237.19 MUNICIPAL TELECOMMUNICATIONS SERVICES.

(a) Any municipality shall have the right to own and operate a telephone exchange within its own borders, subject to the provisions of this chapter. It may construct such plant, or purchase an existing plant by agreement with the owner, or where it cannot agree with the owner on price, it may acquire an existing plant by condemnation.

(b) A municipality that owns and operates a telephone exchange may enter into a joint venture as a partner or shareholder with a telecommunications organization to provide telecommunications services within its service area.

(c) A municipality may acquire an existing plant through condemnation only if:

(1) a provider of telephone service ceases to offer telephone service and no other provider offering telephone service is available; and

(2) absent a condemnation process under this section, public safety would be negatively impacted or 911 service would become unreliable, as determined by the commission.

(d) A municipality is prohibited from using the municipality's condemnation authority under this section to intervene in the transfer or sale of a telecommunications service provider's assets.

(e) A condemnation process undertaken under this section must apply to all customers within the existing telephone exchange.

History: *(5302) 1915 c 152 s 16; 1991 c 79 s 1; 2024 c 114 art 4 s 2*