

885

2013-2014 Regular Sessions

I N   S E N A T E

(PREFILED)

January 9, 2013

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Introduced by Sen. BONACIC -- read twice and ordered printed, and when printed to be committed to the Committee on Energy and Telecommunications

AN ACT to amend the public service law, in relation to requiring telecommunication service providers to provide notice relating to service outages

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1     Section 1. The public service law is amended by adding a new section  
2     92-g to read as follows:  
3     S 92-G. NOTICE OF SERVICE OUTAGE. 1. THE COMMISSION SHALL, BY REGU-  
4     LATIONS ADOPTED OR AMENDED PURSUANT TO THIS SECTION, ESTABLISH NOTICE  
5     REQUIREMENTS THAT SHALL APPLY TO ALL TELECOMMUNICATIONS SERVICE PROVID-  
6     ERS, RELATING TO SERVICE OUTAGES THAT LAST FOR TWENTY-FOUR HOURS OR  
7     LONGER AND WHICH AFFECT FIVE CUSTOMERS PER ONE HUNDRED ACCESS LINES OR  
8     MORE. FOR THE PURPOSES OF THIS SECTION, "TELECOMMUNICATIONS SERVICE  
9     PROVIDER" OR "PROVIDER OF TELECOMMUNICATIONS SERVICES" SHALL MEAN A  
10    TELEPHONE CORPORATION CERTIFIED IN THE STATE WITH THE AUTHORITY TO  
11    PROVIDE INTRASTATE TOLL AND LOCAL EXCHANGE SERVICE USING EITHER ITS OWN  
12    OR LEASED FACILITIES. THE COMMISSION SHALL INCLUDE WITH THE NOTICE  
13    REQUIREMENTS, METHODOLOGIES FOR MONITORING COMPLIANCE WITH AND ENFORCE-  
14    MENT OF SUCH STANDARDS.  
15    2. THE TERMS USED IN THIS SECTION EXCEPT WHERE EXPRESSLY INDICATED  
16    OTHERWISE SHALL MEAN AND BE DEFINED AS SET FORTH IN 16 NEW YORK CODE  
17    RULES AND REGULATIONS SECTION 603.3.  
18    3. EVERY PROVIDER OF TELECOMMUNICATIONS SERVICES SHALL PROVIDE NOTICE  
19    TO THE COMMISSIONER AS SOON AS PRACTICABLE BUT IN NO EVENT LATER THAN A  
20    TIME CERTAIN TO BE DETERMINED BY THE COMMISSION, WHICH SHALL INCLUDE, AT  
21    A MINIMUM:

EXPLANATION--Matter in *ITALICS* (underscored) is new; matter in brackets  
[ ] is old law to be omitted.

LBD03213-01-3

1 (A) THE APPROXIMATE NUMBER OF OUT-OF-SERVICE CUSTOMERS BY CITY, TOWN  
2 OR OTHER LOCALIZED GEOGRAPHIC LOCATION DETERMINED BY THE COMMISSION; AND

3 (B) AN ESTIMATE OF THE DURATION OF SUCH OUTAGE.

4 4. EVERY PROVIDER OF TELECOMMUNICATIONS SERVICES SHALL, TO THE EXTENT  
5 PRACTICABLE, MAKE INFORMATION RELATING TO ESTIMATED DURATION OF SUCH  
6 OUTAGE AVAILABLE TO CUSTOMERS THROUGH THE PROVIDER'S WEBSITE, LOCAL  
7 MEDIA OR ANY OTHER MEDIUM DETERMINED BY THE COMMISSION.

8 S 2. This act shall take effect on the ninetieth day after it shall  
9 have become a law; provided, however, that the public service commission  
10 is immediately authorized and directed to take any and all actions,  
11 including but not limited to the promulgation of any rules, necessary to  
12 fully implement the provisions of this act on its effective date.