

**278.54611 Commission's jurisdiction over commercial mobile radio service, interconnection agreements, customer complaints, 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 shall retain jurisdiction to assist in the resolution of consumer complaints.
- (4) The commission may develop standards that are generally applicable to companies that are designated and operate as eligible telecommunications carriers, pursuant to 47 U.S.C. sec. 214(e), or as carriers of last resort. The commission may exercise its authority to ensure that these carriers, including commercial mobile radio service providers that receive eligible telecommunications carrier status, comply with those standards.
- (5) The commission shall retain jurisdiction over cellular towers pursuant to KRS 278.665.

**Effective:** June 20, 2005

**History:** Created 2005 Ky. Acts ch. 109, sec. 1, effective June 20, 2005.