A BILL FOR AN ACT

To amend section 203 of title 21 of the Code of the Federated States of Micronesia to open mobile telecommunications services in the FSM to competition, and for other purposes.

BE IT ENACTED BY THE CONGRESS OF THE FEDERATED STATES OF MICRONESIA:

1. Section 1. Section 203 of title 21 of the Code of the Federated States of Micronesia is hereby amended to read as follows:

"Section 203. Powers and responsibilities of the Corporation.

The Corporation has the following powers and responsibilities:

(1) to operate as the sole provider of all telecommunications services, except radio and television broadcasting and mobile or cellular telecommunications services, within the Federated States of Micronesia and between points in the Federated States of Micronesia and points outside thereof;

(2) to operate and manage such services on the basis of commercially accepted practices, treating all users of telecommunications services on equitable terms in accordance with its published tariffs, and requiring all users to pay for the services provided;

(3) to plan for the expansion and improvement
of telecommunications facilities and services;

(4) to the extent practicable, to expand telecommunications services to areas and communities in the Federated States of Micronesia that are presently unserved or poorly served and to improve the quality, reliability, and variety of services available to all users in a manner consistent with commercial reasonableness and with promoting economic development, the advancement of education and health care, and the preservation of the cultural identity of the people of the Federated States of Micronesia;

(5) to improve the telecommunications skills and promote the telecommunications training of Micronesian citizens who are employees of the Corporation;

(6) to establish, publish, and implement a structure of tariffs and rates for telecommunications services calculated to ensure that, to the extent practicable, adequate and equitable charges are imposed for services and that the tariff structure promotes the increased use of telecommunications services;

(7) to invest all surplus revenues of the Corporation in the expansion and improvement of
telecommunications facilities and services;
(8) to incur indebtedness for the purpose of expanding and improving telecommunications facilities, to the extent and on such terms as are deemed commercially reasonable by the Corporation;
(9) to provide on a reimbursable basis emergency telecommunications services to governments, individuals, and entities in the Federated States of Micronesia; and
(10) to represent the Federated States of Micronesia with regard to telecommunications matters in such international organizations and fora in which the Federated States of Micronesia is represented, subject to the policy guidance of the Government of the Federated States of Micronesia."

Section 2. This act shall become law upon approval by the President of the Federated States of Micronesia or upon its becoming law without such approval.

Date: 3/23/11    Introduced by: /s/ Dion G. Neth
Dion G. Neth