

### **279.310 Definitions for KRS 279.320 to 279.600.**

As used in KRS 279.320 to 279.600, unless the context requires otherwise:

- (1) "Cooperative" means any corporation organized under KRS 279.320 to 279.600 or which becomes subject to those sections in the manner provided therein;
- (2) "Person" means any natural person, firm, association, corporation, business trust, or partnership;
- (3) As used in this chapter, the term "telephone service" shall include in its meaning communications services of all kinds allowed to any other telephone utility, authorized by regulatory agency and with some unregulated, that being the transmission of voice, data, sounds, signals, pictures, writing, or signs of all kinds, by use of wire, radio, light, electromagnetic impulse, broadband (wideband) spectrum, or any other transmission mode and facility used in rendition of such services; but shall not include in their meaning message telegram service, or radio broadcasting services or facilities within the meaning of Section 153(O) of the Federal Communications Act of 1934, as amended;
- (4) "Acquire" means to construct, purchase, obtain by lease, devise, gift, or eminent domain, or to obtain by any other lawful means;
- (5) "Board" means the board of trustees of a corporation formed under KRS 279.320 to 279.600;
- (6) "Federal agency" means and includes the United States, the President of the United States, and all federal authorities, instrumentalities, and agencies in the ordinary sense;
- (7) "Improve" means to construct, reconstruct, extend, enlarge, alter, better, or repair;
- (8) "Member" means and includes each person signing the articles of incorporation of a corporation formed under KRS 279.320 to 279.600, each person later admitted to membership according to law or according to the articles of incorporation or bylaws of the corporation, and each common stockholder in a corporation, having capital stock, organized under KRS 279.320 to 279.600;
- (9) "Obligations" means and includes negotiable bonds, notes, debentures, interim certificates or receipts, and all other evidences of indebtedness either issued or the payment thereof assumed by a corporation organized under KRS 279.320 to 279.600;
- (10) "System" means and includes any plant, works, facilities, and properties, and all parts thereof and appurtenances thereto, used or useful in the operation and maintenance of telephone communication service;
- (11) "Rural area" shall be deemed to mean any area of this state not included within the boundaries of any incorporated or unincorporated city or of a consolidated local government, having a population in excess of fifteen hundred (1,500) inhabitants;
- (12) "Telephone company" means any natural person, firm, association, corporation, or partnership owning, leasing, or operating any line, facility, or system used in the furnishing of telephone service within this state;
- (13) "Business entity" means a domestic and foreign limited liability company,

corporation, general partnership, limited partnership, business or statutory trust, and not-for-profit unincorporated association;

- (14) "Corporation" means a profit or nonprofit corporation formed under the laws of any state or a foreign country;
- (15) "Name of record with the Secretary of State" means any real, fictitious, reserved, registered, or assumed name of a business entity; and
- (16) "Real name" shall have the meaning set forth in KRS 365.015.

**Effective:** July 15, 2010

**History:** Repealed and reenacted 2010 Ky. Acts ch. 51, sec. 134, effective July 15, 2010. -- Amended 2007 Ky. Acts ch. 137, sec. 134, effective June 26, 2007. -- Amended 2002 Ky. Acts ch. 346, sec. 224, effective July 15, 2002. -- Amended 1980 Ky. Acts ch. 175, sec. 1, effective July 15, 1980. -- Created 1950 Ky. Acts ch. 147, sec. 1, effective March 25, 1950.

**Legislative Research Commission Note (7/15/2010).** 2010 Ky. Acts ch. 51, sec. 183, provides, "The specific textual provisions of Sections 1 to 178 of this Act which reflect amendments made to those sections by 2007 Ky. Acts ch. 137 shall be deemed effective as of June 26, 2007, and those provisions are hereby made expressly retroactive to that date, with the remainder of the text of those sections being unaffected by the provisions of this section."

**Legislative Research Commission Note (6/26/2007).** 2007 Ky. Acts ch. 137, sec. 134, subsection (16) cited "Section 164 of this Act." It is apparent from context that the section referred to should have been Section 163 of the Act, KRS 365.015. The Reviser of Statutes has made this change under the authority of KRS 7.136.