

278.54611 Commission's jurisdiction over commercial mobile radio service, interconnection agreements, telecommunications carriers, and cellular towers.

- (1) The provision of commercial mobile radio services shall be market-based and not subject to Public Service Commission regulation. Notwithstanding any other provision of law to the contrary, except as provided in subsections (2) to (5) of this section, the commission shall not impose any requirement upon a commercial mobile radio services provider with respect to the following:
 - (a) The availability of facilities or equipment used to provide commercial mobile radio services; or
 - (b) The rates, terms, and conditions for, or entry into, the provision of commercial mobile radio service.
- (2) The provisions of this section do not limit or modify the commission's authority to arbitrate and enforce interconnection agreements.
- (3) The commission may assist in the resolution of consumer complaints.
- (4) The commission may exercise its authority to ensure that companies that are designated and operate as eligible telecommunications carriers under 47 U.S.C. sec. 214(e), including commercial mobile radio service providers that receive eligible telecommunications carrier status, comply with the Federal Communication Commission's rules in 47 C.F.R. pt. 54, which govern eligible telecommunications carriers, to the extent consistent with federal and state law.
- (5) The commission shall retain jurisdiction over cellular towers pursuant to KRS 278.665.

Effective: June 24, 2015

History: Amended 2015 Ky. Acts ch. 2, sec. 2, effective June 24, 2015. -- Created 2005 Ky. Acts ch. 109, sec. 1, effective June 20, 2005.