

PUBLIC CHAPTER NO. 973

HOUSE BILL NO. 3773

By Representative McManus

Substituted for: Senate Bill No. 3640

By Senator Ketron

AN ACT to amend Tennessee Code Annotated, Section 65-5-109, relative to the regulation of telecommunications.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 65-5-109, is amended by adding the following as a new subsection:

(t) Notwithstanding any law to the contrary, any certificated provider of local exchange telephone service subject to market regulation may, at its election, file a tariff with the authority governing the rates, terms and conditions of any of its services. Such filed tariff shall become effective upon filing and be deemed approved, unless rejected by the authority upon finding that the tariff violates applicable law within twenty-one (21) days of filing. The approval of a tariff under this subsection shall constitute publication and notice to consumers of the provisions of the tariff, specifically those provisions governing carrier and consumer liability, for purposes of the filed rate doctrine. Unless rejected as provided herein, such tariffs shall constitute binding tariffs to the same extent as tariffs of other providers not subject to market regulation, including application of the filed rate doctrine, and shall be subject to the rules and regulations of the authority governing customer notices to the same extent as such rules apply to providers not subject to market regulation.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

PASSED: May 6, 2010



KENT WILLIAMS, SPEAKER
HOUSE OF REPRESENTATIVES



RON RAMSEY
SPEAKER OF THE SENATE

APPROVED this 26th day of May 2010



PHIL BREDESEN, GOVERNOR