

237.181 CUSTOMER TRANSITION PLANS FOR AREAS WITH VOIP ALTERNATIVES.

Subdivision 1. **Definitions.** (a) For the purposes of this section, the following terms have the meanings given.

(b) "Commission" means the Public Utilities Commission.

(c) "Voice over Internet Protocol" or "VoIP" has the meaning given in section 237.025.

(d) "Alternative providers" means: (1) one or more providers the Federal Communications Commission has identified through Broadband Data Collection, location fabric data, or a successor data program as having a provider offering wireline broadband access service through fiber optic cable to the home capable of carrying VoIP of at least 25 megabits per second download speed and three megabit per second upload speed and offers VoIP services at a rate no more than 120 percent of the current rate for local flat-rated voice service; or (2) upon a request by a telephone company or telecommunications carrier, a Federal Communications Commission-approved adequate replacement provider if the requesting telephone company or telecommunications carrier meets the requirements of this section.

Subd. 2. **Customer transition plans.** (a) A telephone company or telecommunications carrier may submit a petition to the commission for approval of a customer transition plan to discontinue telecommunications service in an area where the telephone company or telecommunications carrier has shown that customers in the affected area have access to one or more providers for the telecommunications service provided by the telephone company or telecommunications carrier.

(b) The proposed customer transition plan must:

(1) clearly identify the area and affected customers;

(2) clearly identify the alternative providers available to customers in the affected area;

(3) provide for technical assistance to affected customers who request assistance with the transition to an alternate provider;

(4) include draft consumer dispute forms for commission approval;

(5) describe the public education meeting plans for affected customers when required by the commission;

(6) provide onetime connection fees and device costs for households eligible for credit as defined in section 237.70, subdivision 4a; and

(7) describe plans to transition or maintain critical government lines for which VoIP service is not a reasonable alternative.

Subd. 3. **Commission process.** The commission must provide for notice and comment on the petition for a customer transition plan. The commission must approve, modify, or reject a petition filed under this section. The commission may approve a plan under this section only if the commission finds that the telephone company or telecommunications carrier:

(1) has met the telephone company's or telecommunications carrier's burden of demonstrating to the commission that customers in the affected area have at least one alternative provider available to those customers;

(2) has demonstrated that it will put sufficient resources into assisting customers to transition to an alternate provider, including providing onetime connection fees and device costs for households eligible for credit as defined in section 237.70, subdivision 4a; and

(3) has held a public meeting in the affected area and provided written notice of the meeting to customers 60 days in advance.

Subd. 4. Obligations upon approval. (a) Upon approval of a petition for a customer transition plan under this section, the telephone company or telecommunications carrier that proposed the petition must continue to serve an affected customer until (1) the telephone company or telecommunications carrier completes the required actions in subdivision 2, and (2) any disputes brought before the commission by the customer are resolved.

(b) Nothing in this section relieves a telephone company or telecommunications carrier from their obligations under current law, rule, and commission order for customers for whom the commission has not granted approval of a transition plan pursuant to subdivision 3.

Subd. 5. Dispute resolution. The commission must resolve any dispute over whether a location has service available at the rates described in subdivision 1 on an expedited basis pursuant to section 237.61, prior to the date service is discontinued. A dispute must be submitted at least 90 days prior to the date of service discontinuance and resolved 15 days prior to the date of service discontinuation.

Subd. 6. Reinstatement of service. (a) The commission may reinstate existing obligations on the telephone company or telecommunications carrier to provide services to customers affected by this section:

(1) on the commission's own initiative; or

(2) in response to a request for agency action.

(b) Before acting under this subdivision, the commission must:

(1) provide notice and conduct a hearing; and

(2) determine that reinstating any existing obligation to serve is necessary because customers lack access to one or more providers.

(c) The telephone company or telecommunications carrier that would be affected by modification or reinstatement of service bears the burden of proof in a proceeding under this subdivision.

Subd. 7. Local exchange carrier. Nothing in this section relieves an incumbent local exchange carrier, as defined under United States Code, title 47, section 251(h)(1), of the incumbent local exchange carrier's existing interconnection obligations or terminates existing interconnection agreements in a manner other than according to the terms of the existing interconnection agreements or other existing law.

Subd. 8. No relinquishment of ETC status. A petition approved under this section is not a relinquishment of any eligible telecommunications carrier designation that has been granted to the petitioning telephone company or telecommunications carrier under federal and state law.

History: *1Sp2025 c 4 art 7 s 17*

NOTE: This section, as added by Laws 2025, First Special Session chapter 4, article 7, section 17, is effective July 1, 2026. Laws 2025, First Special Session chapter 4, article 7, section 17, the effective date.