

STATE OF NEW YORK

5967--A

2019-2020 Regular Sessions

IN ASSEMBLY

February 20, 2019

Introduced by M. of A. PAULIN, BUCHWALD, DE LA ROSA, GALEF, JEAN-PIERRE, ABINANTI, DINOWITZ, ENGLEBRIGHT, EPSTEIN, HUNTER, GOTTFRIED, JAFFEE, PICHARDO, McDONOUGH, REILLY, COOK, STECK, RAIA -- Multi-Sponsored by -- M. of A. DeSTEFANO, MANKTELOW, MIKULIN, SIMON, THIELE -- read once and referred to the Committee on Corporations, Authorities and Commissions -- reported and referred to the Committee on Codes -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the public service law, in relation to requiring certain notices to be provided to customers receiving telephone service through fiber optic-based telephone lines

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. The public service law is amended by adding a new section 104 to read as follows:

§ 104. Notice to customers on fiber optic-based telephone lines. 1. The commission shall require each telephone corporation that provides local exchange service to provide a notice containing information to customers on the differences between copper-based telephone lines and fiber optic-based telephone lines prior to when such telephone corporation intends to change such customer's telephone service from copper-based telephone lines to fiber optic-based telephone lines. Except (i) in cases of an emergency, or (ii) upon the request of the customer, such notice shall be provided to the customer at least forty-five days before such telephone corporation intends to change such customer's telephone service from copper-based telephone lines to fiber optic-based telephone lines. Such notice shall include, but not be limited to the following: a description of the differences between copper-based telephone lines and fiber optic-based telephone lines; the differences between the effect a power outage would have on the telephone service provided by copper-based and fiber optic-based telephone lines, including the avail-

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

LBD09213-02-9

1 ability of battery back-up options; an explanation of whether the
2 service will continue to be regulated by the commission; and a phone
3 number and contact information for customers who seek additional infor-
4 mation or wish to make a complaint to the commission.

5 2. The commission shall have the power to prescribe the form and
6 content of the notice established pursuant to this section. The commis-
7 sion may from time to time prescribe, by order, changes in the notice
8 thereof. The commission shall also have power to establish rules and
9 regulations for such notice and may from time to time modify the same.

10 3. Every telephone corporation shall file with the commission the
11 notice established pursuant to this section and obtain approval as to
12 the form and content thereof prior to providing such notice to custom-
13 ers. Notwithstanding the foregoing, any such notice shall be deemed to
14 be approved by the commission ninety days after such corporation applies
15 to the commission for approval, unless the commission, or its designee,
16 determines within such ninety day period that the public interest
17 requires the commission's review and its written order.

18 § 2. This act shall take effect on the one hundred eightieth day after
19 it shall have become a law.