

# **WEST VIRGINIA LEGISLATURE**

**2022 REGULAR SESSION**

**Committee Substitute**

**for**

**Senate Bill 649**

BY SENATOR NELSON

[Originating in the Committee on the Judiciary;

reported on February 28, 2022]



1 A BILL to amend of the Code of West Virginia, 1931, as amended, by adding thereto a new  
2 section, designated §24-2-1r, relating to requiring certain voice-over internet protocol  
3 service providers delivering service in West Virginia or obtaining West Virginia area codes  
4 telephone numbers to register with the Public Service Commission; providing timelines to  
5 register; providing for a registration form; requiring voice-over internet protocol providers  
6 to submit certain information to the Public Service Commission; requiring voice-over  
7 internet protocol providers to keep information current; providing definitions; making  
8 requirements applicable to certain voice-over internet service providers after effective date  
9 of section; and limiting Public Service Commission jurisdiction to certain voice-over  
10 internet protocol service providers.

*Be it enacted by the Legislature of West Virginia:*

**ARTICLE 2. POWERS AND DUTIES OF PUBLIC SERVICE COMMISSION.**

**§24-2-1r. Registration requirements for voice-over internet protocol service providers.**

1 (a) Voice-over internet protocol service providers using the public switched telephone  
2 network and providing service in West Virginia or seeking West Virginia numbering resources  
3 shall file a registration form with the commission. A voice-over internet protocol service provider  
4 that provides service or obtains West Virginia numbering resources prior to July 1, 2022, and will  
5 continue to provide the service or use the West Virginia numbering resources after July 1, 2022,  
6 shall register with the commission by January 1, 2023. Any voice-over internet protocol service  
7 provider that wants to provide service in West Virginia or seek West Virginia numbering resources  
8 after July 1, 2022, shall register with the commission prior to providing the service or seeking the  
9 numbering resources.

10 (b) The commission shall prescribe the registration form to be filed pursuant to this  
11 section. Voice-over internet protocol providers shall provide the following information in the  
12 registration form:

13 (1) The name, address, telephone number, and email address of a contact person  
14 concerning the federal Telecommunications Relay Service law and related surcharges, if  
15 applicable;

16 (2) The name, address, telephone number, and email address of a contact person  
17 concerning the West Virginia Enhanced Wireless 911 Services law and related surcharges  
18 pursuant to §7-1-3cc and §24-6-6b of this code, if applicable;

19 (3) The name, address, telephone number, and email address of a contact person  
20 concerning consumer complaints and inquiries;

21 (4) The areas in the state of West Virginia where the voice-over internet protocol service  
22 provider will be providing service; and

23 (5) The name, address, telephone number, and email address of the person with  
24 managerial responsibility for the voice-over internet protocol service provider's West Virginia  
25 operations.

26 (c) Voice-over internet protocol service providers shall keep the information required by  
27 this section current and shall notify the commission of any changes to the information within 60  
28 days after the change.

29 (d) For purposes of this section, "voice-over internet protocol service" has the meaning  
30 prescribed in 47 C.F.R. §9.3.

31 (e) For purposes of this section, "West Virginia numbering resources" means telephone  
32 numbers assigned to telecommunications service providers by the North American Numbering  
33 Plan Administrator that are within a Numbering Plan Area (area code) assigned to West Virginia.

34 (f) Notwithstanding any other provision of this code to the contrary, on and after the  
35 effective date of this section, the requirements set forth herein shall apply to all voice-over internet  
36 protocol service providers in this state, as defined in subsection (d) of this section.

37 (g) The commission does not have jurisdiction over voice-over internet protocol services  
38 except as provided in subsections (a) through (f) of this section.