

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2003**

S

2

**SENATE BILL 801
Commerce Committee Substitute Adopted 4/24/03**

Short Title: Investigate Certain Telecom. Activities. (Public)

Sponsors:

Referred to:

April 3, 2003

A BILL TO BE ENTITLED

1
2 AN ACT REQUIRING THE UTILITIES COMMISSION TO INVESTIGATE
3 EXCLUSIVE TELECOMMUNICATIONS SERVICE PROVIDER
4 AGREEMENTS OR ARRANGEMENTS.

5 The General Assembly of North Carolina enacts:

6 **SECTION 1.** The North Carolina Utilities Commission shall investigate
7 whether telecommunications service providers regulated by the Utilities Commission
8 are (i) unreasonably restricting or limiting the ability of other telecommunications
9 service providers regulated by the Utilities Commission from obtaining easements or
10 rights-of-way for the installation of facilities or equipment to provide
11 telecommunications services in this State or (ii) offering or granting incentives or
12 rewards to owners of real property or owners' agents to encourage the owners or agents
13 to refuse or restrict access to real property by other telecommunications service
14 providers.

15 **SECTION 2.** Not later than 90 days from the effective date of this act, the
16 Utilities Commission shall report the following to the Joint Legislative Utility Review
17 Committee:

- 18 (1) Whether the activities described in Section 1 of this act are occurring.
19 (2) If the activities described in Section 1 of this act are occurring, the
20 steps the Utilities Commission has taken, or will take, to address these
21 occurrences.
22 (3) Whether additional legislation is necessary to allow the Utilities
23 Commission to address the occurrence of activities described in
24 Section 1 of this act or to prevent their occurrence in the future.

25 **SECTION 3.** This act is effective when it becomes law.