of whether such entity is subject to regulation by the commission; (B) a provider of local telecommunications service that requires the use of a third party, unaffiliated broadband network or dial-up internet network for the origination of local voice service shall not be considered a local telecommunications service provider; (C) telecommunications carriers offering only prepaid telecommunications service shall not be considered entities providing local telecommunications service. (3) If the services of a local exchange carrier are classified as price deregulated under this subsection, the carrier may thereafter adjust its rates for such price deregulated services upward or downward as it
determines appropriate in its competitive environment, with tariffs for
such services deemed effective upon filing with the commission. Price
deregulated services shall be subject to the price floor in subsection (k),
and shall not be unreasonably discriminatory or unduly preferential
within an exchange.

(4) The commission shall act upon a petition filed pursuant to
subsection (q)(1)(C) or (D) within 21 days, subject to an extension period
of an additional 30 days, and upon a good cause showing of the
commission in the extension order, or within such shorter time as the
commission shall approve. The commission shall issue a final order
within the 21-day period or within a 51-day period if an extension order
has been issued.

(5) The commission may resume price cap regulation of a local
exchange carrier, deregulated under this subsection upon finding, after a
hearing, that such carrier has: Violated minimum quality of service
standards pursuant to subsection (1) of K.S.A. 66-2002, and amendments
thereto; been given reasonable notice and an opportunity to correct the
violation; and failed to do so.

(6) The commission on July 1, 2006, and on each date that any
service is deregulated, shall record the rates of each service which has
been price deregulated in each exchange.

(7) Prior to January 1, 2007, the commission shall determine the
weighted, statewide average rate of nonwireless basic local
telecommunications service as of July 1, 2006. Prior to January 1, 2007,
and annually thereafter, the commission shall determine the weighted,
average rate of nonwireless basic local telecommunications services in
exchanges that have been price deregulated pursuant to subsection (q)(1)
(B), (C) or (D). The commission shall report its findings on or before
February 1, 2007, and annually thereafter to the governor, the legislature
and each member of the standing committees of the house of
representatives and the senate which are assigned telecommunications
issues. The commission shall also provide in such annual report any
additional information it deems useful in determining the impact of price
deregulation on consumers and the competitive environment, including,
but not limited to, the rates recorded under paragraph (6) of this
subsection, the current rates for services in price deregulated exchanges,
changes in service offerings available in price deregulated exchanges and
the change in the number of competitors in price deregulated exchanges.
If the commission finds that the weighted, average rate of nonwireless
basic local telecommunications service, in exchanges that have been price
deregulated pursuant to subsection (q)(1)(B), (C) or (D) in any one year
period is greater than the weighted, statewide average rate of nonwireless
basic local telecommunications service as of July 1, 2008, multiplied by
one plus the percentage increase in the telephone services index within the consumer price index for goods and services for the study periods, or the commission believes that changes in state law are warranted due to the status of competition, the commission shall recommend to the governor, the legislature and each member of the standing committees of the house of representatives and the senate which are assigned telecommunications issues such changes in state law as the commission deems appropriate and the commission shall also send a report of such findings to each member of the legislature.

(8) For the purposes of this subsection:
(A) "Packages or bundles of services" means the offering of a local telecommunications service with one or more of the following, subscribed together, as one service option offered at one price, one or more call management services, intralATA long distance service, interlATA long distance service, internet access, video services or wireless services. Packages or bundles of services shall not include only a single residential local exchange access line or up to four business local exchange access lines at one location and intralATA long distance service or interlATA long distance service, or both;
(B) "local telecommunications service" means two-way voice service capable of being originated and terminated within the exchange of the local exchange telecommunications company seeking price deregulation of its services, regardless of the technology used to provision the voice service;
(C) "broadband network" means a connection that delivers services at speeds exceeding two hundred kilobits per second in both directions;
(D) "prepaid telecommunications service" means a local service for which payment is made in advance that excludes access to operator assistance and long distance service;
(E) "facilities based carrier" means a telecommunications carrier or entity providing local telecommunications service either wholly or partially over its own network. Facilities based carrier shall not include any radio communication services provider licensed by the federal communications commission to provide commercial mobile radio services; and
(F) "call management services" means optional telecommunications services that allow a customer to manage call flow generated over the customer's local exchange access line.
(r) (1) Upon complaint or request, the commission may investigate a price deregulated service.
(2) The commission shall resume price cap regulation of a service provided in any exchange area by placing it in the appropriate service basket, as approved by the commission, upon a determination by the
commission that the conditions in subsection (q)(1)(C) or (D) are no
longer satisfied in that exchange area.

(3) The commission shall resume price cap regulation of business
services in any exchange meeting the conditions of subsection (q)(1)(B)
by placing it in the appropriate service basket, as approved by the
commission, upon a determination by the commission that the following
condition is not met: There are at least two nonaffiliated
telecommunications carriers or other entities, that are nonaffiliated with
the local exchange carrier, providing local telecommunications service to
business customers, regardless of whether the entity provides local
service in conjunction with other services in that exchange area. One of
such nonaffiliated carriers or entities shall be required to be a facilities-
based carrier or entity and not more than one such nonaffiliated carriers
or entities shall be a provider of commercial mobile radio services in that
exchange.

(4) The commission shall resume price cap regulation of residential
services in any exchange meeting the conditions of subsection (q)(1)(B)
by placing it in the appropriate service basket, as approved by the
commission, upon a determination by the commission that the following
condition is not met: There are at least two or more nonaffiliated
telecommunications carriers or other entities, that are nonaffiliated with
the local exchange carrier, providing local telecommunications service to
residential customers, regardless of whether the entity provides local
service in conjunction with other services in that exchange area. One of
such nonaffiliated carriers or entities shall be required to be a facilities-
based carrier or entity and not more than one such nonaffiliated carriers
or entities shall be a provider of commercial mobile radio services in that
exchange.

(5) The commission shall resume price cap regulation of a local
exchange carrier in any exchange for which the weighted average rate
for a period of four consecutive years exceeds the inflation-adjusted
statewide weighted average rate unless the price cap carrier’s rate in the
exchange has increased in an amount no greater than the increase in the
telephone services index within the consumer price index for all urban
customers for such period.

(s) The commission shall require that for all local exchange carriers
all such price deregulated basic intraLATA toll services be geographically
averaged statewide and not be priced below the price floor established in
subsection (k).

(t) Cost studies to determine price floors shall be performed as
required by the commission in response to complaints. In addition,
notwithstanding the exemption in subsection (b), the commission may
request information necessary to execute any of its obligations under the
act. In response to a complaint that a price deregulated service is priced
below the price floor set forth in subsection (k), the commission shall
issue an order within 60 days after the filing of the complaint unless the
complainant agrees to an extension.
(u) A local exchange carrier may petition for individual customer
pricing. The commission shall respond expeditiously to the petition
within a period of not more than 30 days subject to a 30-day extension.
(v) No audit, earnings review or rate case shall be performed with
reference to the initial prices filed as required herein.
(w) Telecommunications carriers shall not be subject to price
regulation, except that: Access charge reductions shall be passed through
to consumers by reductions in basic intrastate toll prices; and basic toll
prices shall remain geographically averaged statewide. As required under
K.S.A. 66-131, and amendments thereto, and except as provided for in
subsection (c) of K.S.A. 66-2004, and amendments thereto,
telecommunications carriers that were not authorized to provide switched
local exchange telecommunications services in this state as of July 1,
1996, including cable television operators who have not previously
offered telecommunications services, must receive a certificate of
convenience based upon a demonstration of technical, managerial and
financial viability and the ability to meet quality of service standards
established by the commission. Any telecommunications carrier or other
telecommunications services that were not authorized to provide switched
carrier that provides
telecommunications services that were not authorized to provide switched
any structurally
separate affiliate of a local exchange carrier that provides
telecommunications services shall be subject to the same regulatory
obligations and oversight as a telecommunications carrier, as long as the
local exchange carrier's affiliate obtains access to any services or facilities
from its affiliated local exchange carrier on the same terms and
conditions as the local exchange carrier makes those services and
facilities available to other telecommunications carriers. The commission
shall oversee telecommunications carriers to prevent fraud and other
practices harmful to consumers and to ensure compliance with quality of
service standards adopted for all local exchange carriers and
telecommunications carriers in the state.

Sec. 2. K.S.A. 2010 Supp. 66-2005 is hereby repealed.
Sec. 3. This act shall take effect and be in force from and after its
publication in the statute book.