



HOUSE BILL No. 5208

November 17, 1993, Introduced by Reps. Saunders, Ciaramitaro, Schroer, Dalman, Murphy, Pitoniak, Berman, Freeman, Kilpatrick, Bennane, Agee, Shepich, Barns, Leland, Rocca, Gubow and Parks and referred to the Committee on Public Utilities.

A bill to amend section 305 of Act No. 179 of the Public Acts of 1991, entitled
"Michigan telecommunications act,"
being section 484.2305 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 305 of Act No. 179 of the Public Acts of
2 1991, being section 484.2305 of the Michigan Compiled Laws, is
3 amended to read as follows:

4 Sec. 305. (1) A provider of basic local exchange service
5 shall not do any of the following:

6 (a) Discriminate against another provider by refusing or
7 delaying access to the local exchange.

8 (b) Refuse or delay interconnections or provide inferior
9 connections to another provider.

1 (c) Degrade the quality of access provided to another
2 provider.

3 (d) Impair the speed, quality, or efficiency of lines used
4 by another provider.

5 (e) Develop new services to take advantage of planned but
6 not publicly known changes in the underlying network.

7 (f) Refuse or delay a request of another provider for infor-
8 mation regarding the technical design, equipment capabilities and
9 features, geographic coverage, and traffic patterns of the local
10 exchange network.

11 (g) Refuse or delay access or be unreasonable in connecting
12 another provider to the local exchange whose product or service
13 requires novel or specialized access requirements.

14 (h) Upon a request, fail to fully disclose in a timely
15 manner all available information necessary for the design of
16 equipment that will meet the specifications of the local exchange
17 network.

18 (i) Discriminate against any provider or any party who
19 requests the information for commercial purposes in the dissemi-
20 nation of customer proprietary information. A provider shall
21 provide without unreasonable discrimination or delay telephone
22 directory listing information and related services to persons
23 purchasing telephone directory listing information to the same
24 extent and in the same quality as provided to the provider,
25 affiliates of the provider, or any other listing information
26 purchaser.

1 (j) Refuse or delay access by any person to another
2 provider.

3 (k) Sell, lease, or otherwise transfer an asset to an affil-
4 iate for an amount less than the fair market value of the asset.

5 (l) Buy, lease, or otherwise acquire an asset from an affil-
6 iate of the provider for an amount greater than the fair market
7 value of the asset.

8 (m) Bundle unwanted services or products for sale or lease
9 to another provider.

10 (n) Perform any act that has been prohibited by this act or
11 an order of the commission.

12 (o) Except with the approval of the commisison, jointly
13 market or offer as a package, at a discounted rate, 1 or more
14 unregulated services with a regulated service.

15 (p) Sell services or products, extend credit, or offer other
16 terms and conditions on more favorable terms to an affiliate of
17 the provider than the provider offers to other providers.

18 (Q) IF A SERVICE IS OFFERED TO ITS CUSTOMERS THAT WILL IDEN-
19 TIFY THE NUMBER FROM WHICH AN INCOMING CALL ORIGINATES, THE SERV-
20 ICE SHALL NOT IDENTIFY A NUMBER THAT IS UNLISTED IN THE TELEPHONE
21 DIRECTORY. THIS SUBDIVISION DOES NOT APPLY TO ANY OF THE
22 FOLLOWING:

23 (i) A FEDERAL, STATE, OR LOCAL LAW ENFORCEMENT AGENCY.

24 (ii) A FIRE DEPARTMENT OR OTHER ENTITY PROVIDING FIRE SUP-
25 PRESSION AND OTHER FIRE RELATED SERVICES.

26 (iii) A MEDICAL EMERGENCY CARE SERVICE.

1 (iv) A SERVICE IN WHICH BOTH THE CALLER AND RECEIVER CONSENT
2 TO THE IDENTIFICATION SYSTEM.

3 (2) A provider of cellular telecommunication services shall
4 not do either of the following:

5 (a) Unreasonably provide services, extend credit, or offer
6 other terms and conditions on more favorable terms to an affili-
7 ate of the provider or to its retail department that sells to end
8 users than the provider offers to other providers.

9 (b) Unreasonably use rates or proceeds from providers,
10 directly or indirectly, to subsidize or offset the costs of cel-
11 lular service offered by the provider, or an affiliate of the
12 provider, to other providers or to end users.