
ASSEMBLY BILL NO. 174—ASSEMBLYMEMBER MARZOLA

PREFILED FEBRUARY 2, 2025

Referred to Committee on Growth and Infrastructure

SUMMARY—Revises provisions relating to telecommunication providers. (BDR 58-128)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to telecommunication service; expanding the circumstances under which certain telecommunication providers may apply for relief from their status and obligations as a provider of last resort; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law requires certain telecommunication providers, called providers of
2 last resort, to provide basic network service and business line service to any person
3 requesting and eligible to receive such service in a particular service territory. (NRS
4 704.018) Existing law authorizes certain providers of last resort to file an
5 application with the Public Utilities Commission of Nevada to be relieved of their
6 obligation to provide such service in an area where an alternative voice service is
7 provided by a specified number of other providers meeting certain requirements.
8 The term “alternative voice service” for the purposes of these provisions excludes
9 retail voice service that is made available through satellite. (NRS 704.68886) This
10 bill removes the provision excluding retail voice service that is made available
11 through satellite from the definition of “alternative voice service,” thereby allowing
12 providers of retail voice service by satellite to be included among the providers of
13 alternative voice service which may be counted for the purposes of determining
14 whether a provider of last resort may be relieved of its obligation to provide basic
15 network service and business line service to any eligible person within a service
16 territory.



THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 **Section 1.** NRS 704.68886 is hereby amended to read as
2 follows:

3 704.68886 1. A competitive supplier that is a provider of last
4 resort may file an application with the Commission to be relieved, in
5 whole or in part, of its obligations and status as a provider of last
6 resort in an area where alternative voice service is provided by:

7 (a) At least:

8 (1) One provider that utilizes a wireline technology, is not an
9 affiliate of the provider of last resort and is capable of providing
10 alternative voice service to the entire area for which relief is sought;
11 and

12 (2) One provider that utilizes any other technology and is
13 capable of providing alternative voice service to the entire area for
14 which relief is sought;

15 (b) On or after June 1, 2015, two or more providers that utilize a
16 wireless *or satellite* technology and that are capable of providing
17 alternative voice service to the entire area for which relief is sought;
18 or

19 (c) On or after June 1, 2015, three or more providers that utilize
20 any technology and that are capable of providing alternative voice
21 service to the entire area for which relief is sought.

22 2. An application filed pursuant to subsection 1 must include:

23 (a) A map of the entire area for which relief is sought that
24 identifies separately each provider of alternative voice service which
25 is intended to satisfy the requirements of subsection 1. The map
26 must be of sufficient detail to identify the exact boundary by street
27 of the entire area for which relief is sought.

28 (b) A draft of the notice which the applicant intends to provide
29 pursuant to subsection 4.

30 3. The Commission shall approve or deny an application filed
31 pursuant to subsection 1 not later than 180 days after the application
32 is filed with the Commission. The Commission shall not approve an
33 application unless the Commission determines that the applicant has
34 satisfied the requirements of this section. The Commission may hold
35 a hearing to determine whether sufficient alternative voice service
36 exists in an area for which relief is sought by an applicant.

37 4. An applicant shall, not later than 30 days after filing an
38 application pursuant to subsection 1, provide written notice:

39 (a) To each current customer of the applicant located within the
40 area for which relief is sought. The notice may be included in a bill
41 from the applicant to the customer or included in a special mailing,
42 other than a promotional mailing, which states that important



1 information is enclosed. If a customer has elected to receive his or
2 her bill in an electronic form, such notice must be provided to the
3 customer electronically in the same manner in which he or she
4 receives a bill from the applicant.

5 (b) To each public safety answering point which is located
6 within the area for which relief is sought.

7 5. The written notice provided to each customer pursuant to
8 paragraph (a) of subsection 4 must include, in clear and
9 comprehensive language that is understandable to an ordinary
10 layperson:

11 (a) A statement that the applicant has applied to the Commission
12 for relief of its obligations as a provider of last resort in the area in
13 which the customer resides.

14 (b) A statement that a consumer session will be conducted by
15 the Commission in accordance with subsection 7 at which the
16 customer may make inquiries or comments concerning the
17 application.

18 (c) A statement that the Commission will issue a public notice
19 identifying the time, date and location of the consumer session.

20 (d) Any additional information required by the Commission.

21 6. A competitive supplier who files an application for relief
22 pursuant to subsection 1 shall conduct at least one meeting
23 concerning the application, which must include the following
24 parties:

25 (a) The Commission;

26 (b) The Consumer's Advocate;

27 (c) Representatives from each public safety answering point that
28 is located within the area for which relief is sought; and

29 (d) Each local law enforcement agency whose jurisdiction
30 includes, in whole or in part, the area for which relief is sought.

31 7. Not later than 120 days after receiving an application filed
32 pursuant to subsection 1, the Commission shall, in collaboration
33 with the applicant, schedule and conduct at least one consumer
34 session in each county in which is located, in whole or in part, any
35 area for which relief is sought under the application. The
36 Commission shall provide notice of the consumer session in
37 accordance with regulations adopted pursuant to NRS 703.320.

38 8. A competitive supplier that is relieved of its obligation and
39 status as a provider of last resort pursuant to this section shall not
40 apply for, and is not entitled to receive, any money from the fund to
41 maintain the availability of telephone service for any area for which
42 relief has been granted pursuant to this section, except for money for
43 the provision of lifeline service, as the term is defined in
44 NRS 707.450.



1 9. If the Commission issues an order approving an application
2 for relief pursuant to this section, the relief granted by such approval
3 does not affect or modify any obligation of an incumbent local
4 exchange carrier pursuant to any applicable federal law or
5 regulation.

6 10. A competitive supplier that is an incumbent local exchange
7 carrier and receives, on or before June 2, 2013, full or partial relief
8 from its obligations as a provider of last resort pursuant to NRS
9 704.6878 shall be deemed to be fully released from any obligation
10 as a provider of last resort for the area for which relief was granted
11 on or before June 2, 2013.

12 11. Except as otherwise provided in this section, any relief
13 granted pursuant to this section does not impose any obligation upon
14 a provider of alternative voice service in the area for which relief
15 was granted.

16 12. The Commission may declare that an emergency exists in
17 any area in which alternative voice service is not available and
18 where a competitive supplier has been granted relief from its
19 obligations as a provider of last resort pursuant to this section. If the
20 Commission declares an emergency pursuant to this subsection, the
21 Commission may:

22 (a) Take any steps necessary to protect the health, safety and
23 welfare of the affected residents or businesses and may expedite the
24 availability of alternative voice service to the affected residents or
25 businesses.

26 (b) Utilize the fund to maintain the availability of telephone
27 service to ensure that any affected resident or business has access to
28 alternative voice service.

29 (c) Issue an order imposing on a provider of alternative voice
30 service one or more obligations, including, without limitation, the
31 obligation to maintain adequate and reliable service for a specified
32 period, but such obligations may be imposed only to the extent that
33 the provider receives money from the fund to maintain the
34 availability of telephone service relating to the provision of service
35 pursuant to the order issued by the Commission pursuant to this
36 paragraph.

37 13. If, as a result of the approval by the Commission of an
38 application filed pursuant to subsection 1, a residential customer
39 does not have access to telephone service, including alternative
40 voice service, the customer may, on or before May 31, 2016, file a
41 request for service with the Commission. Upon receipt of a request,
42 the Commission shall investigate whether such service is available
43 to the customer. If the Commission determines that service is not
44 available, the Commission may order the competitive supplier that
45 received relief pursuant to this section to provide service to the



1 residential customer for a period specified by the Commission. If a
2 competitive supplier is ordered to provide service to a residential
3 customer pursuant to this subsection, the competitive supplier may
4 satisfy its obligation pursuant to this subsection by providing an
5 alternative voice service as provided in NRS 704.68881.

6 14. Except as otherwise provided in subsections 12 and 13, a
7 provider of alternative voice service that is not a provider of last
8 resort, or a competitive supplier that has been relieved of its
9 obligations as a provider of last resort, is not required to assume the
10 obligations of a provider of last resort.

11 15. As used in this section:

12 (a) “Alternative voice service” means a retail voice service made
13 available through any technology or service arrangement ~~{other than~~
14 ~~satellite service}~~ that provides:

15 (1) Voice-grade access to the public switched telephone
16 network; and

17 (2) Access to emergency 911 service.

18 (b) “Public safety answering point” has the meaning ascribed to
19 it in NRS 707.500.



