

HOUSE BILL NO. 618

INTRODUCED BY R. HAMILTON

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4 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING TELECOMMUNICATIONS LAWS; PROMOTING  
5 CONSUMER CHOICE IN THE LOCAL TELEPHONE MARKET IN NONRURAL AREAS; DEFINING CERTAIN  
6 TERMS; REQUIRING AN INCUMBENT LOCAL EXCHANGE CARRIER TO UNBUNDLE ITS NETWORK  
7 ELEMENTS; PROVIDING COMPETITIVE SAFEGUARDS; AUTHORIZING THE PUBLIC SERVICE  
8 COMMISSION TO ISSUE UNBUNDLING ORDERS AND TO PROMULGATE RULES; EXEMPTING RURAL  
9 TELEPHONE COMPANIES FROM THE REQUIREMENT TO UNBUNDLE NETWORK SERVICES; AND  
10 PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

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14 NEW SECTION. Section 1. Purpose. The purpose of [sections 1 through 6] is to promote consumer  
15 choice in the local telephone market in nonrural areas of the state of Montana.

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17 NEW SECTION. Section 2. Definitions. As used in [sections 1 through 6], the following definitions  
18 apply:

- 19 (1) "Incumbent local exchange carrier" has the meaning provided in 69-3-803.
- 20 (2) "Network element" means a facility or equipment used in the provision of a telecommunications  
21 service. The term includes a facility or equipment:
  - 22 (a) that has features, functions, and capabilities, such as subscriber numbers, databases, signaling  
23 systems, and information sufficient for billing and collection; or
  - 24 (b) that is used in the transmission, routing, or other provisions of telecommunications services.
- 25 (3) "Rural telephone company" has the meaning provided in 69-3-803.
- 26 (4) "Unbundle" or "unbundling" means the process by which an incumbent local exchange carrier  
27 provides open access to network elements.

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29 NEW SECTION. Section 3. Duty to unbundle -- competitive safeguards. (1) An incumbent local  
30 exchange carrier shall, pursuant to commission order, unbundle its network elements.

