

## ACT 223

A Bill for an Act Relating to Telecommunications.

*Be It Enacted by the Legislature of the State of Hawaii:*

SECTION 1. The legislature finds that the 911 emergency telephone services system performs a vital role in ensuring the safety and welfare of both the citizens and tourists of Hawaii. The enhanced 911 telephone system, which electronically indicates to the operator the telephone number and address of a caller, provides an even greater level of protection. Conversion from the basic 911 system to the enhanced 911 system coupled with the rise of population throughout the State has escalated the counties' cost of providing this service. As a result, only the city and county of Honolulu and the county of Hawaii have been able to provide the necessary funding for this conversion. The purpose of this Act is to provide statewide enhanced 911 emergency telephone service by permitting a public utility to recover the capital cost through ratemaking procedures of the public utilities commission.

SECTION 2. Chapter 269, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

**“§269- Emergency telephone service; capital costs; ratemaking.** (a) A public utility providing local exchange telecommunications services shall be permitted to recover the capital cost and associated operating expenses for the first year of providing a statewide enhanced 911 emergency telephone service in the public switched telephone network, through a telephone line surcharge or the next rate case, whichever occurs first. Thereafter, the remaining capital costs and any additional capital costs shall be added to the rate base and recovered along with the associated operating expenses through local telephone rates of that public utility.

(b) Notwithstanding the commission's rules on ratemaking, the commission shall expedite and give highest priority to any necessary ratemaking procedures related to providing a statewide enhanced 911 emergency telephone service; provided that the commission may set forth conditions and requirements as the commission determines are in the public interest.

(c) The commission shall require every public utility providing statewide enhanced 911 emergency telephone service to maintain a separate accounting of the costs of providing an enhanced 911 emergency service and the revenues received from related surcharges until the next general rate case. The commission shall further require that every public utility imposing a surcharge shall identify such as a separate line item on all customer billing statements.

(d) This section shall not preclude the commission from changing any rate, established pursuant to this section, either specifically or pursuant to any general restructuring of all telephone rates, charges, and classifications.”

SECTION 3. New statutory material is underscored.<sup>1</sup>

SECTION 4. This Act shall take effect upon its approval. Enhanced 911 emergency telephone service shall be made available statewide within one year from the effective date of this Act.

(Approved June 18, 1993.)

## **ACT 223**

### **Note**

1. Edited pursuant to HRS §23G-16.5.