

The department of public service shall make a report to the legislature by February 15, 1997, comparing:

(1) the telecommunication relay system management performance of the telecommunication access for communication-impaired persons board and the system's relay operator for 1994; and

(2) the telecommunication relay system management performance of the department of public service and the system's relay operator for 1996.

Sec. 17. **REPEALER.**

Minnesota Statutes 1994, sections 237.50, subdivision 2; 237.51, subdivisions 2, 3, 4, and 6; and 237.54, subdivision 1, are repealed.

Sec. 18. **EFFECTIVE DATE.**

This act is effective July 1, 1995.

Presented to the governor May 17, 1995

Signed by the governor May 19, 1995, 2:40 p.m.

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**CHAPTER 191—S.F.No. 1173**

*An act relating to telecommunications; regulating the sale of local exchange service territory; proposing coding for new law in Minnesota Statutes, chapter 237.*

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. **[237.231] SALE OF LOCAL EXCHANGE SERVICE.**

Subdivision 1. COMMISSION APPROVAL. A Class A telephone company may not sell a local exchange service territory without receiving the prior consent of the commission. For the purposes of this section, a Class A telephone company is a telephone company which has annual revenues from regulated telecommunication operations of \$100,000,000 or more, as defined by the Federal Communications Commission in Code of Federal Regulations, title 47, section 32.11, paragraphs (a)(1) and (e).

Subd. 2. NOTICE OF INTENDED SALE. At least 90 days prior to applying to the commission for consent to a proposed sale or acquisition of a local exchange service, the selling telephone company must provide notice to its customers in that local exchange of its intent to sell and identify the affected local exchange, and the name of the proposed buyer. The notice must be on a separate document and included in the company's monthly billings to customers. The commission must approve the form of all notices.

New language is indicated by underline, deletions by ~~strikeout~~.

Subd. 3. RESIDENT POLL. At least 60 days prior to the hearing under subdivision 4, the telephone company proposing the sale of a local exchange service must provide each of its customers with a stamped envelope addressed to the commission and must inform the customer that the customer is encouraged to comment on the quality of service that has been provided in the local exchange service territory by the telephone company over the last 12 months.

Subd. 4. PUBLIC HEARING. At least 30 days prior to the commission's deliberations about a proposed sale or acquisition of a local exchange service territory, the commission must hold a public hearing at a location within the affected local exchange service territory allowing the public an opportunity to be heard and to present any concerns or comments.

Subd. 5. REQUIREMENTS FOR CONSENT. The commission may not give consent to a sale of a service territory unless, at a minimum, it finds all of the following:

(1) the quality of service provided by the telephone company servicing the local exchange service territory has substantially complied with all applicable quality of service standards adopted by rule by the commission for the previous calendar year;

(2) the proposed buyer is financially responsible and capable of making necessary investments to maintain quality service at levels required by rule; and

(3) the proposed buyer demonstrates that it has an adequate number of properly trained employees to maintain service at required levels.

The commission shall, as a condition of its consent, require a proposed buyer to enter into binding commitments obligating the buyer to maintain minimum levels of investment and staffing needed to meet the commission's quality of service rules. These commitments are in addition to any other conditions that the commission may impose.

## Sec. 2. EFFECTIVE DATE.

Section 1 is effective on December 31, 1995.

Presented to the governor May 17, 1995

Signed by the governor May 19, 1995, 2:25 p.m.

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## CHAPTER 192—H.F.No. 323

*An act relating to housing; making the landlord the bill payer and customer of record on utility accounts in single-metered multiunit residential buildings; amending Minnesota Statutes 1994, section 504.185, subdivision 1, and by adding a subdivision.*

New language is indicated by underline, deletions by ~~strikeout~~.