

And to impose responsibility on this agency at this point I am not in favor of abolishing the Public Service Commission. I know that last week Senator Landis spoke rather eloquently about the necessity for maintaining the integrity of the Public Service Commission for its rate-making potential capabilities, and talked about small telephone companies being extremely profitable in this state. That's not due to any abuse of ratepayers, it's due primarily to the effect of federal deregulation of telecommunications in which the large long distance carriers, such as AT&T and MCI, have to pay access charges to small town, local telephone companies. And their present prosperity and return on investment is a result of those payments. And the Public Service Commission does not have any part to play in that at all, it's a federal matter subject to federal court regulations. And Judge Greene (phonetic), who is virtually the czar of telecommunications in this country, and even if the Public Service Commission had maintained jurisdiction over rate-making, even if they had continued to regulate telephone companies, it wouldn't have changed that a bit; that's a matter of federal mandate. When they deregulated the AT&T and split up AT&T, they established access charges that the long distance carriers have to pay to local telephone companies, and that's what's produced the relatively high rate of return for a lot of the smaller telephone companies in this state. That was not the result of taking jurisdiction away from the Public Service Commission, that's somewhat of a red herring argument. I don't think the public interest would suffer a bit from taking the Public Service Commission out of the constitution. In fact I think in the future it would actually assist the public interest because it would give the Legislature more flexibility in imposing responsibilities on the commission. So I would urge support of LR 41.

PRESIDENT ROBAK: One minute. Thank you, Senator Matzke. Senator Chambers.

SENATOR CHAMBERS: Madam President, members of the Legislature, I wasn't here Friday, but I'm glad to know that there are some people who are in opposition to LR 41CA. And I'd like to ask Senator Brown a question, just so that I know where we are at this point. Senator Brown, the condition of your resolution now is that it would remove references from the constitution to the Public Service Commission?