

**CS FOR HOUSE BILL NO. 289 (STATE AFFAIRS)  
IN THE LEGISLATURE OF THE STATE OF ALASKA  
SEVENTEENTH LEGISLATURE - FIRST SESSION**

**BY THE HOUSE STATE AFFAIRS COMMITTEE**

**Offered: 5/16/91**

**Referred: Rules**

**Sponsor(s): HOUSE STATE AFFAIRS COMMITTEE**

**A BILL**

**FOR AN ACT ENTITLED**

1 "An Act relating to regulation of the process of changing a telephone customer's selection  
2 of an interexchange carrier; and providing for an effective date."

3 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

4 \* Section 1. AS 42.05 is amended by adding a new section to read:

5           Sec. 42.05.870. CHANGES IN CUSTOMER CARRIER SELECTIONS. (a) At the time  
6 of the solicitation, a long distance carrier that solicits a request to change long distance carriers  
7 shall

8                   (1) identify the individual and the long distance carrier making the solicitation or  
9 on whose behalf the solicitation is being made;

10                   (2) state the purpose of the solicitation and inform the customer of the nature and  
11 extent of the services being offered;

12                   (3) state that the customer's long distance carrier may not be changed until a  
13 request to change carriers is signed by the customer and the long distance carrier has notified the  
14 local exchange carrier of the signed request;

1 (4) specifically establish whether the subscriber intends to change long distance  
2 carriers and describe the source and amount of any charge that may be imposed for processing  
3 the long distance carrier change; and

4 (5) state that failure of the customer to sign and return the request to change  
5 carriers has the effect of canceling the request.

6 (b) A local exchange carrier may not process a request to change carriers until the local  
7 exchange carrier receives a written request signed by the customer.

8 (c) This section does not prevent a telephone customer from originating a request for  
9 change of long distance carrier. However, a customer-initiated request is not effective until it  
10 has been made in writing and signed by the customer.

11 (d) A local exchange carrier shall retain the request to change carriers received from its  
12 customers for a period of not less than two years after the effective date of the request to change.

13 (e) A long distance carrier may, after giving the local exchange carrier at least 48 hours  
14 notice and at the long distance carrier's own expense, audit or have audited by a third party the  
15 records of requests to change long distance carriers held by a local exchange carrier.

16 (f) In this section, "request" or "request to change" means an instruction to the local  
17 exchange carrier made by a customer of that local exchange carrier stating that the customer  
18 wishes to substitute one long distance carrier for another as the provider of long distance services  
19 to the customer.

20 \* Sec. 2. Notwithstanding the provisions of AS 42.05.870, enacted by sec. 1 of this Act, a local  
21 exchange carrier may process a written request to change carriers to a long distance company that had  
22 applied for a certificate to provide long distance telephone service before the effective date of this Act  
23 if the written request to change carriers was collected before the effective date of this Act and if the long  
24 distance carrier receives a certificate from the Alaska Public Utilities Commission to provide long  
25 distance service. The requests to change carriers are not effective until the long distance carrier receives  
26 a certificate from the Alaska Public Utilities Commission to provide long distance service.

27 \* Sec. 3. This Act takes effect immediately under AS 01.10.070(c).