

6609

2011-2012 Regular Sessions

I N   A S S E M B L Y

March 23, 2011

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Introduced by M. of A. SCARBOROUGH, BRENNAN, COLTON, MILLMAN, SCHROEDER,  
N. RIVERA, RAMOS, ZEBROWSKI -- Multi-Sponsored by -- M. of A. CAHILL,  
CLARK, GUNTHER, MAYERSOHN, McENENY, ROBINSON, WEISENBERG, WRIGHT --  
read once and referred to the Committee on Small Business

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 ASSEM-  
BLY, 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  
21    ANY NONRECURRING MAINTENANCE SERVICE CHARGE WITH RESPECT TO A RESIDEN-  
22    TIAL OR SMALL BUSINESS CABLE LINE OR EQUIPMENT, THAT ANY CABLE CORPO-  
23    RATION IMPOSING SUCH A CHARGE OFFER A PLAN FOR THE DEFERRED PAYMENT

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

LBD04581-01-1

1 THEREOF IN INSTALLMENTS OVER A PERIOD OF UP TO ONE YEAR. FOR THE  
2 PURPOSES OF THIS SUBDIVISION, CHARGES FOR INITIATION OF SERVICE ARE  
3 CHARGES FOR THE CONNECTION OF SERVICE INCLUDING BUT NOT LIMITED TO  
4 CHARGES FOR CENTRAL OFFICE LINE, PREMISES VISIT, INSIDE WIRE AND JACKS,  
5 AND ANY RELATED SERVICE.

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

10 S 3. This act shall take effect immediately.