

S T A T E O F N E W Y O R K

2928--A

2009-2010 Regular Sessions

I N A S S E M B L Y

January 21, 2009

Introduced by M. of A. KOON, BRENNAN, MILLMAN, N. RIVERA, ZEBROWSKI, COLTON, SCHROEDER, RAMOS, GORDON -- Multi-Sponsored by -- M. of A. CAHILL, CLARK, DeMONTE, GUNTHER, JOHN, MAYERSOHN, McENENY, PHEFFER, ROBINSON, WEISENBERG, WRIGHT -- read once and referred to the Committee on Small Business -- committed to the Committee on Small Business -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the public service law, in relation to deferred payment of certain charges to residential and small business customers

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

1 Section 1. Subdivision 4 of section 94 of the public service law, as
2 added by chapter 593 of the laws of 1984, is amended to read as follows:
3 4. (A) The commission shall require, with respect to any charge for
4 the installation or initiation of service of a residential OR SMALL
5 BUSINESS telephone line, or any nonrecurring maintenance service charge
6 with respect to a residential OR SMALL BUSINESS telephone line or equip-
7 ment, that any telephone corporation imposing such a charge offer a plan
8 for the deferred payment thereof in installments over a period of up to
9 one year. For the purposes of this subdivision, charges for initiation
10 of service are charges for the connection of service including but not
11 limited to charges for central office line, premises visit, inside wire
12 and jacks, and any related service.
13 (B) FOR THE PURPOSES OF THIS SUBDIVISION, A SMALL BUSINESS SHALL BE
14 DEEMED TO BE ONE WHICH IS RESIDENT IN THIS STATE, INDEPENDENTLY OWNED
15 AND OPERATED, NOT DOMINANT IN ITS FIELD AND WHICH EMPLOYS ONE HUNDRED OR
16 LESS PERSONS WHICH HAS INSTALLED NO MORE THAN FOUR LINES.
17 S 2. Section 215 of the public service law is amended by adding a new
18 subdivision 14 to read as follows:
19 14. (A) REQUIRE, WITH RESPECT TO ANY CHARGE FOR THE INSTALLATION OR
20 INITIATION OF SERVICE OF A RESIDENTIAL OR SMALL BUSINESS CABLE LINE, OR

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

LBD02329-03-0

1 ANY NONRECURRING MAINTENANCE SERVICE CHARGE WITH RESPECT TO A RESIDEN-
2 TIAL OR SMALL BUSINESS CABLE LINE OR EQUIPMENT, THAT ANY CABLE CORPO-
3 RATION IMPOSING SUCH A CHARGE OFFER A PLAN FOR THE DEFERRED PAYMENT
4 THEREOF IN INSTALLMENTS OVER A PERIOD OF UP TO ONE YEAR. FOR THE
5 PURPOSES OF THIS SUBDIVISION, CHARGES FOR INITIATION OF SERVICE ARE
6 CHARGES FOR THE CONNECTION OF SERVICE INCLUDING BUT NOT LIMITED TO
7 CHARGES FOR CENTRAL OFFICE LINE, PREMISES VISIT, INSIDE WIRE AND JACKS,
8 AND ANY RELATED SERVICE.

9 (B) FOR PURPOSES OF THIS SUBDIVISION, A SMALL BUSINESS SHALL BE DEEMED
10 TO BE ONE WHICH IS RESIDENT IN THIS STATE, INDEPENDENTLY OWNED AND OPER-
11 ATED, NOT DOMINANT IN ITS FIELD AND WHICH EMPLOYS ONE HUNDRED OR LESS
12 PERSONS WHICH HAS INSTALLED NO MORE THAN FOUR LINES.

13 S 3. This act shall take effect immediately.