

57.1

**ARTICLE 6**

57.2

**TELECOMMUNICATIONS**

57.3 Section 1. Minnesota Statutes 2024, section 237.035, is amended to read:

57.4 **237.035 TELECOMMUNICATIONS CARRIER EXEMPTION.**

57.5 (a) Telecommunications carriers are subject to regulation under this chapter only to the  
57.6 extent required under paragraphs (b) to (e).

57.7 (b) Telecommunications carriers shall comply with sections 237.121 and 237.74.

57.8 (c) Telecommunications carriers shall comply with section 237.16, ~~subdivisions~~  
57.9 ~~subdivision 8 and 9.~~

57.10 (d) To the extent a telecommunications carrier offers local service, it shall obtain a  
57.11 certificate under section 237.16 for that local service.

57.12 (e) In addition, a telecommunications carrier's local service is subject to this chapter  
57.13 except that:

57.14 (1) a telecommunications carrier is not subject to rate-of-return or earnings investigations  
57.15 under section 237.075 or 237.081; and

57.16 (2) a telecommunications carrier is not subject to section 237.22.

57.17 Sec. 2. Minnesota Statutes 2024, section 237.036, is amended to read:

57.18 **237.036 COIN-OPERATED OR PUBLIC PAY TELEPHONES.**

57.19 ~~(a) Neither commission approval nor a commission certificate is required to:~~

57.20 ~~(1) site a coin-operated or public pay telephone in the state; or~~

57.21 ~~(2) implement changes in service, services offered, rates, or location regarding a~~  
57.22 ~~coin-operated or public pay telephone. Registration under section 237.64 is required to own~~  
57.23 ~~or operate a coin-operated or public pay telephone in the state.~~

57.24 ~~(b) This section does not change the authority of other state or local government entities~~  
57.25 ~~to regulate aspects of coin-operated or public pay telephone ownership, location, or operation;~~  
57.26 ~~however, an entity may not regulate aspects of these services that it did not regulate prior~~  
57.27 ~~to May 26, 1999. The commission shall retain the authority delegated to it under federal~~  
57.28 ~~and state law to protect the public interest with regard to coin-operated or public pay~~  
57.29 ~~telephones.~~

58.1 ~~(c) Owners and operators of coin-operated or public pay telephones are exempt from~~  
58.2 ~~sections 237.06, 237.07, 237.075, 237.09, 237.23, and 237.295, and the annual reporting~~  
58.3 ~~requirement of section 237.11.~~

58.4 ~~(d)~~ Owners of coin-operated or public pay telephones shall:

58.5 (1) provide immediate coin-free access, to the extent technically feasible, to 911  
58.6 emergency service or to another approved emergency service; and

58.7 (2) provide free access to the telecommunications relay service for people with  
58.8 communication disabilities.

58.9 ~~(c) Owners of coin-operated or public pay telephones must post at each coin-operated~~  
58.10 ~~or public pay telephone location:~~

58.11 ~~(1) customer service and complaint information, including the name, address, and~~  
58.12 ~~telephone number of the owner of the coin-operated or public pay telephone and the operator~~  
58.13 ~~service handling calls from the coin-operated or public pay telephone; a toll-free number~~  
58.14 ~~of the appropriate telephone company for the resolution of complaints; and the toll-free~~  
58.15 ~~number of the public utilities commission; and~~

58.16 ~~(2) a toll-free number at which consumers can obtain pricing information regarding~~  
58.17 ~~rates, charges, terms, and conditions of local and long-distance calls.~~

58.18 Sec. 3. Minnesota Statutes 2024, section 237.069, is amended to read:

58.19 **237.069 TRACER; HARASSING TELEPHONE CALL; RULES.**

58.20 ~~The commission shall adopt rules to govern how telephone companies respond to requests~~  
58.21 ~~for tracers made by persons who allege receiving harassing telephone calls. The rules must~~  
58.22 ~~address when a request for a tracer may be denied or delayed. A telecommunications carrier~~  
58.23 ~~operating in Minnesota must ensure the telecommunications carrier's equipment, facilities,~~  
58.24 ~~and services are capable of enabling authorized law enforcement agencies to conduct lawful~~  
58.25 ~~interception and access call-identifying information in a manner consistent with United~~  
58.26 ~~States Code, title 47, sections 1001 to 1010.~~

58.27 Sec. 4. Minnesota Statutes 2024, section 237.07, subdivision 1, is amended to read:

58.28 Subdivision 1. **Filing of charges.** Every telephone company shall keep on file with the  
58.29 department a specific rate, toll, or charge for every kind of noncompetitive service and a  
58.30 price list for every kind of service subject to emerging competition, together with all rules  
58.31 and classifications used by it in the conduct of the telephone business, including limitations  
59.1 on liability. The filings are governed by chapter 13. When a company sells services subject  
59.2 to emerging competition on an individually priced basis, it shall file a statement of the  
59.3 charges to its customers with the commission and the department. ~~The department shall~~  
59.4 ~~require each telephone company to keep open for public inspection, at designated offices,~~  
59.5 ~~so much of these rates, price lists, and rules as it deems necessary for the public information.~~

59.6 Sec. 5. Minnesota Statutes 2024, section 237.11, is amended to read:

59.7 **237.11 INSPECTING RECORDS AND PROPERTY; REPORTS REQUIRED.**

59.8 (a) Every telephone company subject to the provisions of this chapter, wherever  
59.9 organized, shall ~~keep an office in this state, and~~ make such reports to the department as it

59.10 shall from time to time require. All books, records, and files, ~~whether they relate to~~  
59.11 ~~competitive or noncompetitive services~~, and all of its property shall be at all times subject  
59.12 to inspection by the commission and the department. It shall close its accounts and take  
59.13 therefrom a balance sheet on December 31 of each year, and on or before May 1 following,  
59.14 such balance sheet, together with such other information as the department shall require,  
59.15 verified by an officer of the telephone company, shall be filed with the commission and the  
59.16 department, except that a local exchange carrier or a competitive local exchange carrier, as  
59.17 defined in Minnesota Rules, chapter 7811, is only required to file an annual report that  
59.18 includes the company's name, contact person, annual revenue, and status of its 911 update  
59.19 plan.

59.20 (b) In the event that any telephone company shall fail to file its annual report, as provided  
59.21 by this section, the department is authorized to make such an examination of the books,  
59.22 records, and vouchers of the company as is necessary to procure the necessary data for the  
59.23 annual report and cause the same to be prepared. The expense of procuring this data and  
59.24 preparing this report shall be paid by the telephone company failing to report, and the amount  
59.25 paid shall be credited by the commissioner of management and budget to funds appropriated  
59.26 for the expense of the department.

59.27 (c) The department is authorized to force collection of such sum by an action at law in  
59.28 the name of the department.

59.29 Sec. 6. Minnesota Statutes 2024, section 237.164, is amended to read:

59.30 **237.164 UNIVERSAL SERVICE DISCOUNT FOR SCHOOL OR LIBRARY.**

59.31 ~~The commission shall establish intrastate service discounts for schools and libraries by~~  
59.32 ~~order to the extent necessary to enable schools and libraries to receive federally supported~~  
59.33 ~~discounts. A school, school district, or library is eligible to receive telecommunications~~  
60.1 service at discounted rates, consistent with the E-Rate program administered by the Universal  
60.2 Service Administrative Company under United States Code, title 47, section 254, and Code  
60.3 of Federal Regulations, title 47, part 54.

60.4 Sec. 7. Minnesota Statutes 2024, section 237.626, subdivision 1, is amended to read:

60.5 Subdivision 1. **Promotions.** A telephone company or telecommunications carrier may  
60.6 promote the use of its services by offering a waiver of part or all of a recurring or a  
60.7 nonrecurring charge, a redemption coupon, or a premium with the purchase of a service.  
60.8 Section 237.09 does not apply to promotions under this section, but the customer group to  
60.9 which the promotion is available must be based on reasonable distinctions among customers.  
60.10 The service being promoted must have a price that is above the incremental cost of the  
60.11 service, including amortized cost of the promotion. ~~A promotion may take effect the day~~  
60.12 ~~after the notice is filed with the commission. The notice must identify customers to whom~~  
60.13 ~~the promotion is available.~~

60.14 Sec. 8. Minnesota Statutes 2024, section 237.626, subdivision 3, is amended to read:

60.15 Subd. 3. **Promotions available for resale.** Any promotional offering ~~lasting more than~~  
60.16 ~~90 days and filed with the commission under subdivision 1 must be~~ does not need to be  
60.17 made available to qualifying carriers for resale. ~~A~~ If a telephone company or  
60.18 telecommunications carrier makes a promotional offering available to a qualifying carrier  
60.19 for resale, the qualifying carrier must hold a certificate of authority from the commission  
60.20 and must have an approved interconnection agreement with the company offering the  
60.21 promotion, the terms of which include language governing the resale of services.

60.22 Sec. 9. Minnesota Statutes 2024, section 237.66, is amended by adding a subdivision to  
60.23 read:

60.24 Subd. 4. **Notice; local residential customers.** A telephone company must notify a  
60.25 residential customer regarding the price for all service options available to the customer. A  
60.26 notice must be provided:

60.27 (1) at the time the customer initially requests service;

60.28 (2) when the customer requests a service change; and

60.29 (3) at any time upon the customer's request.

61.1 Sec. 10. Minnesota Statutes 2024, section 237.66, is amended by adding a subdivision to  
61.2 read:

61.3 Subd. 5. **Customer notice; prior authorization.** A telephone company may provide  
61.4 the notice under subdivision 4 to a customer using paper billing, electronic billing, or other  
61.5 electronic communication methods if:

61.6 (1) the customer affirmatively opts in to electronic billing or electronic communication;

61.7 (2) the information in the notice is provided clearly and accessibly; and

61.8 (3) the customer is allowed to request a paper copy of service option pricing at any time  
61.9 and at no charge to the customer.

61.10 Sec. 11. Minnesota Statutes 2024, section 237.70, subdivision 7, is amended to read:

61.11 Subd. 7. **Application, notice, financial administration, complaint investigation.** The  
61.12 telephone assistance plan must be administered jointly by the commission, the Department  
61.13 of Commerce, and the local service providers in accordance with the following guidelines:

61.14 (a) The commission and the Department of Commerce shall develop an application form  
61.15 that must be completed by the subscriber for the purpose of certifying eligibility for telephone  
61.16 assistance plan credits to the local service provider. The application must contain the  
61.17 applicant's Social Security number. Applicants who refuse to provide a Social Security  
61.18 number will be denied telephone assistance plan credits. The application form must also  
61.19 include a statement that the applicant household is currently eligible for one of the programs

- 61.20 that confers eligibility for the federal Lifeline Program. The application must be signed by  
61.21 the applicant, certifying, under penalty of perjury, that the information provided by the  
61.22 applicant is true.
- 61.23 (b) Each local service provider shall annually mail a notice of the availability of the  
61.24 telephone assistance plan to each residential subscriber in a regular billing and shall mail  
61.25 the application form to customers when requested.
- 61.26 The notice must state the following:
- 61.27 YOU MAY BE ELIGIBLE FOR ASSISTANCE IN PAYING YOUR TELEPHONE  
61.28 BILL IF YOU RECEIVE BENEFITS FROM CERTAIN LOW-INCOME ASSISTANCE  
61.29 PROGRAMS. FOR MORE INFORMATION OR AN APPLICATION FORM PLEASE  
61.30 CONTACT .....
- 61.31 (c) An application may be made by the subscriber, the subscriber's spouse, or a person  
61.32 authorized by the subscriber to act on the subscriber's behalf. On completing the application  
62.1 certifying that the statutory criteria for eligibility are satisfied, the applicant must return the  
62.2 application to the subscriber's local service provider. On receiving a completed application  
62.3 from an applicant, the subscriber's local service provider shall provide telephone assistance  
62.4 plan credits against monthly charges in the earliest possible month following receipt of the  
62.5 application. The applicant must receive telephone assistance plan credits until the earliest  
62.6 possible month following the service provider's receipt of information that the applicant is  
62.7 ineligible.
- 62.8 If the telephone assistance plan credit is not itemized on the subscriber's monthly charges  
62.9 bill for local telephone service, the local service provider must notify the subscriber of the  
62.10 approval for the telephone assistance plan credit.
- 62.11 (d) The commission shall serve as the coordinator of the telephone assistance plan and  
62.12 be reimbursed for its administrative expenses from the surcharge revenue pool. As the  
62.13 coordinator, the commission shall:
- 62.14 (1) establish a uniform statewide surcharge in accordance with subdivision 6;
- 62.15 ~~(2) establish a uniform statewide level of telephone assistance plan credit that each local~~  
62.16 ~~service provider shall extend to each eligible household in its service area;~~
- 62.17 ~~(2)~~ (2) require each local service provider to account to the commission on a periodic  
62.18 basis for surcharge revenues collected by the provider, expenses incurred by the provider,  
62.19 not to include expenses of collecting surcharges, and credits extended by the provider under  
62.20 the telephone assistance plan;
- 62.21 ~~(4)~~ (3) require each local service provider to remit surcharge revenues to the Department  
62.22 of Public Safety for deposit in the fund; and
- 62.23 ~~(5)~~ (4) remit to each local service provider from the surcharge revenue pool the amount  
62.24 necessary to compensate the provider for expenses, not including expenses of collecting

62.25 the surcharges, and telephone assistance plan credits. When it appears that the revenue  
62.26 generated by the maximum surcharge permitted under subdivision 6 will be inadequate to  
62.27 fund any particular established level of telephone assistance plan credits, the commission  
62.28 shall reduce the credits to a level that can be adequately funded by the maximum surcharge.  
62.29 Similarly, the commission may increase the level of the telephone assistance plan credit  
62.30 that is available or reduce the surcharge to a level and for a period of time that will prevent  
62.31 an unreasonable overcollection of surcharge revenues.

62.32 (e) Each local service provider shall maintain adequate records of surcharge revenues,  
62.33 expenses, and credits related to the telephone assistance plan and shall, as part of its annual  
63.1 report or separately, provide the commission and the Department of Commerce with a  
63.2 financial report of its experience under the telephone assistance plan for the previous year.  
63.3 That report must also be adequate to satisfy the reporting requirements of the federal matching  
63.4 plan.

63.5 (f) The Department of Commerce shall investigate complaints against local service  
63.6 providers with regard to the telephone assistance plan and shall report the results of its  
63.7 investigation to the commission.

63.8 Sec. 12. Minnesota Statutes 2024, section 237.762, subdivision 5, is amended to read:

63.9 Subd. 5. **Income-neutral change.** Other than as authorized in this subdivision, an initial  
63.10 alternative regulation plan must not permit income-neutral rate changes for price-regulated  
63.11 services during the plan except as is necessary to implement extended area service or any  
63.12 successor to that service. Any plan must provide that after the rules issued pursuant to section  
63.13 237.16 are adopted, rates for price-regulated services may be increased, as approved by the  
63.14 commission, to the extent necessary to carry out the purpose of those rules. ~~However, rate  
63.15 increases, if any, for those services must be incorporated with a universal service fund so  
63.16 that the effective rate for the customers of those services does not increase during the first  
63.17 three years of the plan.~~

63.18 Sec. 13. **REPEALER.**

63.19 Minnesota Statutes 2024, sections 237.065; 237.066; 237.067; 237.071; 237.072; 237.075,  
63.20 subdivisions 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, and 11; 237.14; 237.15; 237.16, subdivision 9;  
63.21 237.22; 237.231; 237.59, subdivisions 1, 1a, 2, 3, 4, 5, 6, 8, 9, and 10; 237.66, subdivisions  
63.22 1, 1a, 1c, 1d, 2, 2a, and 3; 237.75; 237.766; 237.768; 237.772; and 237.775, are repealed.