

**AMENDMENT TO H.R. 1542  
OFFERED BY MRS. WILSON**

**(wholesale and retail separation)**

At the end of the bill add the following new section:

1 **SEC. 7. DATA SERVICE PROVIDER REQUIRED TO SEPARATE**  
2 **WHOLESALE AND RETAIL OPERATIONS.**

3 (a) AMENDMENT TO THE COMMUNICATIONS ACT OF  
4 1934.—Section 272 of the Communications Act of 1934  
5 (47 U.S.C. 272) is amended by adding at the end the fol-  
6 lowing new subsection:

7 “(i) RETAIL AFFILIATE.—

8 “(1) IN GENERAL.—A Bell operating company  
9 (including any affiliate) may not provide any high  
10 speed data service or Internet access service after  
11 the date of enactment of this subsection unless such  
12 company provides retail telecommunications services  
13 solely through a separate affiliate established and  
14 operated in compliance with subsections (b) through  
15 (e). Such company or affiliate shall not engage in  
16 any joint marketing of such services with the affil-  
17 iate required by this subsection.

18 “(2) FACILITIES.—The affiliate required by this  
19 subsection may not own any local exchange or ex-  
20 change access facilities or equipment.



1           “(3) PRESERVATION OF EXISTING AUTHOR-  
2           ITY.—Nothing in this subsection shall be construed  
3           to limit the authority of the Commission under any  
4           other section of this Act to prescribe safeguards con-  
5           sistent with the public interest, convenience, and ne-  
6           cessity.

7           “(4) DEFINITION.—The term ‘retail tele-  
8           communications service’ means any telecommuni-  
9           cations service provided to a person other than a  
10          common carrier or other provider of telecommuni-  
11          cations.”.

12          (b) RATEPAYER PROTECTION.—The Commission  
13          shall not relax any cost allocation rules, accounting safe-  
14          guards, or other requirements in a manner that reduces  
15          its ability to enforce the provisions of section 272(i) of  
16          the Communications Act.

